



**AGENDA
BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Monday, May 6, 2013**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. Proclamation declaring May 11, 2013, as **Teen Pregnancy Prevention Day** (Kathleen Clothier, Community Action)
 - b. Proclamation declaring May 12-18, 2013, as **National Police Week** (Jacobs)
 - c. Proclamation declaring May 13-17, 2013, as **Bike to Work Week** (Sandy Thorpe)
 - d. Recognition of the Parks and Leisure Services Division's designation as part of **Travel Green Wisconsin** (Waite and Linda Ross, Visit Beloit)
4. PUBLIC HEARINGS
 - a. Proposed Ordinance amending the **Zoning District Map** of the City of Beloit to change the zoning district classification of the properties located at 1528 and 1532 Forest Avenue and 1533 W. Grand Avenue from R-1B, Single-family Residential District, to PLI, Public Lands and Institutions District (Christensen)
Plan Commission recommendation for approval 6-0
First Reading, suspend the rules for a Second Reading
 - b. Proposed Ordinance amending the **Zoning District Map** of the City of Beloit to change the zoning district classification of the properties located at 1500 and 1505 Gateway Boulevard from R-3, Low-density Multi-family Residential District, to M-1, Limited Manufacturing District (Christensen) Plan Commission recommendation for approval 6-0
First Reading, suspend the rules for a Second Reading
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 April 15, 2013, and the Reorganizational Meeting of April 16, 2013 (LeMire)

- b. Applications for the **Renewal of Alcohol Beverage Licenses** for License Period July 1, 2013 – June 30, 2014 (LeMire) Refer to ABLCC
 - c. Application for a **Class “B” Beer and “Class B” Liquor License** for Merrill and Houston’s Steak Joint, LLC, d/b/a Merrill and Houston’s Steak Joint, Jayme Braasch, Agent, 500 Pleasant Street (LeMire) Refer to ABLCC
 - d. Application for **Class “B” Beer and Reserve “Class B” Liquor License** for Hourglass Media, LLC, d/b/a The Castle at 501 Prospect, John Wittnebel, Agent, 501 Prospect Street (LeMire) Refer to ABLCC
 - e. Resolution approving a Temporary **Class “B”/“Class B” Retailer’s License** for an Art Walk event on May 10-11, 2013, at Visit Beloit, 500 Public Avenue (LeMire)
7. ORDINANCES – none
8. APPOINTMENTS
- a. Council President **Committee/Board/Commission Appointments**
9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS
10. CITY MANAGER’S PRESENTATION – none
11. REPORTS FROM BOARD AND CITY OFFICERS
- a. Resolution approving Amendments to the City of Beloit’s **Housing Rehabilitation Revolving Loan Program** (Christensen)
 - b. Initial Resolution Authorizing **General Obligation Bonds** in an Amount Not to Exceed \$2,815,000 for Street Improvement Projects (York)
 - c. Initial Resolution Authorizing **General Obligation Bonds** in an Amount Not to Exceed \$275,000 for Park and Public Grounds Projects (York)
 - d. Initial Resolution Authorizing Not to Exceed \$4,800,000 **General Obligation Refunding Bonds** (York)
 - e. Resolution Directing Publication of Notice to Electors Relating to Bond Issues and Providing for the Sale of Not to Exceed \$7,890,000 **General Obligation Corporate Purpose Bonds, Series 2013D** (York)
 - f. Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$1,375,000 **Storm Sewer System Revenue Refunding Bonds, Series 2013E** of the City of Beloit, Rock County, Wisconsin, and Providing for the Payment of the Bonds and Other Details with Respect to the Bonds (York)
 - g. Resolution authorizing the Application and Borrowing of up to \$677,100 from the State of Wisconsin Board of Commissioners of Public Lands **State Trust Fund Loan Program** for projects contained in the 2013 Capital Improvement Budget (York)

12. ADJOURNMENT

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

Dated: May 1, 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.

WHEREAS, the personal, social, and economic consequences of teenage pregnancy affect all local residents, and teenage pregnancy negatively affects the health, economic, and educational future of teenagers; and

WHEREAS, despite progress over the last decade, nearly three in ten teenagers in the United States become pregnant, the highest teen pregnancy rate among comparable countries; and

WHEREAS, roughly half of Latina and African American teen girls become pregnant before the age of twenty; and

WHEREAS, children of teen mothers are more likely to be born prematurely and at a low birth weight; and

WHEREAS, teen pregnancy is closely linked to a number of critical social issues such as poverty, educational attainment, involvement in the criminal justice and child welfare systems; and

WHEREAS, a child is two times more likely to suffer abuse and neglect than would occur if their mothers had delayed childbearing; and

WHEREAS, a child is nine times more likely to grow up in poverty if he or she is born to unmarried teen parents who have not yet completed high school; and

WHEREAS, fewer than half of mothers who have children before they turn 18 ever graduate from high school, and less than two percent of mothers who have children before 18 have a college degree by age 30; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF БЕЛОIT does hereby proclaim May 11, 2013 as “**TEENAGE PREGNANCY PREVENTION DAY,**” in our community to demonstrate our commitment to improving the quality of life.

Presented this 6th day of May 2013.

Charles M. Haynes, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

WHEREAS, police services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of police services and programs which are all guided by the Police Department's problem solving philosophy; and

WHEREAS, the health, safety, and comfort of this community greatly depends on these programs, services, and employees providing them; and

WHEREAS, sacrifices of present and past employees must be recognized; and

WHEREAS, this week also recognizes the contributions to the community of K-9 Nick, who retires May 12th, and recognizes the contributions of his handler, Officer Brian Daugherty.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF БЕЛОIT does hereby proclaim May 12 through May 18, 2013, as "**NATIONAL POLICE WEEK**" in the City of Beloit, and call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our Police Department and to recognize the contributions which these officers make every day to our health, safety, comfort, and quality of life.

Dated this 6th day of May 2013.

BELOIT CITY COUNCIL

Charles M. Haynes, President

ATTEST:

Rebecca Houseman LeMire City Clerk

WHEREAS, the bicycle is a viable and environmentally sound form of transportation and an excellent form of recreation; and

WHEREAS, millions of Wisconsinites will experience the joys of bicycling during the month of May through educational programs, races, commuting events, charity events, or just getting riding; and

WHEREAS, Wisconsin's natural beauty and bike paths draw in thousands of cross-country and local bicyclists each year; and

WHEREAS, the City of Beloit encourages the use of bicycle transportation as an integral part of the "multi-modal" transportation system planned for by federal, state, regional, and local transportation government agencies; and

WHEREAS, creating bicycle-friendly communities has been shown to improve citizens' health, well-being, and quality of life, to boost community spirit, to improve traffic safety, and to reduce pollution and congestion; and the City of Beloit encourages the increased use of the bicycle, benefiting all citizens of Beloit by improving air quality, reducing traffic noise, and decreasing the use of and dependence upon finite energy sources; and

WHEREAS, bicycling activities and attractions have a positive impact on Wisconsin's economy and tourism industry and to stimulate economic development by making the state attractive to businesses and citizens who enjoy the out of doors and healthy lifestyles; and

WHEREAS, the League of American Bicyclists, the Wisconsin Bicycle Federation, local bicycle clubs, schools, parks and leisure services departments, police departments, hospitals, companies and civic groups throughout Wisconsin will be promoting bicycling during the month of May 2013.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF БЕЛОIT does hereby proclaim May 13 through 17, 2013, as "**BIKE TO WORK WEEK**" in recognition and promotion of bicycling as a leisure activity as well as an environmentally-friendly alternative to the automobile.

Presented this 6th day of May 2013.

BELOIT CITY COUNCIL

Charles M. Haynes, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

City of Beloit Parks and Leisure Services Division

Has earned Travel Green Wisconsin Certification

Total Certified Points = 83
March 2013

Highlights/Innovative Best Practices:

- Stateline Restoration Prairie dump turned into park. Ongoing restoration projects along Rock River.
- 80% of all lighting is CFL or LED.
- 75% of light fixtures are ENERGY STAR qualified.
- Organization continuously meters its water use and uses tracking tool like EPA's Portfolio Manager to monitor and minimize its water consumption over time.

Travel Green Wisconsin is a voluntary green travel certification created by the Wisconsin Department of Tourism. It encourages tourism businesses to evaluate their operations, set goals, and take specific actions towards environmental, social and economic sustainability.

www.travelwisconsin.com



ORDINANCE NO. _____

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

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

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

The following described lands, also known as 1528 and 1532 Forest Avenue, and 1533 West Grand Avenue, are hereby changed from R-1B, Single-Family Residential District to PLI, Public Lands & Institutions District:

Lot 6 and Northern ½ of Alley Vacated Adjoining Block 2 of Fluekigers Second Addition to the City of Beloit, County of Rock, State of Wisconsin. (also known as 1528 Forest Avenue, parcel number 13431090) Containing 0.1515 acres, more or less.

Lot 7 and Northern ½ of Alley Vacated Adjoining Block 2 of Fluekigers Second Addition to the City of Beloit, County of Rock, State of Wisconsin. (also known as 1532 Forest Avenue, parcel number 13431095) Containing 0.1515 acres, more or less.

Lot 18 and Southern ½ of Alley Vacated Adjoining Block 2 of Fluekigers Second Addition to the City of Beloit, County of Rock, State of Wisconsin. (also known as 1533 West Grand Avenue, parcel number 13431075) Containing 0.1515 acres, more or less.

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

Adopted this 6th day of May 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: Zoning Map Amendment Application for the properties located at 1528 and 1532 Forest Avenue, and 1533 W. Grand Avenue

Date: May 6, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

The School District of Beloit has submitted an application for a Zoning Map Amendment to change the zoning district classifications from R-1B, Single-Family Residential District to PLI, Public Lands & Institutions District, for the properties located at 1528 and 1532 Forest Avenue, and 1533 W. Grand Avenue.

Key Issues (maximum of 5):

- The request is related to the proposed expansion of Gaston Elementary School. On April 15, 2013, the City Council adopted an Ordinance amending the Future Land Use Map of the City's Comprehensive Plan to recommend Institutional & Community Services and a zoning classification of PLI for the subject properties. The PLI district is a special purpose district that is intended to accommodate major public and quasi-public uses.
 - The subject properties are currently zoned R-1B and must be rezoned to PLI before the school grounds may be expanded as shown on the attached site plan. The School District intends to use the subject properties as open space after the existing houses are demolished.
 - Planning staff is currently reviewing Site Plans for this proposed expansion and new building addition.
 - Planning staff mailed the attached Public Notice to the owners of nearby properties. As of this writing, staff has not received any comments, but did meet with a nearby resident who was interested in the Site Plans for the proposed expansion.
 - The Plan Commission reviewed this item on April 17, 2013 and voted unanimously (6-0) to recommend approval of this Zoning Map Amendment.
-

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Institutional & Community Service uses and a zoning classification of PLI for the subject properties. This proposed Zoning Map Amendment is consistent with the Comprehensive Plan, as required by Section 66.1001(3) of Wisconsin Statutes.

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** – This rezoning will allow for the expansion of Gaston School, which will help the school district to better meet the educational and recreational needs of the school children.
-

Action required/Recommendation:

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

Fiscal Note/Budget Impact: N/A

Attachments: Ordinance and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: April 17, 2013

Agenda Item: 6

File Number: ZMA-2013-07

Applicant: School District of Beloit

Owner: School District of Beloit

Location: 1528 & 1532 Forest Avenue,
and 1533 W. Grand Avenue

Current Zoning: R-1B, Single-Family Residential

Existing Land Use: Single-Family Residential

Total Area: 0.45 Acre

Proposed Zoning: PLI, Public Lands & Institutions District

Proposed Land Use: Gaston School Expansion

Request Overview/Background Information:

The School District of Beloit has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-1B, Single-Family Residential District to PLI, Public Lands & Institutions District, for the properties located at 1528 & 1532 Forest Avenue, and 1533 W. Grand Avenue.

The attached **Location & Zoning Map** shows the location of the subject properties and the zoning of the surrounding area. The adjacent zoning and land uses are as follows:

- North: R-1B, Single-Family Residential District; Single-Family Dwellings
- South: R-1B, Single-Family Residential District; Single-Family Dwellings
- East: R-1B, Single-Family Residential District; Single-Family Dwellings
- West: R-1B, Single-Family Residential District; Single-Family Dwellings

The Zoning Ordinance directs the Plan Commission to hold a hearing and make a recommendation regarding a Zoning Map Amendment based on written Findings of Facts and consistency with the Comprehensive Plan.

Key Issues:

- This request is related to the proposed expansion of Gaston Elementary School. On April 15, 2013, the City Council will consider an Ordinance amending the Future Land Use Map of the City's Comprehensive Plan to Institutional & Community Services which recommends a zoning classification of PLI for the subject properties.
- The PLI district is a special purpose district that is intended to accommodate major public and quasi-public uses.
- All of the subject properties must be rezoned to PLI and the existing structures must be demolished in order for the school building and grounds to be expanded as shown on the attached site plan.
- Planning staff is currently performing Architectural and Site Plan Review of this proposed expansion.
- Planning staff mailed the attached Public Notice to the owners of nearby properties. As of this writing, staff has not received any comments or concerns.
- This application is being considered in accordance with the Zoning Map Amendment procedures contained in Section 2-300 of the Zoning Ordinance.
- **Findings of Fact** - Based on Section 2-304 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:
 - a. *The existing use of property within the general area of the subject property;*
 - There are residential uses to the north, south, and west of the subject properties, and a school use to the east of the subject properties. The proposed expanded PLI District is compatible with these existing uses and the proposed school expansion is expected to have a positive impact upon the neighborhood.
 - b. *The zoning classification of property within the general area of the subject property;*
 - Properties within the general area of the subject properties are zoned R-1B, with the exception of Gaston Elementary School, which is zoned PLI. This request involves a proposed expansion of the existing PLI district, and will expand the western boundary of the district by 100 feet along Forest Avenue, and 50 feet along West Grand Avenue.
 - c. *The suitability of the subject property for the uses permitted under the existing zoning classification; and*
 - The subject properties are suitable for Single-Family Residential uses permitted in the existing zoning classification.
 - d. *The trend of development and zoning map amendments in the general area of the subject property.*
 - The subject properties are located within an established neighborhood that has experienced very

little redevelopment activity during the past decade.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Institutional & Community Service uses and a zoning district classification of PLI for the subject properties. This proposed Zoning Map Amendment is consistent with the Comprehensive Plan, as required by Section 66.1001(3) of Wisconsin Statutes.

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** – This rezoning will allow for the expansion of Gaston School which will help the school district to better meet the educational and recreational needs of the school children.

Staff Recommendation:

Based upon the above Findings of Fact and the City's Comprehensive Plan, the Planning & Building Services Division recommends **approval** of a Zoning Map Amendment to change the zoning district classification from R-1B, Single-Family Residential District to PLI, Public Lands & Institutions District, for the properties located at 1528 & 1532 Forest Avenue, and 1533 W. Grand Avenue.

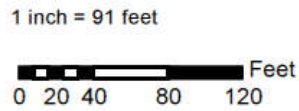
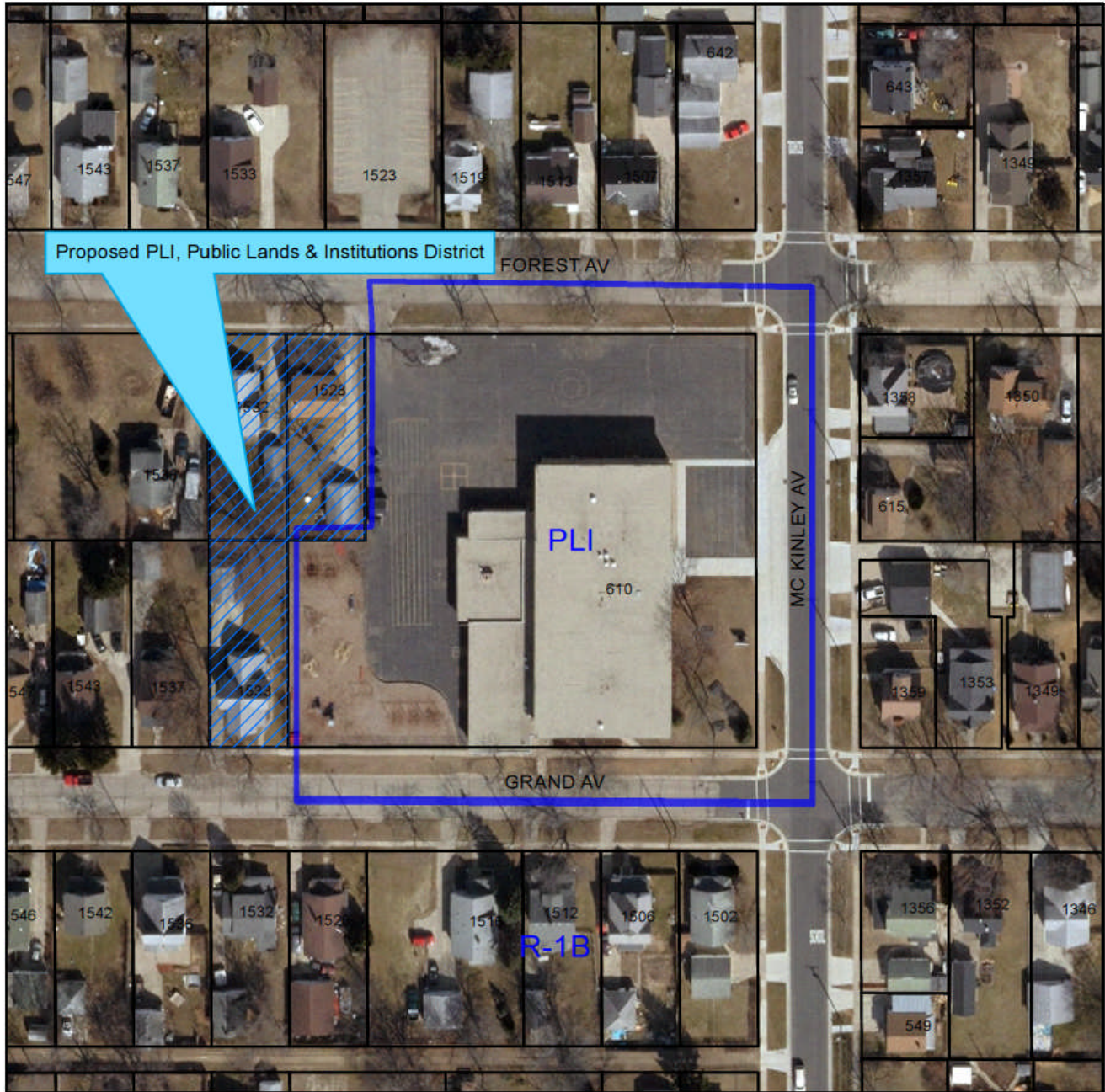
Fiscal Note/Budget Impact: N/A

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

Location & Zoning Map

Gaston Expansion

ZMA-2013-07

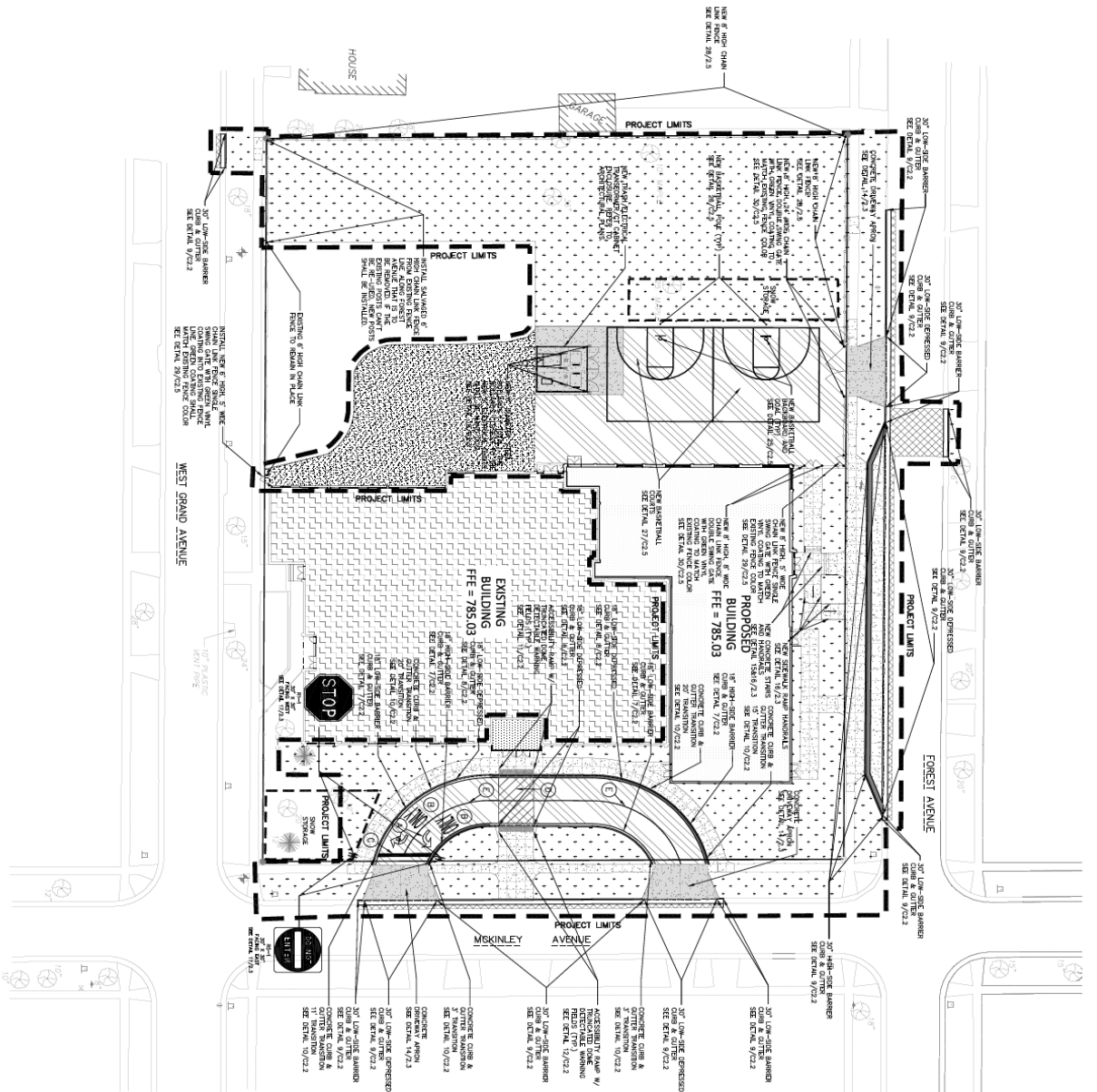


Legend

- COB Parcels
- Zoning District

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

PLANNING & BUILDING SERVICES DIVISION



- PAVEMENT MARKING LEGEND**
- ① PAVEMENT MARKING: ARROWS (SEE MOST PAVEMENT MARKING S2.3)
 - ② PAVEMENT MARKING: WIDEN (SEE MOST PAVEMENT MARKING S2.3)
 - ③ PAVEMENT MARKING: STOP LINES (SEE MOST PAVEMENT MARKING S2.3)
 - ④ PAVEMENT MARKING: INTERSECTION (SEE MOST PAVEMENT MARKING S2.3)

HATCH LEGEND

	NEW ASPHALTIC CONCRETE (HAY 0/17)
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	NEW ASPHALTIC CONCRETE (HAY 100 1/2)

DIGERS UNLIMITED

Toll Free (800) 242-8811
 1400 Wisconsin Avenue, Suite 100
 Madison, WI 53703
 Phone: 608.261.1147
 Fax: 608.261.1148
 www.DigersUnlimited.com

Project Title:
 Addition and Remodeling of:
 Gaston Elementary School
 School District of Beloit
 610 McKinley Avenue, Beloit, WI 53511

Project Number:
 3064

Scale:
 1" = 20'

KAPUR & ASSOCIATES, INC.
 CONSULTING ENGINEERS
 1111 S. RICH WASHINGTON ROAD
 MADISON, WISCONSIN 53704
 PHONE 608.261.8888 FAX 608.261.4117
 WWW.KAPURENGINEERS.COM

bray architects
 solid foundation. forward thinking.

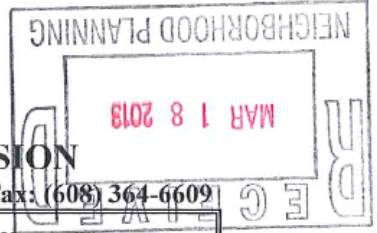
Office Locations:
 Milwaukee
 1700 N. MILWAUKEE AVENUE
 SHAWANO, WISCONSIN 53082
 T: 262.484.4200
 F: 262.484.4205

Madison
 251 SOUTH WISCONSIN STREET
 MADISON, WISCONSIN 53702
 T: 608.251.0200
 F: 608.251.0204
 WWW.BRAYARCHITECTS.COM

Sheet Title:
 SITE PLAN

Sheet Number:
 C1.2

Contract Documents
 Issue Date: 2/21/2012



CITY of BELOIT

PLANNING & BUILDING SERVICES DIVISION

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

Zoning Map Amendment Application Form

(Please Type or Print) File No.: ZMA-2013-07

1. Address of subject property: 1532 Forest Ave, 1533 W. Grand Ave, 1528 Forest Ave

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

Property dimensions are: 50 x 132, 50 x 132, 50 x 132 feet by _____ feet = _____ square feet.

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

3. Tax Parcel Number(s): 13431095, 13431075, 13431090

4. Owner of record: School District of Beloit Phone: 608-361-4015
1633 Keeler Ave Beloit WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: Janelle Marotz, Exec Director of Business
1633 Keeler Ave Beloit WI 53511
(Address) (City) (State) (Zip)
608-361-4015 / 715-577-8367 / jmarotz@sdb.k12.wi.us
(Office Phone #) (Cell Phone #) (E-mail Address)

6. **THE FOLLOWING ACTION IS REQUESTED:**
Change zoning district classification from: Residential to: PLI
All existing uses on this property are: School Use

7. All the proposed uses for this property are:
Principal use(s): School Campus

Secondary use(s): Green Space - Play area

Accessory use(s): _____

ZMA-2013-07, Custom Expansion, Forest Avenue Council Report

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

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

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

Name(s): Tanelle Marotz Phone: 608-361-4015
1633 Keeler Ave Beloit WI 53511
(Address) (City) (State) (Zip)

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

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

Tanelle Marotz Tanelle Marotz 3/11/13
(Signature of Owner) (Print name) (Date)

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

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

To be completed by Planning Staff

Filing Fee: \$275.00 Amount Paid: \$275.00 Meeting Date: April 17, 2013

Number of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____

Application accepted by: Michael D. Loftis Date: 3/19/2013

Date Notice Published: _____ Date Notice Mailed: _____



City of
BELOIT, Wisconsin
Division of Planning and Building Services

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

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

www.ci.beloit.wi.us

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REVISED NOTICE TO THE PUBLIC

April 11, 2013

To Whom It May Concern:

The School District of Beloit has submitted an application for a Zoning Map Amendment to change the zoning district classifications from R-1B, Single-Family Residential District to PLI, Public Lands & Institutions District, for the properties located at:

1528 and 1532 Forest Avenue and 1533 W. Grand Avenue.

This request is related to the proposed expansion of Gaston Elementary School. All the above-mentioned properties are currently zoned R-1B. All of the subject properties must be rezoned to PLI before the school building and grounds may be expanded as planned.

The following public hearings will be held regarding this application:

City Plan Commission: Wednesday, April 17, 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, May 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.

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.

ZMA-2013-07, Gaston Expansion.docx

DAYNA GOMEZ
P O BOX 688
WILLIAMS BAY, WI 531910688

WANDA VANWORMER
1546 W GRAND AVE
BELOIT, WI 535115934

ERIC & CARLA COVEYOU
1547 JACKSON ST
BELOIT, WI 535115915

DARRELL RISSEUW
1543 JACKSON ST
BELOIT, WI 535115915

ERNEST MARKLEY
1537 JACKSON ST
BELOIT, WI 53511

CARMEN BLACK
1533 JACKSON ST
BELOIT, WI 53511

STEVEN ALLEN
1527 JACKSON ST
BELOIT, WI 535115915

WANDA HUBKA
1517 JACKSON ST
BELOIT, WI 53511

RANDALL THORSON
1507 JACKSON ST
BELOIT, WI 535115915

GERARDO & SUSANA CORDOSO
1502 W GRAND AVE
BELOIT, WI 53511

LARRY R & SALLY J TRACY
1506 W GRAND AVE
BELOIT, WI 535115934

FOR HIM INC
P O BOX 41
BELOIT, WI 53512

ISAIAS & ANA M JIMENEZ
1516 W GRAND AVE
BELOIT, WI 535115934

MARSHA MILNER
1526 W GRAND AVE
BELOIT, WI 535115934

MARK VOSS
1532 W GRAND AVE
BELOIT, WI 53511

FRED R & JILL R THOMAS
1755 JACKSON ST
BELOIT, WI 53511

KEVIN QUADE
1542 W GRAND AVE
BELOIT, WI 53511

WANDA VANWORMER
1546 W GRAND AVE
BELOIT, WI 535115934

LAIB TRUST DTD 3/10/10
1552 W GRAND AVE
BELOIT, WI 53511

JOYCE KRAEPLIN
1558 W GRAND AVE
BELOIT, WI 535115934

RAYMOND M ST JOHN
1356 JACKSON ST
BELOIT, WI 53511

RAYMOND M ST JOHN
1356 JACKSON ST
BELOIT, WI 53511

JASON W & TRACY L SCHOVILLE
1547 W GRAND AVE
BELOIT, WI 535115933

NORMAN GEFFERS
1553 W GRAND AVE
BELOIT, WI 535115933

MARK THRONSEN
609 CLEVELAND ST
BELOIT, WI 53511

SCHOOL DISTRICT OF BELOIT
1633 KEELER AVE
BELOIT, WI 53511

SCHOOL DISTRICT OF BELOIT
1633 KEELER AVE
BELOIT, WI 53511

JOSE MEZA
412 COMFORTCOVE ST
ORFORDVILLE, WI 53576

MEGAN ZIMMERMAN
1556 FOREST AVE
BELOIT, WI 53511

LAWRENCE MELTON
1720 WHIPPLE ST
BELOIT, WI 53511

DAVID & LINDA D PIKE
1507 FOREST AVE
BELOIT, WI 535115927

PATRICIA A SCHUENKE REVOCABLE
TRUST
1513 FOREST AVE
BELOIT, WI 535115927

WINIFRED BUSS
1519 FOREST AVE
BELOIT, WI 535115927

SCHOOL DISTRICT OF BELOIT
1633 KEELER AVE
BELOIT, WI 53511

CONNIE MILLER
1533 FOREST AVE
BELOIT, WI 535115927

JOSEPH BANNO
1537 FOREST AVE
BELOIT, WI 535115927

KENNETH C & KAREN BACH
1543 FOREST AVE
BELOIT, WI 535115927

ANTHONY & MELODY L CASEY
1547 FOREST AVE
BELOIT, WI 53511

RONALD & MARY BENNETT
1553 FOREST AVE
BELOIT, WI 535115927

BEVERLY L GARCIA REVOCABLE TRUST
643 CLEVELAND ST
BELOIT, WI 53511

WILLIAM & MARY DIETSCH
REVOCABLE TRUST
7050 W ST LAWRENCE AVE
BELOIT, WI 53511

JOANNA GURSTELLE
630 SPRUCE ST
MADISON, WI 537155074

SAMANTHA RISSEEUW
1910 NELSON AVE
BELOIT, WI 53511

NANCY GRAHAM
1247 HACKETT ST
BELOIT, WI 535115074

DORA MUELLER
1522 ST LAWRENCE AVE
BELOIT, WI 53511

DOROTHY VANDEGRAFT
1526 ST LAWRENCE AVE
BELOIT, WI 535115074

FRANCISCO & CAROLINA ADALPE-
NAVARRO
1532 ST LAWRENCE AVE
BELOIT, WI 535114611

VICTORIA BRADSHER
1602 ST LAWRENCE AVE
BELOIT, WI 53511

ALAN & MARCIA WOELFEL
1608 ST LAWRENCE AVE
BELOIT, WI 535114935

STEVE & GEORGIA WHEELOCK
1612 ST LAWRENCE AVE
BELOIT, WI 535114935

JOSE ANAYA
1618 ST LAWRENCE AVE
BELOIT, WI 535114935

GERALD BELKE
1622 ST LAWRENCE AVE
BELOIT, WI 535114935

ORDINANCE NO. _____

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

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

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

The following described land, also known as 1500 & 1505 Gateway Boulevard, is hereby changed from R-3, Low-Density Multi-Family Residential District to M-1, Limited Manufacturing District:

Lot 5 of Gateway Business Park Plat No. 1, located in the City of Beloit, County of Rock, State of Wisconsin (also known as 1500 Gateway Boulevard, parcel number 22862000). Said parcel contains 17.67 acres, more or less.

Lot 7 of Gateway Business Park Plat No. 1, located in the City of Beloit, County of Rock, State of Wisconsin (also known as 1505 Gateway Boulevard, parcel number 22853000). Said parcel contains 42.53 acres, more or less.

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

Adopted this 6th day of May 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: Zoning Map Amendment Application for the properties located at 1500 & 1505 Gateway Boulevard

Date: May 6, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Andrew Janke, on behalf of the Beloit Economic Development Corporation, has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-3, Low-Density Multi-Family Residential District to M-1, Limited Manufacturing District, for the properties located at 1500 & 1505 Gateway Boulevard.

Key Issues (maximum of 5):

- The applicant intends to market the subject properties for Business Park development (e.g. office, light industrial).
 - The R-3 district is intended to accommodate low-density multi-family (at a density of up to 25 dwelling units per acre) and other low-density residential development. The M-1 district is intended to accommodate industrial, manufacturing, and commercial activities that do not create appreciable nuisances or hazards.
 - The property located at 1500 Gateway Boulevard is 17.7 acres and the property located at 1505 Gateway Boulevard is 42.5 acres. Both properties have direct access to existing infrastructure along Gateway Boulevard.
 - On March 18th, the City Council adopted an Ordinance amending the Comprehensive Plan's Future Land Use Map to recommend Business Park uses for the subject properties.
 - The Plan Commission reviewed this item on April 17, 2013 and voted unanimously (6-0) to recommend approval of this Zoning Map Amendment.
-

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Business Park uses and a zoning district classification of M-1, M-2, or C-1 for the subject properties. This proposed Zoning Map Amendment is consistent with the Comprehensive Plan, as required by Section 66.1001(3) of Wisconsin Statutes.

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
-

Action required/Recommendation:

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

Fiscal Note/Budget Impact: N/A

Attachments: Ordinance and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: April 17, 2013

Agenda Item: 3

File Number: ZMA-2013-03

Applicant: Andrew Janke, o/b/o Beloit Economic Development Corporation

Owner: Beloit Economic Development Corporation

Location: 1500 & 1505 Gateway Boulevard

Current Zoning: R-3, Low-Density Multi-Family Residential District

Existing Land Use: Agricultural & Vacant Land

Parcel Size:
1500: 17.7 Acres
1505: 42.5 Acres

Proposed Zoning: M-1, Limited Manufacturing District

Request Overview/Background Information:

Andrew Janke, on behalf of the Beloit Economic Development Corporation, has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-3, Low-Density Multi-Family Residential District to M-1, Limited Manufacturing District, for the properties located at 1500 & 1505 Gateway Boulevard.

Key Issues:

- The applicant intends to market the subject properties for Business Park development (e.g. office, light industrial).
- The R-3 district is intended to accommodate low-density multi-family (at a density of up to 25 dwelling units per acre) and other low-density residential development. The M-1 district is intended to accommodate industrial, manufacturing, and commercial activities that do not create appreciable nuisances or hazards.
- The property located at 1500 Gateway Boulevard is 17.7 acres and the property located at 1505 Gateway Boulevard is 42.5 acres. Both properties have direct access to existing infrastructure along Gateway Boulevard.
- On March 18th, the City Council adopted an Ordinance amending the Comprehensive Plan's Future Land Use Map to recommend Business Park uses for the subject properties.
- The attached **Location & Zoning Map** shows the location of the subject properties and the zoning of the surrounding area. The predominant surrounding land use is agricultural, and the property to the east of the 1505 parcel is located in the Town of Turtle within the Boundary Adjustment Area. There is an existing multi-family residential development to the northeast of the 1500 parcel. The 1500 parcel has frontage on Gateway Boulevard and the improved northern segment of Apex Drive. The 1505 parcel has frontage on Gateway Boulevard and the dedicated-but-unimproved southern segment of Apex Drive. The southern segment of Apex Drive will likely be constructed when the 1505 parcel and/or the industrial lands to the south & southwest are developed.
- This application is being considered in accordance with procedures outlined in Section 2-300 of the Zoning Ordinance.
- Planning staff mailed the attached Public Notice to the owners of nearby properties and the Town of Turtle. As of this writing, staff has not received any comments.
- **Findings of Fact** - Based on Section 2-304 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:
 - a. *The existing use of property within the general area of the subject property;*
 - The subject properties are located in the center of the Gateway Business Park, which includes major employers such as Kettle Foods, Staples, and Kerry Ingredients. Although the surrounding properties remain in agricultural use, they are expected to develop as a mix of office and light industrial projects within the next decade. The M-1 classification is compatible with existing and planned uses within the general area.
 - b. *The zoning classification of property within the general area of the subject property;*
 - The subject properties are adjacent to a massive M-1 district that includes the northern half of the Gateway Business Park, and a massive M-2 district that includes the southern half of the Gateway Business Park. M-1 is more appropriate for the subject properties than M-2 given the existing residential zoning districts (PUD, R-3, and R-1A) that comprise the Eagles Ridge neighborhood to the north of the subject properties. There is a City-owned 9.6-acre parcel to the north of the 1505 parcel that will remain as open space due to topography & surface water, which will serve as a natural buffer between the 1505 parcel and the Eagles Ridge neighborhood.
 - c. *The suitability of the subject property for the uses permitted under the existing zoning classification; and*
 - The subject properties are suitable for the uses permitted in the R-3 district, but the applicant intends to market the subject properties for office & light industrial development.

- d. *The trend of development and zoning map amendments in the general area of the subject property.*
- The Gateway Business Park and Eagles Ridge neighborhood have developed in a slow-but-steady fashion over the past decade. Recent nearby projects include a major addition to the Morse Group/Amp Electric building and major additions to the Kettle Foods processing and distribution facilities.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Business Park uses and a zoning district classification of M-1, M-2, or C-1 for the subject properties. This proposed Zoning Map Amendment is consistent with the Comprehensive Plan, as required by Section 66.1001(3) of Wisconsin Statutes.

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:

Based upon the above Findings of Fact and the City's Comprehensive Plan, the Planning & Building Services Division recommends **approval** of a Zoning Map Amendment to change the zoning district classification from R-3, Low-Density Multi-Family Residential District to M-1, Limited Manufacturing District, for the properties located at 1500 & 1505 Gateway Boulevard.

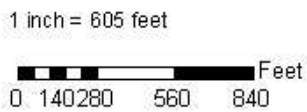
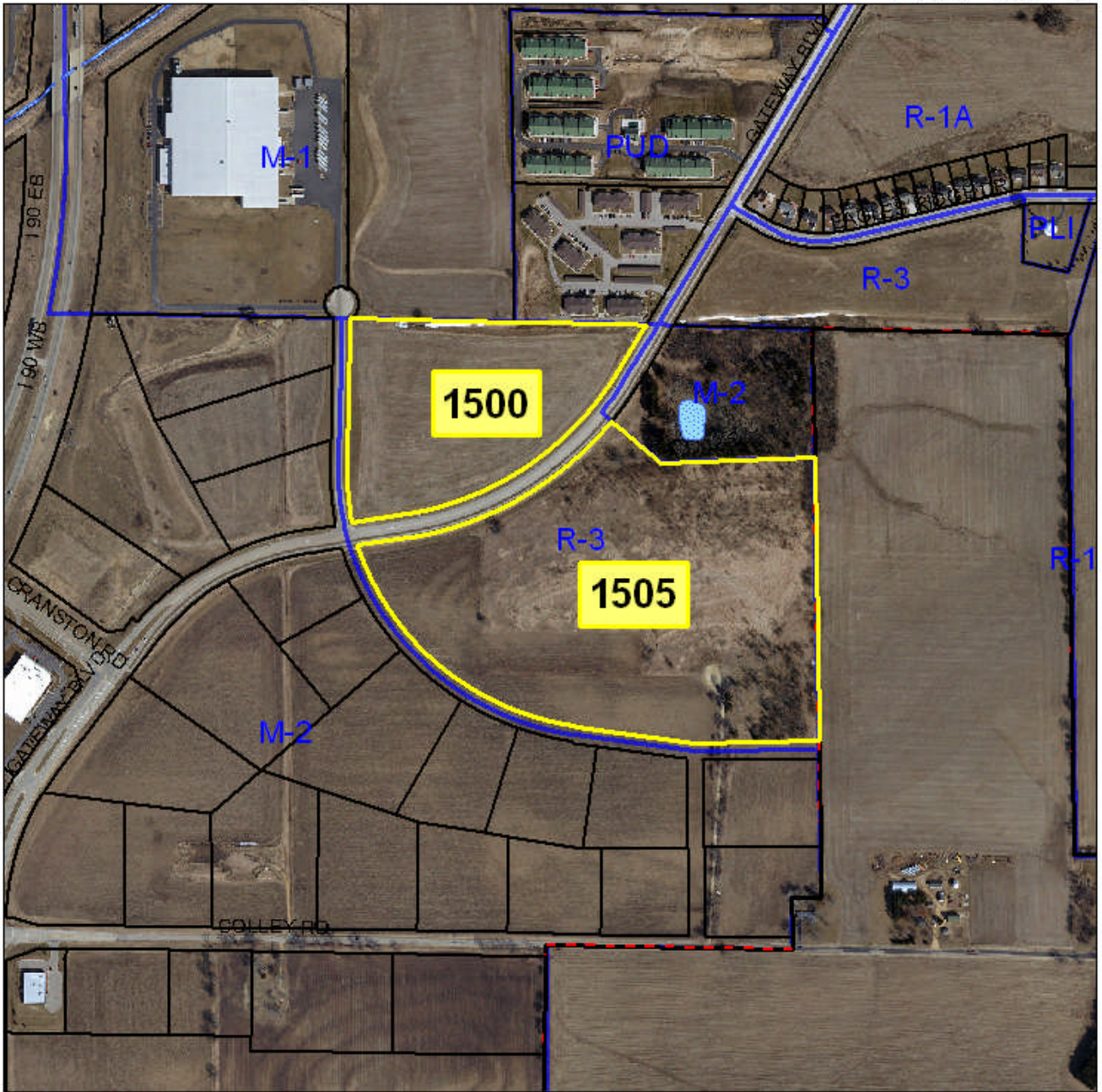
Fiscal Note/Budget Impact: N/A

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

Location & Zoning Map

1500 & 1505 Gateway Blvd

ZMA-2013-03



Legend

- COB Parcels
- Zoning District

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

PLANNING & BUILDING SERVICES DIVISION

From W side of 1500, Looking NE



03/26/2013 13:51

From Gateway/Apex Int., Looking E at 1505



03/26/2013 13:55

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

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

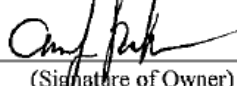
9. Individual(s) responsible for compliance with conditions (if any), if request is granted:

Name(s): _____ Phone: _____

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

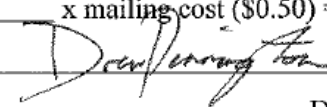
The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

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

 / ANDREW JANKE / 2/21/13
 (Signature of Owner) (Print name) (Date)

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

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

To be completed by Planning Staff		
Filing Fee: \$275.00	Amount Paid: <u>N/A</u>	Meeting Date: <u>April 13, 2013</u> March 20, 2013
Number of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: 	Date: <u>2/21/13</u>	
Date Notice Published: _____	Date Notice Mailed: _____	



City of
BELOIT, Wisconsin
Division of Planning and Building Services

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

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

www.ci.beloit.wi.us

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NOTICE TO THE PUBLIC

March 20, 2013

To Whom It May Concern:

Andrew Janke, on behalf of the Beloit Economic Development Corporation, has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-3, Low-Density Multi-Family Residential District to M-1, Limited Manufacturing District, for the properties located at:

1500 & 1505 Gateway Boulevard.

The applicant intends to market the subject properties for Business Park development (e.g. office, light industrial). The R-3 district is intended to accommodate low-density multi-family and other low-density residential development. The M-1 district is intended to accommodate industrial, manufacturing, and commercial activities that do not create appreciable nuisances or hazards.

The following public hearings will be held regarding this application:

City Plan Commission: Wednesday, April 3, 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, April 15, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.

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

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

ZMA-2013-03, 1500-1505 Gateway Boulevard

JAMES W & LOIS GUENTHER
12645 W BURLEIGH RD STE 20
BROOKFIELD, WI 53005

SOUTHEASTERN CONTAINER
JACOBSON BELOIT LLC
1630 APEX DR
BELOIT, WI 53511

TURTLE CREEK
DEVELOPMENT LLC
655 THIRD ST STE 301
BELOIT, WI 53511

MID AMERICA HOLDINGS LLP
P.O. BOX 570
CLINTON, WI 53525

DEB BENNETT, CLERK
TOWN OF TURTLE
6916 S. COUNTY RD. J.
BELOIT, WI 53511



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
Monday, April 15, 2013

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

1. The meeting was called to order at 7:01 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. Community and Housing Services Director Teri Downing and Equal Opportunities and Human Relations Committee Chairman Rick Valdez recognized the winners of the **Fair Housing Poster Contest**. They presented the 2nd place award to Nashaun Moore from Merrill Elementary School, and they presented the 1st place award to Olivia Burakowski from Todd Elementary School.
 - b. Vice President Spreitzer presented a Proclamation recognizing the **Retired & Senior Volunteer Program (RSVP)** 40th Anniversary to RSVP Executive Director Robert Harlow. Mr. Harlow thanked the Council for the proclamation on behalf of the Board of Directors, volunteers, and staff of RSVP. File 7148
 - c. Vice President Spreitzer presented a Proclamation supporting the YWCA's **Stand Against Racism** to Beth Tallon, YWCA Rock County Public Relations Director, and Jane McCauley, YWCA Rock County Racial Justice Coordinator. Ms. Tallon thanked the Council for the proclamation on behalf of the YWCA's clients, staff, and volunteers and encouraged people to stand against racism every day. Ms. McCauley invited the public to participate in upcoming YWCA events including a workshop on May 17th in Janesville and a Race against Racism on June 22nd. File 7148
 - d. Vice President Spreitzer presented a Proclamation recognizing **National Library Week**, April 14-20, 2013, to Interim Beloit Public Library Directors Jennifer Laatz and Jeni Schomber. Ms. Schomber thanked the City Council for the recognition of National Library Week on behalf of the Board of Trustees and staff. File 7148
 - e. Vice President Spreitzer presented a Proclamation declaring April 26, 2013, as **Arbor Day** to Public Works Director Gregory Boysen. File 7148
4. PUBLIC HEARINGS
 - a. Community Development Director Julie Christensen presented a proposed ordinance amending the **Zoning District Map** of the City of Beloit to change the zoning district classification of the properties located at 1035 and 1041 Udell Drive from temporary R-1A, Single-family Residential District, to permanent R-1A, Single-family Residential District. It was noted that the Plan Commission recommended approval 6-0. Ms. Christensen stated that this ordinance would provide a permanent zoning classification for these two properties, which were annexed earlier in 2013. Council President Haynes opened and closed the public hearing without participation. Councilor Van De Bogart made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Leavy seconded, and the motion carried 5-0. Councilor De Forest made a motion to enact the ordinance based on its merits, and Councilor Leavy seconded. The motion carried 5-0. Ordinance 3484 File 7103
 - b. Ms. Christensen presented a proposed ordinance amending the **Zoning District Map** of the City of Beloit to change the zoning district classification of the properties located at 545 and 549 West Grand Avenue; 615, 619, 625, and 629 Eighth Street; and 548 Locust Street from C-2, Neighborhood Commercial District, and R-1B, Single-family Residential District, to PLI, Public Lands and Institutions District. It was noted that the Plan Commission recommended approval 6-0. Ms. Christensen said that this zoning district map amendment is part of the Hackett School

renovation project. Councilor Haynes opened and closed the public hearing without participation. Councilor Leavy made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Spreitzer seconded, and the motion carried 5-0. Councilor Van De Bogart made a motion to enact the ordinance based on its merits, and Councilor Leavy seconded. The motion carried 5-0. Ordinance 3485 File 8544

- c. Ms. Christensen presented a proposed ordinance amending the City of Beloit **Comprehensive Plan** for the properties located at 1528 and 1532 Forest Avenue and 1533 W. Grand Avenue. It was noted that the Plan Commission recommended for approval 5-0. Ms. Christensen said that this comprehensive plan amendment is part of the Gaston School renovation project. Councilor Haynes opened and closed the public hearing without participation. Councilor Spreitzer made a motion to suspend the rules and offer a second reading of the ordinance. Councilor De Forest seconded, and the motion carried 5-0. Councilor De Forest made a motion to enact the ordinance based on its merits, and Councilor Spreitzer seconded. The motion carried 5-0. Ordinance 3486 File 8586
- d. Ms. Christensen presented a proposed ordinance amending the **Zoning District Map** of the City of Beloit to change the zoning district classification of the property located at 501 Prospect Street from PLI, Public Lands and Institutions District, to CBD-1, Central Business District – Core. It was noted that the Plan Commission recommended approval 6-0. Ms. Christensen stated that this zoning map amendment is to accommodate the Castle project. She said that the Landmarks Commission issued a Statement of Support for this project, as the building is a historic landmark. Ms. Christensen also stated that nearby property owners were notified of the proposed zoning change and that a representative from the Scoville Apartment building attended the Plan Commission meeting to express concerns about parking. She said the applicant met with the representative and came to an agreement and that the First Baptist Church Council also voted to support the project. Councilor Haynes opened the public hearing.
- Rick McGrath, 1747 Sherwood Drive, spoke in support of the rezoning and the Castle project on behalf of the Landmarks Commission. He said that Beloit has done a great job supporting the re-use of its big old buildings and that the proposed programming at the building will be great for the community.

Councilor Haynes closed the public hearing. Councilor Spreitzer made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Leavy seconded, and the motion carried 5-0. Councilor De Forest made a motion to enact the ordinance based on its merits, and Councilor Leavy seconded the motion. Councilor Van De Bogart said that the methodology of including stakeholders in the process and coming to an understanding before the Council acts has shown to be very effective. Councilor De Forest said that she was excited to see the stakeholders involved early in the process and that she appreciates the applicants' efforts to include the community in the project. Councilor Haynes said that the applicants deserve credit for saving the building and bringing a new project to the City of Beloit. He called the question, and the ordinance was enacted 5-0. Ordinance 3487 File 8247

- e. Ms. Christensen presented a proposed Resolution authorizing a **Conditional Use Permit** to allow a Community Service Use in a CBD-1, Central Business District-Core, for the property located at 501 Prospect Street. It was noted that the Plan Commission recommended approval 6-0. Ms. Christensen said that the conditional use permit is required for the proposed community service use of the Youth Unite program on the first floor of the building. Councilor Haynes opened and closed the public hearing without participation. Councilor De Forest made a motion to adopt the resolution, and Councilor Spreitzer seconded it. Councilor De Forest said that she was happy to see the condition regarding the physical separate of the proposed alcohol use and the other uses. The motion carried 5-0. File 8247

5. CITIZENS PARTICIPATION

- Rick Barder, 2560 Blarney Stone Drive, said that he is an avid bicyclist and supports the resolution to apply for the DNR grant for the Goose Creek Bridge at Big Hill Park. He thanked the City Manager for including a path through the park in the project because the ultimate goal is to connect the bike path between Afton and Beloit.
- Janet Piraino, 125 North Hamilton Street, Madison, WI, District Director for Congressman Mark Pocan, said that she supports the lease between the City and the Congressman for office space at City Hall. She said that it is important for the Congressman to have a presence in Beloit and

that City Attorney Tom Casper, City Manager Larry Arft, and Community Development Director Julie Christensen were very helpful throughout the process.

6. CONSENT AGENDA

Councilor De Forest requested that item 6.d. be removed from the Consent Agenda. Councilor Leavy made a motion to adopt the Consent Agenda, which consists of items 6.a. through 6.c. and item 6.e. Councilor De Forest seconded, and the motion carried that the Consent Agenda, consisting of items 6.a. through 6.c. and item 6.e. be accepted, approved, adopted, or referred and acted upon as required by state and local codes by a vote of 5-0.

- a. The **Minutes** of the Regular Meeting of April 1, 2013 were approved.
- b. The report of **Municipal Board of Canvassers** from the April 2, 2013 Election was accepted. File 6384
- c. The resolution awarding **Public Works Contract C13-01**, Bayliss Avenue Rehabilitation, was adopted. File 8589
- e. The application for a **Zoning Map Amendment** to change the zoning district classification of the properties located at 1528 and 1532 Forest Avenue and 1533 W. Grand Avenue from R-1A, Single-family Residential District, to PLI, Public Lands and Institutions District, to facilitate the Gaston School renovation project was referred to the Plan Commission. File 8586
- d. City Manager Larry Arft presented a resolution authorizing the City Manager to participate in the **State of Wisconsin Energy Office** New Grant Program Forwarding Wisconsin's Fuel Choice. Mr. Arft said that the first phase in the project is an energy audit of the City's fleet to determine if there are any additional non-traditional efforts to increase fuel efficiency. Councilor De Forest said that she is excited about the grant but wanted to know the cost-sharing responsibility of the City. Mr. Arft stated that this is a new grant and that the amount is currently unknown. He said that staff time will be included as the part of the City's match of the grant but that the number of man-hours is unknown at this time. Councilor Van De Bogart asked if compressed natural gas could be included in this study, and Mr. Arft said that could be an option but that the fleet is large and varied so they will be looking at many different options. Councilor Leavy made a motion to adopt the resolution, and Councilor De Forest seconded. The motion carried 5-0. File 5303

7. ORDINANCES

- a. City Engineer Mike Flesch presented a proposed Ordinance to **Remove 1-Hour Parking Restrictions** on Pleasant Street between East Grand Avenue and Public Avenue. It was noted that the Traffic Review Committee recommended for approval 5-1. Mr. Flesch said that Rivals Bar and Grill requested the change from 1-hour parking restrictions to unlimited parking. Councilor Leavy made a motion to suspend the rules and offer a second reading of the ordinance. Councilor De Forest seconded, and the motion carried 5-0. Councilor Leavy made a motion to enact the ordinance based on its merits, and Councilor Spreitzer seconded. Councilor Spreitzer asked about the one vote in opposition at the Traffic Review Committee meeting, and Mr. Flesch stated that the Police Department recommended against the change because the frequent changes may be confusing to people. Councilor De Forest asked about how the downtown businesses were notified of this proposed change, and Mr. Flesch said that the Downtown Beloit Association sent out an email to its membership. Councilor De Forest asked if tenants of the Phoenix building would be able to park in these spaces, and Mr. Flesch said that parking is still prohibited from 3:00 a.m. to 6:00 a.m. Councilor Leavy said that he is concerned that the Police Department's concerns about enforcement and suggested that the City look at a long-range plan for parking downtown. Mr. Arft said that Beloit College is not part of the Phoenix project so that parking will be less of a problem. He also said that downtown residents may park overnight in municipal lots with a permit and that the Public Works Department will be sure to change the signage quickly if the ordinance is enacted. The motion carried, and the ordinance was enacted by a vote of 5-0. Ordinance 3488 File 7791
- b. Mr. Flesch presented a proposed Ordinance to **Remove 1-Hour Parking Restrictions** for several stalls along Grand Avenue between State Street and Third Street. It was noted that the Traffic Review Committee recommended approval 5-1. Mr. Flesch noted that this request was made on behalf of Fat Wallet. Councilor Spreitzer made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Leavy seconded, and the motion carried 5-0.

Councilor Van De Bogart made a motion to enact the ordinance based on its merits. Councilor Leavy seconded, and the motion carried 5-0. Ordinance 3489 File 7791

8. APPOINTMENTS

Councilor Haynes announced the openings and submitted the following appointments to the City Committees, Boards, and Commissions for approval. The appointments were approved on a motion by Councilor De Forest and a second by Councilor Spreitzer. The motion carried 5-0.

- a. **Plan Commission:** Thomas J. Nee for a term ending April 30, 2016. File 6064
- b. **Police and Fire Commission:** Timmy Link for a term ending April 30, 2018. File 6114

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest thanked the Leadership Development Academy for their efforts to building a bridge over Goose Creek in Big Hill Park, and she reminded the public that there is a fundraiser scheduled for April 20th at the Afton Pub. She also announced that her son has been diagnosed with Leukemia and is undergoing chemotherapy, and she thanked the public for their prayers and support.
- Councilor Van De Bogart said that he was shocked by horrible events in Boston and said that our thoughts and prayers are with the victims. He announced that he and his grandson enjoyed the honor of tossing out the first pitch at the Snappers home opener.
- Councilor Spreitzer said that he attended the Beloit College Duffy Spring Colloquia and that it was great to meet students participating in the program. He said that he also attend an Earth Day Conference in Madison.

10. CITY MANAGER'S PRESENTATION – none

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Assistant to the City Manager Beth Jacobsen presented a resolution authorizing the Submittal of a **Grant Application** to the Wisconsin Department of Natural Resources to Assist in Funding the Goose Creek Bridge and Path Project in Big Hill Park. Ms. Jacobsen said that the Parks, Recreation, and Conservation Advisory Commission voted unanimously to recommend approval of this project. She said that the grant requires a 50 percent match and that the matching funds will be donated through her Leadership Development Academy small group project. Ms. Jacobsen also thanked the Council for restoring the training budget in her department, which allowed her to participate in LDA and bring a project back to the City of Beloit. Councilor De Forest made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 5-0. File 8587
- b. Finance and Administrative Services Director Paul York presented a resolution adopting the **Classification and Compensation Plan** for non-represented City employees and authorizing its implementation. Mr. York stated that there was a Council workshop the previous Tuesday where the consultant thoroughly presented the study and the Plan, which is needed because the City's pay plan is out-of-date and needs to reflect the changes required by WI Act 10. Councilor Leavy made a motion to adopt the resolution, and Councilor Spreitzer seconded. Councilor De Forest said that she is aware of concerns of employees regarding the merit program and that she wants to make sure the proper training takes place before the program is implemented. Councilor Van De Bogart said that it is important to have a proper pay plan and treat employees fairly. He said that goal must be balanced with the goal of looking out for taxpayers. Councilor Spreitzer echoed those comments and said that the consultant's recommendations are sound. Councilor Haynes said that a market-based approach to the pay plan is a good way to get the best employees and that the new Plan does not have meaningful cost changes. The motion carried 5-0. File 8566
- c. Mr. Arft presented a resolution approving **Lease of Office Space** to Congressman Mark Pocan and authorizing City Manager's Execution. He indicated that, after the fall election, Congressman Pocan contacted the City to determine if any office space was available at City Hall to maintain a presence in Beloit. Mr. Arft said that because the Housing Authority was planning to move, there was space available on the third floor. Councilor Spreitzer made a motion to adopt the resolution, and Councilor Van De Bogart seconded. Councilor Van De Bogart said that city government is non-partisan and that he wants the public to understand that this lease does not remove that non-

partisan label. Mr. Arft stated that federal laws prohibit the use of this office for any political purposes and that the office will be used for service for constituents. Councilor De Forest expressed concern about the possible perception of partisanship, and Mr. Arft said that there are other communities who rent space to elected officials. The motion carried 5-0. File 8588

12. At 8:22 p.m., Councilor Leavy made a motion to adjourn the meeting, and Councilor De Forest seconded. The motion carried 5-0.

Rebecca Houseman LeMire, City Clerk

www.ci.beloit.wi.us

Date approved by Council:



PROCEEDINGS OF THE CITY COUNCIL

Organization of the New Council

April 16, 2013

6:00 p.m.

Final Meeting of Sitting Council

Presiding: Charles M. Haynes

Present: Chuck Kincaid, Kevin D. Leavy, Mark Spreitzer, and James E. Van De Bogart

Absent: David F. Luebke and Sheila De Forest

1. The meeting was called to order at 6:04 p.m. in the City Hall Forum and roll call was taken. It was noted that Councilors De Forest and Luebke were absent.
2. Announcements – none
3. At 6:05 p.m. Councilor Van De Bogart made a motion to adjourn the meeting, and Councilor Spreitzer seconded. The motion carried.

Organizational Meeting of New City Council

1. Following the administration of the Oath of Office to reelected Councilors Spreitzer and Leavy by City Clerk Rebecca Houseman LeMire, members were seated, and the meeting was called to order by City Attorney Tom Casper at 6:07 p.m.

Present: Charles M. Haynes, Chuck Kincaid, Kevin D. Leavy, Mark Spreitzer, and James E. Van De Bogart

Absent: Sheila De Forest and David F. Luebke

2. Attorney Casper announced that nominations for President of the Council were in Order. Councilor Van De Bogart nominated Councilor Haynes for President. No other nominations were received, and nominations were declared closed. Councilor Leavy seconded the nomination, and the Council voted unanimously by voice vote to elect Councilor Haynes to the office of President.
3. Councilor Haynes assumed the position of President and opened nominations for Vice President. Councilor Kincaid nominated Councilor Spreitzer for Vice President. No other nominations were received, and nominations were declared closed. Councilor Leavy seconded the nomination, and the Council voted unanimously by voice vote to elect Councilor Spreitzer to the office of Vice President.
4. President Haynes said that the current City Council Committee, Commission, and Board appointments will stand until the May 6, 2013 regular City Council meeting. He also said that any Councilors who would like to change the current appointments should contact him prior to the May 6th meeting.
5. At 6:12 p.m., Councilor Leavy made a motion to adjourn the meeting, and Councilor Kincaid seconded. The motion carried.

Rebecca Houseman LeMire, City Clerk

www.ci.beloit.wi.us

Date approved by Council:

NOTICE

APPLICATIONS FOR BEER/LIQUOR LICENSES 2013-2014

CLASS "B" BEER AND "CLASS B" LIQUOR

Adiktion – HRNS V Entertainment (Jaime Hernandez, Agent) Business Address: 1310 Cranston Rd., Home Address: 2137 Dee Run, Delavan, WI

Alarm Box - Kathleen A. Davis, Business Address: 925 Fourth St., Home Address: 1326 Hackett St.

Alumni House - MTT Enterprises, Ltd. (Teresa L. Grooms, Agent) Business Address: 863 Fifth St., Home Address: 104 S. Wright St., Orfordville, WI

Applebee's Neighborhood Grill & Bar - The Bloomin' Apple Beloit, LLC (Joshua Siebel, Agent) Business Address: 2680 Cranston Rd., Home Address: 334 S. Randall Ave., Janesville, WI

Bagels and More – Bagels & More, LLC (David J. Siekierski, Agent) Business Address: 324 State St., Home Address: 1632 Garfield Ave.

Beloit College - Pearsons Hall – Board of Trustees of Beloit College (Peter J. Kraemer, Agent) Business Address: 700 College St., Home Address: 435 Central Ave.

Beloit Snappers - Beloit Professional Baseball Association, Inc. (Matthew R. C. Bosen, Agent) Business Address: 2301 Skyline Dr., Home Address: 1740 Gateway Blvd.

Bitters Pub – Ming Fong, Business Address: 1309 Madison Rd., Home Address: 1841 Garfield Ave.

The Bop – Sicilians Restaurant & Pizzeria, Inc. (Daniel Ainger, Agent) Business Address: 530 East Grand Ave., Home Address: 2774 Boulder Ct.

The Brass Rail – CPRTB, LLC (Ryan Roberts, Agent) Business Address: 646 Fourth Street, Home Address: 2016 Bradley St.

Bump and Run – Dennis Quinn, Business Address: 1611 Hackett St., Home Address: 2350 Riverside Dr.

Bushel and Peck's – Jacqueline Gennett & Richard Horbaczewski, Business Address: 328 State St., Home Address: W8473 Smock Valley Rd., Monroe, WI

Carom Room – Dave Coles, Inc. (David L. Coles, Sr., Agent) Business Address: 614 East Grand Ave., Home Address: 942 Division St.

Cartunes Grill & Bar - Cartunes Grill & Bar, LLC (Janet Lynn Keesey, Agent) Business Address: 2640 Prairie Ave., Home Address: 3045 South Petunia Lane

Club Ballyhoo – Tilley's Pizza House, Inc. (Teresa M. Donovan, Agent) Business Address: 900 Fourth St., Home Address: 17137 Avon Townline Rd., Brodhead, WI

Club Impulse - Aquarius Management Corporation (Wayne J. Pratt, Agent) Business Address: 132 West Grand Ave., Home Address: 838 Hackett St.

Coyotes Bar and Banquet – Coyotes of Rock Co. LLC (Brad Lawver, Agent) Business Address: 107 Dearborn St., Home Address: 711 Azalea Terr.

Deb's Town Club – Peterson's Town Club LLC, Debra E. Peterson, Business Address: 1900 St. Lawrence Ave., Home Address: 1925 Vernon Ave.

Diamond Lanes – Diamond Lanes, LLC (Daniel B. Bucholtz, Agent) Business Address: 1218 Cranston Rd., Home Address: 3430 S. Prairie Ave.

Domenico's - Domenico's Pizza and Restaurant, Inc. (Nathan Lipps, Agent) Business Address: 547 East Grand Ave., Home Address: 1105 Emerson Street NEW AGENT

End Zone Bar & Grill - Sandra Manning-Brown, Business Address: 616 Fourth St., Home Address: 1127 Ridgeway St.

The Filling Station – Gopher's Filling Station, LLC (Wendy Talignani, Agent) Business Address: 1414 Cranston Rd., Home Address: 1738 Dell Dr.

Grand Slam - Ruckert Investments, Inc. (Thomas A. Ruckert, Agent) Business Address: 173 West Grand Ave., Home Address: 2440 S. Clover Ln.

Holiday Inn Express – Beloit Express, Inc. (Kelsey Szudy, Agent) Business Address: 2790 Milwaukee Rd., Home Address: 30 S. Madison St., #14, Evansville, WI

Jersey's Bar & Grill – Jerseys, Inc. (Tiffany Abraham, Agent) Business Address: 2770 Milwaukee Rd., Home Address: 1725 Burton St.

The Last Lap - Last Lap, Inc. (James W. Sandmire, Agent) Business Address: 1028 Mary St., Home Address: 1206 Townline Ave.

Liberty Inn – Singles Family Enterprises, Inc. (Casey T. Singles, Agent) Business Address: 1901 Liberty Ave., Home Address: 2056 Riverside Drive.

Merrill & Houston's Steak Joint – Merrill & Houston's Steak Joint, LLC (Jayme Braasch, Agent) Business Address: 500 Pleasant St., Home Address: 1402 Clary St. (NEW CORPORATION & NEW AGENT.

Mike's Roadhouse – Cupcake Investments, LLC (Michael J. Fink, Agent) Business Address: 614 Broad St., P. O. Box 272, Home Address: 1940 Fairfax Ave.

The Mouse Tavern & Restaurant - Mickey Mouse Tavern, Inc. (Thomas R. Roehl, Agent) Business Address: 1408 Madison Rd., Home Address: 755 Petunia Ln.

Patti's Road Dawg Pub – PRD Saloon of Beloit, Inc. (Patti Vance, Agent) Business Address: 2956 Milwaukee Rd., Home Address: 5133 E. County Rd. S.

Pitchers Mound – Beloit Neighbors, LLC (Terrence Nass, Agent) Business Address: 2745 Prairie Ave., Home Address: 2942 S. Iris Dr.

Pizza Hut – Rockford Pizza, LLC (Juan Mendoza Ochoa, Agent) Business Address: 2787 Prairie Ave., Home Address: 1527 Tamarack Lane, Janesville NEW AGENT

The Rock Bar & Grill - Hospitality on the Rock, Inc. (Jason A. Agate, Agent) Business Address: 101 Maple Ave., Home Address: 2734 Park Avenue

Rooney's Pub & Grub - Kline's Club 88, Inc. (Kim Eggers, Agent) Business Address: 65 Portland Ave., Home Address: 1746 Moore St.

Sara's Pub – Sara's Pub, Inc. (Shpezime Fadilovski, Agent) Business Address: 1565-1567 Madison Rd., Home Address: 3605 Eagles Ridge Dr.

The 615 Club – P and G of Beloit, Inc. (Gregory L. Hatley, Agent) Business Address: 615 Broad St., Home Address: 1710 Morgan Terr.

Suds O'Hanahan's Irish Pub – Suds O'Hanahan's, Irish Pub, Inc. (Thomas L. Hankins, Agent) Business Address: 433, 435 East Grand Ave., Home Address: 1804 Henderson Ave.

Thirsty Badger Bar & Grill – Draeving Companies (Michael Draeving, Sr., Agent) Business Address: 2683 Prairie Ave., Home Address: 11836 S. Co. Rd. H, Beloit (Not issued to date)

Turtle Tap - Turtle Tap, LTD (Curtis Brannon, Agent) Business Address: 1344 East Grand Ave., Home Address: 2108 East Ridge Rd.

VFW Club – Mead-Allen Post #2306 Veterans of Foreign Wars of the United States (Wayne C. Bown, Agent) Business Address: 2711 Afton Rd., Home Address: 2220 West Hart Rd.

CLASS "B" BEER AND RESERVE "CLASS B" LIQUOR

Alibi Bar & Grill – BRBK LLC, (Bonnie R. Kunde, Agent) Business Address: 1180 Madison Road, Home Address: 2480 Riverside Dr.

The Castle – Hourglass Media, LLC, (John Wittnebel, Agent) Business Address: 501 Prospect St., Home Address: 10320 W. County Rd. K, Beloit NEW LICENSE

The Cheese People of Beloit – The Cheese People of Beloit LLC, Jill Delise-Smith, Agent, Business Address: 431 E. Grand Ave., Home Address: 2217 E. Luther Rd., Janesville NEW AGENT

Center Court – Kandu Industries, Inc. (Rodney Oksuita, Agent) Business Address: 100 Eclipse Center, Home Address: 4500 Indian Lake Dr., Janesville

La Casa Grande - Casa Grande, Inc. (Andrew Boros-Zazai, Agent) Business Address: 618 Fourth St., Home Address: 917 Bushnell Street. NEW AGENT.

Rivals Bar & Grill – BMC Property Management LLC (Michael Jero, Agent) Business Address: 443 East Grand Ave., Home Address: 862 Petunia Lane.

Rose's Soulfood – Clancy L. Smith, Business Address: 201 Short Street, Home Address: 204 Middle Street

CLASS "A" BEER AND "CLASS A" LIQUOR

Aldi #48 - Aldi, Inc. (James Crouch, Agent) Business Address: 2780 Milwaukee Rd., Home Address: 946 Elm St.

Badger Spirits – Badger Spirits LTD (Alice Blue, Agent) Business Address: 2621 Prairie Ave., Home Address: 2077 S. Pow Wow Trail

Beloit Mobil on the Run – NDGAS LLC (Connie M. Gunning, Agent) Business Address: 2883 Milwaukee Rd., Home Address: 1601 E. Ridge Rd.

Cornellier Superstore - Cornellier Limited (Brad Lee Lawver) Business Address: 2909 Ford St., Home Address: 711 Azalea Terrace

CVS Pharmacy #8534 – Wisconsin CVS Pharmacy, LLC. (Judy A. Thomas, Agent) Business Address: 1063 Fourth St., Home Address: 2203 Staborn Dr.

CVS Pharmacy #5600 – Wisconsin CVS Pharmacy, LLC (Kimberly Kitchens, Agent) Business Address: 2149 Prairie Ave., Home Address: 1010 Bushnell St. **NEW AGENT**

Madison Road BP – Beloit Enterprises, Inc. (Gary O. Shoemaker, Agent) Business Address: 1343 Madison Road, Home Address: 14402 W. State Rd. 81, Brodhead

Tobacco Shack – Akshar Brahma, Inc. (Jignesh DeSai, Agent) Business Address: 1212 Cranston Rd., Home Address: 2777 N. Robinson Dr., #3

Wal-Mart Supercenter #2532 - Wal-Mart Stores East, LP (Scott F. Greschner, Agent) Business Address: 2785 Milwaukee Rd., Home Address: 1778 Gateway Blvd.

Walgreens #06096 – Walgreen Co. (Jessica Reavis, Agent) Business Address: 1901 Prairie Ave., Home Address: 128 W. Hidden Tr., #202., Elkhorn

Walgreens #12136 – Walgreen Co. (Brenda Neumann, Agent) Business Address: 910 Broad St., Home Address: 1107 W. State St., Janesville

Walgreens #11528 – Walgreen Co. (Tammy Patterson, Agent) Business Address: 1531 Madison Rd., Home Address: 1969 Virginia St.

Woodman's Food Market - Woodman's Food Market, Inc. (Peter J. Mentele, Agent) Business Address: 1877 Madison Rd., Mailing Address of Corporation: 2631 Liberty Lane, Janesville 53545-0741, Home Address: 2701 S. Paddock Rd.

CLASS "A" BEER

Beloit Citgo – Profuel Seven (Akhir Kang, Agent) Business Address: 1888 Shopiere Rd.,
Home Address: 2764 Kadlec Drive

Beloit Mobil – Samra & Singh, Inc. (Harjinder S. Samra, Agent) Business Address: 1902
Shopiere Rd., Home Address: 1985 Pebble Dr.

Liberty Mobil – S & S Express Mart, Inc. (Harjinder Samra, Agent) Business Address: 1407
Liberty Ave., Home Address: 1985 Pebble Drive

Pilot Travel Center #289 – Pilot Travel Centers LLC (Juanita Cardinal, Agent) Business
Address: 3001 Milwaukee Rd., Home Address: 625 Cornelia St., Janesville, WI 53545

Rollette Oil #1 - Rollette Oil Co., Inc. (Paul R. Simon, Agent) Business Address: 1451
Madison Rd., Home Address: 911 Suffolk Dr., Janesville

Speedway #2086 - Speedway LLC Owned by MPC Investment LLC (Ann M. Edgecomb,
Agent) Business Address: 1107 Liberty Ave., Home Address: 2185 Linway Dr.

Speedway #4087 - Speedway LLC Owned by MPC Investment LLC (Megan Biggerstaff,
Agent) Business Address: 148 Liberty Ave., Home Address: 2464 Pioneer Dr.

Speedway #4293 - Speedway LLC Owned by MPC Investment LLC (Sheryl LaTronico,
Agent) Business Address: 2781 Milwaukee Rd., Home Address: 1931 Harrison Ave.

Star Quick Mart (Pradip Patel, Agent) Business Address: 2158 Prairie Ave., Home Address:
1896 Murphy Woods Rd.

Tex's Grocery – Tex's Grocery, LLC (Fred Papendorf, Agent) Business Address: 1909 St.
Lawrence Ave., Home Address: 6395 W. Cleophas Rd.

CLASS "B" BEER

Beloit College Coughy Haus - Beloit College (Steven Oliveri, Agent) Business Address: 708 Clary St., Home Address: 700 College St., Box 203.

Taqueria Azteca – Ruben Rosas, Business Address: 1910 Shopiere Rd., Home Address: 2543 Sunshine Ln.

Tony & Maria's - Antonino Piccione, Jr., Business Address: 1181 Madison Rd., Home Address: 1201 Madison Rd.

The Turtle Tap, LTD - Turtle Baseball Association, Inc. (Curtis Brannon, Agent) Business Address: 136 Dearborn Ave., Home Address: 2108 E. Ridge Rd.

CLASS "B" BEER AND "CLASS C" WINE

Beloit Fine Arts Incubator – Beloit Fine Arts Incubator, Inc. (Ben Henthorn, Agent) Business Address: 520 East Grand Ave., Home Address: 1113 B Bushnell St.

Happy Wok – Happy Wok Corporation (Mei Tjoe Kwan, Agent) Business Address: 2627 Prairie Ave., Home Address: 2160 Mandi Ln.

La Kebrada Restaurant – La Kebrada Restaurant Corp. (Jaime Hernandez, Agent), Business Address: 2648 Prairie Ave., Home Address: 21347 Deer Run, Delavan

The Little Bistro – The Little Bistro LLC (Christine Neumann, Agent) Business Address: 315 State St., Home Address: 944 West St.

Little Mexico of Beloit, LLC, (Fernando Garcia, Agent), Business Address, 2787 Milwaukee Rd., Home Address: 1984 Mason Road

Paddle and Trail – Midwest Adventure Group, LLC (Walter Loos, Agent) Business Address: 110 West Grand Ave., Home Address: 10019 Ellendale, Edgerton, WI

Salvador's Restaurant - Salvador Z. Sanchez, Business Address: 907 Bayliss Avenue, Home Address: 2112 Roosevelt Ave.

Vince's Pizza - Vince's Pizza, Inc. (Vincenzo Gabriele, Agent) Business Address: 1050 Hackett St., Home Address: 1560 Cleveland St.

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning JULY 1 20 12 13 ;
 ending JUNE 30 20 13 14

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

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

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

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

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): MERRILL & HOUSTON'S STEAK JOINT, LLC

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

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>MANAGER + CEO DAN M. HENDRICKS</u>	<u>ONE ABC PKWY</u>	<u>BELOIT 53511</u>
Vice President/Member	<u>PRESIDENT ROBERT GERBITZ</u>	<u>W325N7098 CLEARWATER DR.</u>	<u>MERTON 53029</u>
Secretary/Member	<u>SECRETARY CARLA SWAIN</u>	<u>630 RICE DR.</u>	<u>BELOIT 53511</u>
Treasurer/Member			
Agent	<u>JAYME BRASCH</u>	<u>1402 CLARY ST.</u>	<u>BELOIT WI 53511</u>

3. Trade Name MERRILL & HOUSTON'S STEAK JOINT Business Phone Number (608)-363-1110
 4. Address of Premises 500 PLEASANT ST. Post Office & Zip Code BELOIT 53511

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 10/22/12 of registration.
 (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
 (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) RESTAURANT BANQUET ROOMS OF BELOIT INN + ROOMS IN HOTEL.

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

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

SUBSCRIBED AND SWORN TO BEFORE ME
 this 14 day of December, 2012
Aileen Mauch
 (Clerk/Notary Public)

[Signature]
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
[Signature]
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

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

TO BE COMPLETED BY CLERK			
Date received and filed with municipal clerk	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
<u>4-16-13</u>			
Date license granted	Date license issued	License number issued	

Applicant's Wisconsin Seller's Permit Number	
Federal Employer Identification Number (FEIN)	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>50.00 PA 4-16</u>
TOTAL FEE	\$

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

Submit to municipal clerk.

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

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

The undersigned duly authorized officer(s)/members/managers of Merrill & Houston's Steak Joint, LLC
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Merrill & Houston's Steak Joint
(trade name)

located at 500 Pleasant Street, Beloit, WI 53511

appoints Jayne Braasch
(name of appointed agent)

1402 Clary Street, Beloit, WI 53511
(home address of appointed agent)

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

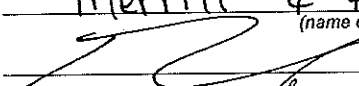
Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

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

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 31 yrs

Place of residence last year 1402 Clary Street, Beloit, WI 53511

For: Merrill & Houston's Steak Joint, LLC
(name of corporation/organization/limited liability company)

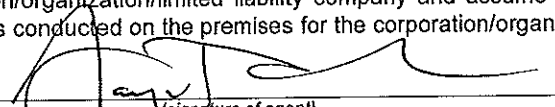
By:  - Robert Gebitz President
(signature of Officer/Member/Manager)

And: Carla Swain, Secretary Carla Swain
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Jayne Braasch, hereby accept this appointment as agent for the
(print type agent's name)

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

 4-16-13 Agent's age _____
(signature of agent) (date)

1402 Clary Street, Beloit WI 53511 Date of birth _____
(home address of agent)

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

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

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

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)	(middle name)	Social Security Number	
Swain		Carla	Ann		
Home Address (street/route)		Post Office	City	State	Zip Code
630 Rice Drive			Beloit	WI	53511
Home Phone Number		Age	Date of Birth	Place of Birth	
N/A				Appleton, Wis.	

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

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- Secretary - Officer of Merrill & Houston's Steak Joint, LLC
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)
- which is making application for an alcohol beverage license.

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

- How long have you continuously resided in Wisconsin prior to this date? 66 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
 If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 If yes, identify. _____
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Hendricks Holding Co., Inc	690 Third St, Suite 300, Beloit, WI	2009	Present
ABC Supply Co., Inc	One ABC Parkway, Beloit, WI	1984	2009

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

Subscribed and sworn to before me

this 16 day of April, 2013
Geri A. Wharf
(Clerk/Notary Public)

Carla Swain
(Signature of Named Individual)

My commission expires 6-5-16



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Wisconsin Department of Revenue

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)	(middle name)	Social Security Number	
BRAASCH		JAYME	L.		
Home Address (street/route)		Post Office	City	State	Zip Code
1402 CLARY ST			BELDIT	WI	53511
Home Phone Number		Age	Date of Birth	Place of Birth	
608.207.9536				MADISON, WI	

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

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- AGENT of MERRILL & HOUSTON'S STEAK JOINT LLC
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

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

- How long have you continuously resided in Wisconsin prior to this date? 31 YRS.
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. (Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. (Name of Wholesale Licensee or Permittee) (Address By City and County)

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

Employer's Name	Employer's Address	Employed From	To
Filling Station Bar	1414 CRANSTON RD., BELDIT, WI	MAY 2009	MAY 2012
Liberty INN	1901 E. LIBERTY AVE, BELDIT WI	Feb 2007	MARCH 2010

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

Subscribed and sworn to before me

this 6th day of December, 2012

Aileen Maeltzer
(Clerk/Notary Public)

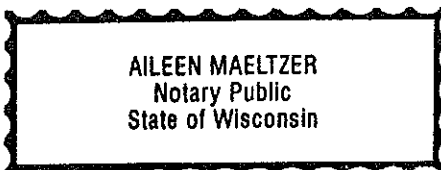
My commission expires 5-12-13

[Signature]
(Signature of Named Individual)



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Wisconsin Department of Revenue



AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name)			Social Security Number		
HENDRICKS DIANE H.					
Home Address (street/route)		Post Office	City	State	Zip Code
ONE ABC PKWY			BELDIT	WI	53511
Home Phone Number		Age	Date of Birth	Place of Birth	

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

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.

Manager/CEO of MERRILL & HOUSTON'S STEAK JOINT, LLC
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

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

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

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

Employer's Name <u>Hendricks Holding Co., INC.</u>	Employer's Address <u>690 Third St, Suite 300, Beloit, WI</u>	Employed From <u>2009</u>	To <u>Present</u>
Employer's Name <u>ABC Supply Co., Inc.</u>	Employer's Address <u>Cne ABC Parkway, Beloit, WI</u>	Employed From <u>1982</u>	To <u>Present</u>

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

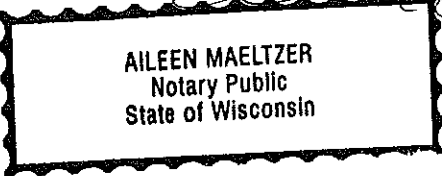
Subscribed and sworn to before me

this 14 day of December, 2012

Aileen Maeltzer
(Clerk/Notary Public)

[Signature]
(Signature of Named Individual)

My commission expires 5-12-13



AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)	(middle name)	Social Security Number	
GERBITZ		ROBERT	J		
Home Address (street/route)		Post Office	City	State	Zip Code
W325N7098 Clearwater Dr.			Merton	WI	53029-9722
Home Phone Number		Age	Date of Birth	Place of Birth	
LPOB 302 7288				MILWAUKEE	

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

- Applying for an alcohol beverage license as an individual.
 - A member of a partnership which is making application for an alcohol beverage license.
 - OFFICER - President of MERRILL + HOUSTON'S STEAK JOINT LLC
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)
- which is making application for an alcohol beverage license.

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

- How long have you continuously resided in Wisconsin prior to this date? 43 YEARS
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. (Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. (Name of Wholesale Licensee or Permittee) (Address By City and County)

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

Employer's Name	Employer's Address	Employed From	To
LANG INVESTMENTS	574 WELLS ST. DELAWARE ^{WI}	1998	2008
Entreped Development	Oconomowoc, WI	1994	1998

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

Subscribed and sworn to before me

this 7 day of Dec., 2012
Aileen Maeltzer
(Clerk/Notary Public)

[Signature]
(Signature of Named Individual)

My commission expires 5-12-13



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Wisconsin Department of Revenue



HENDRICKS
COMMERCIAL
PROPERTIES

www.hendricksgroup.net

April 16, 2013

Rebecca S. Housman
City Clerk
City of Beloit
100 State Street
Beloit, WI 53511

Dear Ms. Housman:

This letter is to notify you that as of January 1, 2013 Hendricks Riverfront, LLC became a subsidiary of Merrill & Houston's Steak Joint, LLC. Contingent upon receiving the liquor license from the City of Beloit in the name of Merrill & Houston's Steak Joint, LLC, Hendricks Riverfront, LLC will give up their existing liquor license and ultimately will become a dissolved entity.

If you have any questions in regards to this request, please feel free to contact me at 608-302-7288.

Kind regards,

A handwritten signature in black ink, appearing to read 'Rob Gerbitz', is written over a large, stylized flourish.

Rob Gerbitz
Officer of Hendricks Riverfront, LLC and President and COO of Hendricks Commercial Properties, LLC

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 1 20 13 ;
ending JUNE 30 20 14

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

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

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

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

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): HOURLASS MEDIA, LLC

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

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>MEMBER</u>	<u>JOHN L WITTNEBEL</u>	<u>10320 W COUNTY RD K, BELOIT, WI, 53511</u>
Vice President/Member	<u>MEMBER</u>	<u>JODY L WITTNEBEL</u>	<u>10320 W COUNTY RD K, BELOIT, WI, 53511</u>
Secretary/Member			
Treasurer/Member			
Agent	<u>JOHN WITTNEBEL</u>		
Directors/Managers			

3. Trade Name THE CASTLE AT 501 PROSPECT Business Phone Number 608 346-3249
4. Address of Premises 501 PROSPECT ST Post Office & Zip Code BELOIT WI 53511

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: Insert state WISCONSIN and date 11/27/2012 of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 1906 BUILDING & 1954 ADDITION AT 501 PROSPECT ST, BELOIT

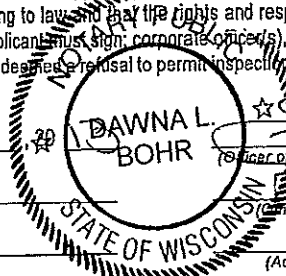
10. Legal description (omit if street address is given above): LOT 5 & 6 OF BLOCK 74, CITY OF BELOIT
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
(b) If yes, under what name was license issued? _____

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] Yes No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

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

SUBSCRIBED AND SWORN TO BEFORE ME

this 22nd day of March
Dorena J. Bohr
(Clerk/Notary Public)



My commission expires 08/31/2014

[Signature] MEMBER
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
[Signature] member
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>3-22-13</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Applicant's Wisconsin Seller's Permit Number: <u>456-1027928188-02</u>	
Federal Employer Identification Number (FEIN): <u>46-1492182</u>	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$ <u>100</u>
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$ <u>500</u>
<input checked="" type="checkbox"/> Reserve Class B liquor	\$ <u>10,000</u>
Publication fee	\$ <u>50 - Paid 3-22-13</u>
TOTAL FEE	\$

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

Submit to municipal clerk.

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

To the governing body of: Town Village of BELOIT County of ROCK
 City

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

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as THE CASTLE AT 501 PROSPECT
(trade name)

located at 501 PROSPECT ST. BELOIT WI 53511

appoints JOHN WITTNEBEL
(name of appointed agent)
10320 W. COUNTY RD K, BELOIT WI 53511
(home address of appointed agent)

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

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

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

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 9 yrs, 9 mos.

Place of residence last year 10320 W. COUNTY RD. K BELOIT WI 53511

For: HOURLGLASS MEDIA, LLC
(name of corporation/organization/limited liability company)

By: [Signature] MEMBER
(signature of Officer/Member/Manager)

And: [Signature] member
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, JOHN WITTNEBEL, hereby accept this appointment as agent for the
(print/type agent's name)

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

[Signature] 3-21-13 Agent's age _____
(signature of agent) (date)

10320 W. COUNTY RD K BELOIT WI 53511 Date of birth _____
(home address of agent)

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

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

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

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
WITTNBIZEL		JOHN		LEONARD	
Home Address (street/route)		Post Office	City	State	Zip Code
10320 W. COUNTY RD K		BELOIT	BELOIT	WI	53511
Home Phone Number		Age	Date of Birth	Place of Birth	
608 346-3249				OCONOMOWOC, WI	

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

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

which is making application for an alcohol beverage license.

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

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

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

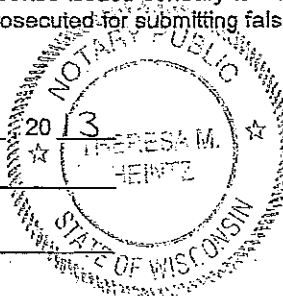
Employer's Name	Employer's Address	Employed From	To
AMERICAN AIRLINES, INC	4255 AMON CARTER BLVD FT WORTH TX 75261	FEB 1992	PRESENT
NORTHWEST AIRLINE EXPRESS AIRLINES	MEMPHIS INT'L AIRPORT MEMPHIS TN 38126	SEP 1989	FEB 1992

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

Subscribed and sworn to before me

this 21st day of March

Theresa M. Heintz
(Clerk/Notary Public)



[Signature]
(Signature of Named Individual)

MEMBER

My commission expires 8/4/2013



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Recycled Paper

**AUXILIARY QUESTIONNAIRE
ALCOHOL BEVERAGE LICENSE APPLICATION**

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
WITTMERBEL		JODY		LEE	
Home Address (street/route)		Post Office	City	State	Zip Code
10320 W. COUNTY RD K		BELOIT	BELOIT	WI	53511
Home Phone Number		Age	Date of Birth	Place of Birth	
608 346-3114				ST PAUL, MN	

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

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

which is making application for an alcohol beverage license.

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

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

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

Employer's Name	Employer's Address	Employed From	To
SELF EMPLOYED			
HOURGLASS MEDIA	10320 W. COUNTY RD K, BELOIT	1985	PRESENT
Employer's Name	Employer's Address	Employed From	To

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

Subscribed and sworn to before me

this 2nd day of March, 2013

Theresa M. Lentz
(Clerk/Notary Public)

Jody Wittmerbel Member Hourglass
(Signature of Named Individual)

My commission expires 8/4/2013



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**RESOLUTION APPROVING TEMPORARY CLASS “B”/“CLASS B” RETAILER’S
LICENSE FOR VISIT BELOIT**

WHEREAS, Visit Beloit has applied for a Temporary Class “B”/“Class B” Retailer’s License to allow them to possess, serve and sell beer and wine on May 10-11, 2013, at 500 Public Avenue; and

WHEREAS, according to State Statute 125.68(3), City Council action is necessary to approve this application because of proximity to church and school; and

WHEREAS, the Beloit City Council and the City of Beloit are supportive of Visit Beloit.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Beloit approves the application for the temporary license.

Dated this 6th day of May 2013.

Charles M. Haynes, Council President

Attest:

Rebecca. Houseman LeMire, City Clerk

APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ 10 paid 4-24-13 Application Date: 4-22-13
 Town Village City of Beloit County of Rock

The named organization applies for: (check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.
 A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning MAY 10 and ending MAY 11 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (check appropriate box) Bona fide Club Church Lodge/Society Veteran's Organization Fair Association

(a) Name Visit Beloit

(b) Address 500 Public Ave. Town Village City

(c) Date organized _____

(d) If corporation, give date of incorporation _____

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:

President Matt Bosen 2301 Skyline Dr. Beloit, WI 53511

Vice President Heidi Johns 1961 Meridith Dr. Beloit, WI 53511

Secretary _____
Treasurer Linda Lock 4531 S Hidden Creek Ct, Beloit, WI 53511

(g) Name and address of manager or person in charge of affair: TARA DUNN, 500 Public Ave Beloit, WI 53511 365-4838

2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD:

(a) Street number 500

(b) Lot _____ Block _____

(c) Do premises occupy all or part of building? part of building

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: entire first floor

3. NAME OF EVENT

(a) List name of the event Beloit Art Walk

(b) Dates of event May 10-11, 2013

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Officer Matt Bosen 4/22/13
(Signature/date)

Officer Heidi Johns 4/22/13
(Signature/date)

Date Filed with Clerk 4-24-13

To Council 5-6-13
Date Granted by Council _____

To Inspect File 4-24: _____

Visit Beloit
(Name of Organization)

Officer Linda Lock 4/22/13
(Signature/date)

Officer _____
(Signature/date)

Date Reported to Council or Board _____

License No. NA

2 Operators

**RESOLUTION APPROVING AMENDMENTS TO THE
CITY OF BELOIT'S HOUSING REHABILITATION REVOLVING LOAN PROGRAM**

WHEREAS, the City of Beloit is committed to revitalizing our existing neighborhoods,
and

WHEREAS, it is the desire of the City of Beloit to improve the City's housing stock;
and

WHEREAS, the majority of the loans provided by the Housing Rehabilitation Revolving
Loan Program are currently deferred; and

WHEREAS, it is the desire of the City of Beloit to increase the funds available to allow
more property owners to participate in the City's Housing Rehabilitation Revolving Loan
Program by adjusting the program to decrease the number of deferred loans.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Beloit
does hereby approve and adopt the amended Housing Rehabilitation Revolving Loan Program
guidelines as indicated on Attachment A.

Dated at Beloit, Wisconsin this 6th day of May 2013

BELOIT CITY COUNCIL

Charles M. Haynes, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

Topic: Proposed Resolution to make adjustments to the City's Housing Rehabilitation Revolving Loan Program to improve revolving funds back into the program.

Date: May 6, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

The City of Beloit Housing Rehabilitation Revolving Loan program consists of four loan programs; Owner Occupied Low Interest and Deferred Payment, Rental Rehabilitation, Distressed Property, and Construction Loans. The Housing Rehabilitation Revolving Loan Program is designed to improve the housing stock in the City of Beloit and complement other ongoing neighborhood revitalization efforts. Currently, the majority of the loans are deferred, which ties up money that could be available to loan to other property owners in need of our assistance. Staff is proposing changes that would lead to fewer deferred loans which will provide more liquidity to allow us to provide more loans than we can currently. Staff would also like to allow for flexibility in allowing staff to award up to 50% of the revolving funds towards rental rehabilitation. These loans are all repayable, so the funds would revolve on a constant basis, which would allow no decrease in lending to owner-occupants.

Key Issues (maximum of 5):

1. The depressed housing market has had the effect of lowered assessed and appraised housing values to such an extent that many of our low-income homeowners do not have enough equity to qualify for our loan program. Increasing the Combined Loan to Value would minimize this impact and allow more people to qualify for the program.
2. The depressed housing market has also affected rental housing in a similar way; property owners do not have the equity to finance needed improvements on their rental properties. With the foreclosure crisis, affordable and quality rental housing is needed. Increasing the Combined Loan to Value would minimize this impact and allow more people to qualify for the program.
3. Many housing rehabilitation loans are being deferred automatically based on current program rules, even if a borrower can afford a payment. Proposed changes would allow for repayment of all or a portion of the loan based on the borrowers' ability to pay.

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

This request conforms to Goal 5 of the Strategic Plan: Apply sound, sustainable practices to promote a diverse, high quality community through historic preservation, community revitalization and successful new 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**

Creates more energy-efficient housing units which will reduce our dependence on fossil fuels.

- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**

This activity will remove lead and other hazardous substances from Beloit housing units.

- **Reduce dependence on activities that harm life sustaining eco-systems**

N/A

- **Meet the hierarchy of present and future human needs fairly and efficiently**

This activity will provide safe and healthy housing units.

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:

City Council approval of the recommended changes in the Housing Rehabilitation Loan Program Manual.

Fiscal Note/Budget Impact:

These are CDBG and HOME funds, so this would have no impact on the general fund. There are adequate funds in both programs to accommodate the increased loan amounts for distressed properties.

Appendix A

Overview of Changes

Owner-Occupied Rehab Loan Requirements

	Current Requirements	Proposed Changes
Terms	<p><u>Deferred:</u> Under 50% CMI and total combined debt over 40% including loan payment eligible for deferred payment loan subject to annual review</p> <p><u>Installment:</u> 51% CMI - 80%: Total debt under 40% including loan payment. (If total debt is over 40% household is ineligible for installment loan and ineligible for deferred loan because exceed 50% of CMI)</p> <p><u>Distressed:</u> Under 80% CMI and ineligible for regular loan programs; has existing code violations—can be eligible for up to \$7500 to address ordered items (i.e. roofing)</p>	<p><u>Deferred:</u> Under 50% CMI and housing debt more than 40% with loan payment and total combined debt under 60% eligible for a deferred payment reviewable loan.</p> <p><u>Installment:</u> Over 51% and under 80%; housing debt including loan payment less than 40% and total debt less than 60% eligible for an installment loan at 3% up to a 15 year amortization period.</p> <p><u>Distressed:</u> Over 30% CMI must be able to afford a minimum \$50 or have sufficient equity to secure the loan</p> <p>*NEW LOAN <u>Combination Deferred/Installment:</u> Under 80% CMI, housing debt under 40% including loan payment and total debt less than 60%; has the ability to make a minimum \$50 payment and the remaining amount deferred.</p>
Combined Loan to Value (CLTV)**	Deferred loans = 95% CLTV Limit	<ul style="list-style-type: none"> Deferred loans increase to 100% LTV
	Installment loans = 100% CLTV Limit	<ul style="list-style-type: none"> Increase installment loans to 110% LTV Combo loans = 105% LTV
	Distressed = No requirements regarding CLTV	<ul style="list-style-type: none"> No change
Debt Ratio	No limitation on total debt	<ul style="list-style-type: none"> Total housing debt not to exceed 40% Total debt must be less than 60% Combo Installment/Deferred loan to stay under 40%/60%
Credit	If filed bankruptcy, must be discharged	If filed bankruptcy must be discharged for at least one year
	No limitation on delinquent payments	<ul style="list-style-type: none"> Must be current on COB Water Utilities Housing payments 0 x 30 in last 6 months
	Collections –manageable and actively paying	Limits on amount of collections—by type and amount <ul style="list-style-type: none"> medical cannot exceed \$2500 non- medical cannot exceed \$1500
Eligible Rehab	Address entire property interior and exterior bringing it up to code	Implement Priority Categories <ul style="list-style-type: none"> Level I Necessities Level II General Level III Special Deferred payment loans only address Level I items

Appendix A

Overview of Changes

Rental Programs

	Current Requirements	Proposed Changes
Terms	Term – ten year amortization period	Sliding amortization period - 5/8/10 years
Combined Loan to Value (CLTV)	CLTV – 100% of assessed value	CLTV sliding according to amortization period 125%/120%/100%
Eligible Rehab	Interior/Exterior code items addressed as a whole package	Address only exterior items, if property has recently passed a systematic inspection within a 12 month time frame.

CDBG Dollars

	Current	Proposed Changes
Annual allocation of CDBG funds for the Housing Rehabilitation Program	75% allowable for owner occupied properties Limitation of 25% allowable for rental properties	50% – 75% allowable for owner occupied properties 25%-50% allowable for rental properties

**** Combined Loan to Value (CLTV): Total mortgage debt on property vs. value of the property.** Value is determined by using either the current assessed value or the appraised, if appraisal within previous 6 months.

Owner Occupied Properties

Homeowner Assistance Programs			
	Deferred	Installment	Installment/Deferred Combo
County Median Income	Less than 50%	Less than 80%	Less 80%
Housing Debt	More than 40% including loan payment	Less than 40% including loan payment	Less than 40% including loan payment
Total Debt Income	Less than 60%	Less than 60%	Less than 60%
Payment	Deferred – subject to annual review/terms/conditions	Can afford to make loan payment and housing debt does not exceed 40%	Has the ability to make a minimum of \$50 and housing debt does not exceed 40%; remaining amount deferred
Interest Rate	0%	3%	3%/0%
Term	Subject to annual review— payable if affordable or when the property ceases to be primary residence, transfer of title	Up to 15 years	Up to 15 years and portion deferred
CLTV	100% of assessed value or appraisal within 6 months	110% of assessed value or appraisal within 6 months	105% of assessed value or appraisal within 6 months
Priority Categories			
Level I – Necessities	X	X	X
Level II – General		X	X
Level III – Special		X	X
Distressed Loans (Available for homeowners who are ineligible for the regular deferred/installment loan programs)			
County Median Income Levels	Under 30%	Over 30%	
Housing Debt	More than 40% including loan payment		
Total Debt Income			
Payment	Deferred	Minimum \$50	
Interest Rate	0%	3%	
Term	Subject to annual review		
CLTV		Must have sufficient equity or ability to make a minimum \$50 payment	
Maximum Loan Amount	\$7500	\$7500	

Credit Worthiness Guidelines

	Deferred	Installment	Installment/Deferred Combo
Property Taxes	No delinquencies		
Judgments	No outstanding judgments		
Bankruptcy	Must be discharged and must be at least one year since discharge date		
Land Contracts	Must be recorded		
COB Water Utilities	No delinquencies		
Housing	0 x 30 in last 6 months		
Collections	Medical cannot exceed \$2500	Non-medical cannot exceed \$1500	Non-medical cannot exceed \$1500

Rental Rehabilitation Loan Programs		
	Rental Rehabilitation	Neighborhood Enhancement
County Median Income	Tenants under 80%	Tenants under 80%
Rent Compliance/Agreements	X	X
Interest Rate	3%	3%
Maximum Allowable single family property	\$20,000	\$20,000
Maximum Allowable multi-family properties	\$25,000	\$25,000
Terms		
5 year amortization	CLTV - 125% of assessed value	CLTV – 125% of assessed value
8 year amortization	CLTV - 120% of assessed value	CLTV – 120% of assessed value
10 year amortization	CLTV - 100% of assessed value	CLTV – 100% of assessed value
Appraisals allowable (by reputable appraiser)	95 % of “after rehab” appraised value	
Nature of Work		Exterior Only
		If rental property has recently passed a systematic inspection within a 12 month time frame

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Initial Resolutions Authorizing the Issuance of \$7,890,000 General Obligation Bonds Series 2013D and \$1,375,000 Storm Sewer Revenue Refunding Bonds, Series 2013E

Date: May 6, 2013

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

Department(s): Finance and Administrative Services

Overview/Background Information: Each year as part of the city's budget and capital project planning staff evaluates scheduled capital improvement projects included in the Capital Budget to determine those that are eligible and require debt financing as a funding source for the projects. For those projects included in the city's adopted 2013 Capital Budget, the city is planning on issuing \$3,090,000 in general obligation debt and the remainder off the Series 2013D GO Bonds will be used to refund 2009 and 2010 State Trust Fund Loans and a 2010 Recovery Zone Economic Development Bond that were issued under the American Recovery and Reinvestment Act of 2009 Build America Bonds program. The Storm Sewer Revenue Refunding Bonds, Series 2013E are also being issued to refund bonds issued under the Build America Bonds program. The reason these refunding's are being proposed is as a result of the Federal budget cutbacks due to the Sequestration the City's interest rebate payments have been reduced triggering and ability to invoke an extraordinary call provision in the BAB's. Current market rates make this refunding economically feasible.

Key Issues (maximum of 5):

1. As part of the approved 2013 Budget and CIP, debt financing is required to fund scheduled capital improvement projects.
2. The automatic Federal budget sequestration cut backs due to the Balanced Budget and Emergency Deficit Control Act of 1985 resulted in an 8.7% reduction of the City anticipated interest rebate under the Build America Bonds and Recovery Zone Economic Development Bonds programs.
3. These rebate reductions have triggered an extraordinary call provision for these bonds allowing for a current refunding and with market rates at their present levels these refunding are economically feasible considering the net full rebates due on these issues.

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

These bond financings will satisfy four key goals contained in the city's Strategic Plan.

1. As an eco-municipality, focus on the sustainable stewardship of City resources, services and infrastructure; to protect both our built and natural environment and enhance the quality of life for current and future generations.
2. Continue competitive and sustainable economic development focused on retention and recruitment to fully serve the business and entrepreneurial community resulting in private investment and job creation.
3. 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.
4. Apply sound, sustainable practices to promote a high quality community through historic preservation, community revitalization, and successful new 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

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 adoption of the Initial Resolutions.

Fiscal Note/Budget Impact:

Sufficient funds were included in the 2013 Budget for these Bonds.

**INITIAL RESOLUTION AUTHORIZING
GENERAL OBLIGATION BONDS
IN AN AMOUNT NOT TO EXCEED
\$2,815,000 FOR STREET IMPROVEMENT PROJECTS**

BE IT RESOLVED by the City Council of the City of Beloit, Rock County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$2,815,000 for the public purpose of paying the cost of street improvement projects.

Adopted and recorded May 6, 2013.

Charles M. Haynes
City Council President

ATTEST:

Rebecca Houseman LeMire
City Clerk

(SEAL)

**INITIAL RESOLUTION AUTHORIZING
GENERAL OBLIGATION BONDS
IN AN AMOUNT NOT TO EXCEED
\$275,000 FOR PARK AND PUBLIC GROUND PROJECTS**

BE IT RESOLVED by the City Council of the City of Beloit, Rock County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$275,000 for the public purpose of paying the cost of park and public grounds projects.

Adopted and recorded May 6, 2013.

Charles M. Haynes
City Council President

ATTEST:

Rebecca Houseman LeMire
City Clerk

(SEAL)

**INITIAL RESOLUTION AUTHORIZING NOT TO EXCEED
\$4,800,000 GENERAL OBLIGATION REFUNDING BONDS**

BE IT RESOLVED by the City Council of the City of Beloit, Rock County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$4,800,000 for the public purpose of refunding obligations of the City, including interest on them.

Adopted and recorded May 6, 2013.

Charles M. Haynes
City Council President

ATTEST:

Rebecca Houseman LeMire
City Clerk

(SEAL)

**RESOLUTION DIRECTING PUBLICATION OF NOTICE TO ELECTORS RELATING
TO BOND ISSUES AND PROVIDING FOR THE SALE OF NOT TO EXCEED
\$7,890,000
GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2013D**

WHEREAS, the City of Beloit, Rock County, Wisconsin (the "City") has adopted initial resolutions (the "Initial Resolutions") authorizing the issuance of general obligation bonds for the following public purposes and in the following amounts: in an amount not to exceed \$2,815,000 for the public purpose of paying the cost of street improvement projects; and in an amount not to exceed \$275,000 for the public purpose of paying the cost of park and public grounds projects (collectively, the "Projects"); and in an amount not to exceed \$4,800,000 for the public purpose of refunding obligations of the City, including interest on them;

WHEREAS, it is now necessary that the Initial Resolutions authorizing bonds to finance the Projects be published to afford notice to the residents of the City of their adoption;

WHEREAS, the City Council hereby finds and determines that the Projects are within the City's power to undertake and therefore serve a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the City Council deems it to be necessary, desirable and in the best interest of the City to refund the City's \$915,000 State Trust Fund Loan dated July 8, 2009 (the "2009 Loan"); Taxable General Obligation Corporate Purpose Bonds, Series 2010 (Recovery Zone Economic Development Bonds), dated April 22, 2010 (the "2010 Bonds"); and \$600,000 State Trust Fund Loan dated August 30, 2010 (the "2010 Loan") (collectively, the "Refunded Obligations");

WHEREAS, the City designated the 2010 Bonds to be qualified "Recovery Zone Economic Development Bonds" within the meaning of Subsection 1400U-2(b) of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations promulgated thereunder by the U.S. Department of Treasury (the "Regulations") so that the City is eligible to claim refundable credits with respect to each interest payment on the 2010 Bonds, payable to the City by the Secretary of the United States Department of the Treasury ("Treasury");

WHEREAS, the April 1, 2013, interest payment on the 2010 Bonds was reduced by 8.7%, pursuant to the requirements of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended;

WHEREAS, the 2010 Bonds are subject to redemption prior to maturity, in whole or in part, at the option of the City, on any day, at a redemption price equal to 100% of the principal amount redeemed plus accrued interest to the date of redemption, in the event that either (a) Section 1400U-2 or 6431 of the Code is repealed, amended or modified in a manner which results in a reduction or elimination of the City's 45% cash subsidy payment from the Treasury or (b) the Treasury fails to make a cash subsidy payment to which the City is entitled and such failure is not caused by any action or inaction by the City;

WHEREAS, the City Council hereby finds and determines that the Treasury's reduction in the credit payment with respect to the April 1, 2013, interest payment was not due to any action or inaction by the City, and as a result, the extraordinary redemption provision referred to above was triggered, and the 2010 Bonds are eligible to be redeemed on any day;

WHEREAS, the City Council deems it to be necessary, desirable and in the best interest of the City to refund the 2010 Bonds due to the Treasury's failure to make the full cash subsidy payment and the uncertainty as to the receipt of cash subsidy payments in the future, and to refund the 2009 Loan and 2010 Loan; and

WHEREAS, the City Council of the City hereby finds and determines that general obligation bonds in an amount not to exceed \$7,890,000 should be issued pursuant to the Initial Resolutions for the purposes above specified.

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

Section 1. Publication of Notice to Electors. The City Clerk shall, within 15 days, publish a notice to the electors in substantially the form attached hereto in the official City newspaper as a class 1 notice under ch. 985, Wis. Stats.

Section 2. Combination of Issues. The issues referred to above are hereby combined into one issue of bonds designated "General Obligation Corporate Purpose Bonds, Series 2013D" (the "Bonds") and shall be issued in an amount not to exceed \$7,890,000 for the purposes above specified.

Section 3. Sale of the Bonds. The City Council hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, provided no petition for referendum shall have been received on the Initial Resolutions authorizing bonds to finance the Projects, the City Council shall consider such bids for the Bonds as may have been received and take action thereon.

Section 4. Notice of Sale. The City Clerk (in consultation with the City's financial advisor, Ehlers & Associates, Inc. ("Ehlers")) is hereby authorized and directed to cause the sale of the Bonds to be publicized at such times and in such manner as the City Clerk may determine and to cause copies of a complete, official Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine.

Section 5. Official Statement. The City Clerk (in consultation with Ehlers) shall also cause an Official Statement to be prepared and distributed. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Section 6. Award of the Bonds. Following receipt of bids for the Bonds, the City Council shall consider taking further action to provide the details of the Bonds; to award the Bonds to the lowest responsible bidder therefor; and to levy a direct annual irrevocable tax sufficient to pay the principal of and interest on the Bonds as the same becomes due as required by law.

Section 7. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the City Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded May 6, 2013.

Charles M. Haynes
City Council President

ATTEST:

Rebecca Houseman LeMire
City Clerk

(SEAL)

**RESOLUTION AUTHORIZING THE ISSUANCE AND ESTABLISHING
PARAMETERS FOR THE SALE OF NOT TO EXCEED
\$1,375,000 STORM SEWER SYSTEM REVENUE REFUNDING BONDS, SERIES 2013E
OF THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN,
AND PROVIDING FOR THE PAYMENT OF THE BONDS AND
OTHER DETAILS WITH RESPECT TO THE BONDS**

WHEREAS, the City of Beloit, Rock County, Wisconsin (the "City") owns and operates its storm sewer system (the "System") which is operated for a public purpose as a public utility by the City; and

WHEREAS, under the provisions of Section 66.0621, Wisconsin Statutes, any municipality in the State of Wisconsin may, by action of its governing body, provide funds for extending, adding to and improving a public utility or refunding obligations issued to finance such extensions, additions and improvements from the proceeds of bonds, which bonds are payable only from the income and revenues derived from any source by such utility and are secured by a pledge of the revenues of the utility; and

WHEREAS, pursuant to a resolution adopted on March 15, 2010 (the "2010 Resolution"), the City has heretofore issued its Taxable Storm Sewer System Revenue Bonds, Series 2010 (Build America Bonds - Direct Payment), dated April 6, 2010 (the "2010 Bonds"), which are payable from the income and revenues of the System, and were designated as qualified "Build America Bonds" within the meaning of Subsection 54AA(g) of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations promulgated thereunder by the U.S. Department of Treasury (the "Regulations") so that the City is eligible to claim refundable credits with respect to each interest payment on the 2010 Bonds, payable to the City by the Secretary of the United States Department of the Treasury ("Treasury"); and

WHEREAS, the credit payment received for the May 1, 2013 interest payment on the 2010 Bonds was reduced by 8.7%, pursuant to the requirements of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; and

WHEREAS, the 2010 Bonds are subject to redemption prior to maturity, in whole or in part, at the option of the City, on any day, at a redemption price equal to 100% of the principal amount redeemed plus accrued interest to the date of redemption, in the event that either (a) Section 54AA or 6431 of the Code is repealed, amended or modified in a manner which results in a reduction or elimination of the City's 35% cash subsidy payment from the Treasury or (b) the Treasury fails to make a cash subsidy payment to which the City is entitled and such failure is not caused by any action or inaction by the City; and

WHEREAS, the City Council hereby finds and determines that the Treasury's reduction in the credit payment with respect to the May 1, 2013 interest payment was not due to any action or inaction by the City, and the extraordinary redemption provisions referred to above have been triggered and the 2010 Bonds are eligible to be redeemed on any day; and

WHEREAS, the City Council deems it to be necessary, desirable and in the best interest of the City to refund the 2010 Bonds due to Treasury's failure to make the full cash subsidy

payment and the uncertainty as to the receipt of cash subsidy payments in the future, provided that the City can achieve debt service cost savings of 0.00% or greater as a result of the refunding of the 2010 Bonds (hereinafter referred to as the "Refunded Obligations"); and

WHEREAS, it is necessary, desirable and in the best interests of the City to authorize and sell revenue bonds to pay the cost of refunding the Refunded Obligations (the "Refunding") payable solely from the revenues to be derived from the operation of the System, which bonds are to be authorized and issued pursuant to the provisions of Section 66.0621, Wisconsin Statutes, upon the terms and conditions hereinafter provided; and

WHEREAS, it is in the best interest of the City to direct Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary for the City to offer and sell such revenue bonds designated "Storm Sewer System Revenue Refunding Bonds, Series 2013E" (the "Bonds") at public sale and to obtain bids for the purchase of the Bonds; and

WHEREAS, other than the Refunded Obligations, the City has no bonds or obligations outstanding which are payable from the income and revenues of the System; and

WHEREAS, in order to facilitate the sale of the Bonds in a timely manner, the City Council hereby finds and determines that it is necessary, desirable and in the best interest of the City to delegate to the City Manager and Finance and Administrative Services Director of the City the authority to accept on behalf of the City the bid for the Bonds that results in the lowest true interest cost for the Bonds (the "Proposal") so long as the Proposal meets the terms and conditions set forth in this Resolution (the "Parameters"), and to establish the terms of the Bonds within those Parameters.

NOW, THEREFORE, the City Council of the City of Beloit, Rock County, Wisconsin, do resolve that:

Section 1. Authorization and Sale of the Bonds; Parameters. For the purpose of paying the cost of the Refunding, the City is authorized to borrow pursuant to Section 66.0621, Wisconsin Statutes, the principal sum of not to exceed ONE MILLION THREE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$1,375,000) from the financial institution that submits the Proposal (the "Purchaser") upon the terms and subject to the conditions set forth in this Resolution. Subject to satisfaction of the conditions set forth in Section 21 of this Resolution, the City Manager and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, the Bonds aggregating the principal amount of not to exceed ONE MILLION THREE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$1,375,000). The purchase price to be paid to the City for the Bonds shall not be less than 99.00% of the principal amount of the Bonds nor more than 104.00% of the principal amount of the Bonds, and the difference between the issue price of the Bonds and the purchase price to be paid to the City by the Purchaser shall not exceed 1.5% of the principal amount of the Bonds.

Section 2. Terms of the Bonds. The Bonds shall be designated "Storm Sewer System Revenue Refunding Bonds, Series 2013E"; shall be issued in the aggregate principal amount of up to \$1,375,000; shall be dated as of their date of issuance; shall be in the denomination of

\$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and mature or be subject to mandatory redemption on May 1 in the years and in the principal amounts set forth below, provided that the principal amount of each maturity or mandatory redemption amount may be increased or decreased by up to \$20,000 per maturity or mandatory redemption amount and that the aggregate principal amount of the Bonds shall not exceed \$1,375,000. The schedule below assumes the Bonds are issued in the aggregate principal amount of \$1,365,000.

<u>Date</u>	<u>Amount</u>
05/01/2014	\$ 65,000
05/01/2015	65,000
05/01/2016	70,000
05/01/2017	70,000
05/01/2018	65,000
05/01/2019	70,000
05/01/2020	75,000
05/01/2021	75,000
05/01/2022	80,000
05/01/2023	80,000
05/01/2024	80,000
05/01/2025	85,000
05/01/2026	90,000
05/01/2027	95,000
05/01/2028	100,000
05/01/2029	105,000
05/01/2030	95,000

Interest is payable semi-annually on May 1 and November 1 of each year commencing on November 1, 2013. The true interest cost on the Bonds (computed taking the Purchaser's compensation into account) will not exceed 3.50%. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

The present value debt service savings achieved by the Refunding shall be 0.00% or greater of the principal refunded.

The schedule of maturities (taking into account such increase or decrease as is permitted above) is found to be such that the amount of annual debt service payments (taking into account the interest cost and savings parameters set forth above) will be reasonable in accordance with prudent municipal utility practices.

The City Council hereby determines that the refunding of the Refunded Obligations is advantageous and necessary to the City.

Section 3. Redemption Provisions.

(a) Optional Redemption. The Bonds maturing on May 1, 2022 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on May 1, 2021 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

(b) Mandatory Redemption. If the Proposal specifies that certain of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth in the Approving Certificate.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit A and incorporated herein by this reference, with such modifications as may be necessary to reflect the final terms established in the Approving Certificate.

Section 5. Security for the Bonds. The Bonds, together with interest thereon, shall not constitute an indebtedness of the City nor a charge against its general credit or taxing power. The Bonds, together with interest thereon, shall be payable only out of the Special Redemption Fund, and shall be a valid claim of the registered owner or owners thereof only against the Special Redemption Fund and the Revenues of the System pledged to such fund. Sufficient revenues are hereby pledged to said Special Redemption Fund, and shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the Bonds as the same becomes due.

Section 6. Definitions. In addition to the words defined elsewhere in this Resolution, the following words shall have the following meanings unless the context or use indicates another or different meaning or intent:

"Annual Debt Service Requirement" means the total amount of principal and interest due in any Fiscal Year on the Bonds and Parity Bonds.

"Bond Year" means the one-year period ending on a principal payment date or mandatory redemption date for the Bonds.

"Code" means the Internal Revenue Code of 1986, as amended.

"Current Expenses" means the reasonable and necessary costs of operating, maintaining, administering and repairing the System, including salaries, wages, costs of materials and supplies, insurance and audits, but shall exclude depreciation, debt service, tax equivalents, replacements and capital expenditures.

"DTC" means The Depository Trust Company, New York, New York, or any successor securities depository for the City with respect to the Bonds.

"Fiscal Agent" means the City Clerk or City Treasurer, unless a financial institution or other entity is appointed to perform that function in the Approving Certificate.

"Fiscal Year" means the fiscal year adopted by the City for the System, which is currently the calendar year.

"Net Revenues" means Revenues of the System after deduction of Current Expenses;

"Parity Bonds" means additional bonds or obligations issued on a parity as to pledge and lien with the Bonds in accordance with the provisions of Section 10 of this Resolution.

"Reserve Requirement" means an amount, determined as of the date of issuance of the Bonds, equal to the least of (a) 10% of the stated principal amount of the Bonds (to the extent permitted pursuant to Section 148(d)(1) of the Code and Regulations); (b) the maximum annual debt service on the Bonds; and (c) 125% of average annual debt service on the Bonds; provided, however, that on an ongoing basis it shall never exceed the remaining maximum annual principal and interest due on the outstanding Bonds in any Bond Year. If Parity Bonds which are to be secured by the Reserve Account are issued, the Reserve Requirement shall mean an amount, determined as of the date of issuance of the Parity Bonds, equal to the least of (a) the amount required to be on deposit in the Reserve Account prior to the issuance of such Parity Bonds, plus the amount permitted to be deposited therein from proceeds of the Parity Bonds pursuant to Section 148(d)(1) of the Code and Regulations; (b) the maximum annual debt service on outstanding obligations secured by the Reserve Account and the Parity Bonds to be issued; and (c) 125% of average annual debt service on the outstanding obligations secured by the Reserve Account and the Parity Bonds to be issued; provided, however, that on an ongoing basis it shall never exceed the remaining maximum annual principal and interest due on the outstanding obligations secured by the Reserve Account and any outstanding Parity Bonds in any Bond Year.

"Regulations" means the Regulations of the Commissioner of Internal Revenue under the Code.

"Revenues" shall include all revenues, income and earnings of the System derived from storm sewer charges imposed by the City, all payments to the City under any agreements between the City and any contract users of the System, and any other moneys received from any source by the System including all rentals and fees;

"System" means the entire storm sewer system of the City including all property of every nature now or hereafter owned by the City for the collection, detention, conveyance, processing, treatment and disposal of storm water, including all improvements and extensions thereto made by the City while any of the Bonds and Parity Bonds remain outstanding, including all real and personal property of every nature comprising part of or used or useful in connection with such storm sewer system and including all appurtenances, contracts, leases, franchises and other intangibles.

Section 7. Income and Revenue Funds. When the Bonds shall have been delivered in whole or in part, the Revenues shall be set aside into the Storm Sewer System Revenue Fund and then transferred to the following separate and special funds, which were created and established by the 2010 Resolution and are hereby continued, and shall be used and applied as described below:

- Revenues in amounts sufficient to provide for the payment of Current Expenses shall be set aside into the Storm Sewer System Operation and Maintenance Fund (the "Operation and Maintenance Fund").

- Revenues in amounts sufficient to pay the principal of and interest on the Bonds and Parity Bonds and to meet the Reserve Requirement shall be set aside into the Storm Sewer System Special Redemption Fund (the "Special Redemption Fund"), which shall be divided into two separate accounts to be known as the "Interest and Principal Account" and the "Reserve Account", to be applied to the payment of the principal of and interest on the Bonds and Parity Bonds and to meet the Reserve Requirement, respectively. The monies standing in the Special Redemption Fund are irrevocably pledged to the payment of principal of and interest on the Bonds and Parity Bonds.

- Revenues in amounts sufficient to provide a proper and adequate depreciation account for the System shall be set aside into the Storm Sewer System Depreciation Fund (the "Depreciation Fund").

The Operation and Maintenance Fund and Depreciation Fund shall be deposited as received in public depositories to be selected by the City Council in the manner required by Chapter 34, Wisconsin Statutes and may be invested in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes.

Money in the Operation and Maintenance Fund shall be used to pay Current Expenses as the same come due; money not immediately required for Current Expenses shall be used to accumulate a reserve in the Operation and Maintenance Fund equal to estimated Current Expenses for one month. Any money then available and remaining in the Operation and Maintenance Fund may be transferred to the Surplus Fund, which fund is hereby continued.

Revenues shall be deposited in the Depreciation Fund each month in an amount equal to one-twelfth of the Depreciation Requirement defined below until the Depreciation Requirement is accumulated therein. The Depreciation Requirement shall equal \$50,000 or such larger amount as the City Council may from time to time determine to constitute an adequate and reasonable depreciation account for the System. Money in the Depreciation Fund shall be available and shall be used, whenever necessary, to restore any deficiency in the Special Redemption Fund and for the maintenance of the Reserve Account therein. When the Special Redemption Fund is sufficient for its purpose, funds in the Depreciation Fund may be expended for repairs, replacements, new construction, extensions or additions to the System. Any money on deposit in the Depreciation Fund in excess of the Depreciation Requirement which is not required during the current Fiscal Year for the purposes of the Depreciation Fund, may be transferred to the Surplus Fund.

It is the express intent and determination of the City Council that the amount of Revenues to be set aside and paid into the Special Redemption Fund (including the Reserve Account) shall in any event be sufficient to pay principal of and interest on the Bonds and Parity Bonds and to meet the Reserve Requirement, and the City Treasurer shall each Fiscal Year deposit at least sufficient Revenues in the Special Redemption Fund to pay promptly all principal and interest falling due on the Bonds and Parity Bonds and to meet the Reserve Requirement.

The Revenues so set aside for payment of the principal of and interest on the Bonds and Parity Bonds shall be set apart and shall be paid into the Special Redemption Fund not later than the 10th day of each month. The amount deposited each month shall be not less than one-sixth of the interest next coming due, plus one-twelfth of the principal next maturing.

The minimum amounts to be so deposited for debt service on the Bonds shall equal the debt service schedule for the Bonds set forth in the Approving Certificate.

The Special Redemption Fund shall be used for no purpose other than the payment of interest upon and principal of the Bonds and Parity Bonds promptly as the same become due and payable or to pay redemption premiums. All money in the Special Redemption Fund shall be deposited in a special account and invested in legal investments subject to Section 66.0603(1m), Wisconsin Statutes, and the monthly payments required to be made to the Special Redemption Fund shall be made directly to such account.

The Reserve Account established by the 2010 Resolution shall be continued to additionally secure the payment of principal of and interest on the Bonds. The City covenants and agrees that upon the issuance of the Bonds an amount sufficient to make the amount on deposit in the Reserve Account equal to the Reserve Requirement shall be deposited into the Reserve Account and shall be maintained therein.

The City covenants and agrees that at any time that the Reserve Account is drawn on and the amount in the Reserve Account shall be less than the Reserve Requirement, an amount equal to one-twelfth of the Reserve Requirement will be paid monthly into the Reserve Account from those funds in the Special Redemption Fund, the Operation and Maintenance Fund, the Depreciation Fund and the Surplus Fund which are in excess of the minimum amounts required by the preceding paragraphs to be paid therein until the Reserve Requirement will again have accumulated in the Reserve Account. No such payments need be made into the Reserve Account at such times as the monies in the Reserve Account are equal to the highest remaining annual debt service requirement on the Bonds and Parity Bonds secured by the Reserve Account in any Bond Year. If at any time the amount on deposit in the Reserve Account exceeds the Reserve Requirement, the excess shall be transferred to the Special Redemption Fund and used to pay principal and interest on the Bonds. If for any reason there shall be insufficient funds on hand in the Special Redemption Fund to meet principal or interest becoming due on the Bonds or Parity Bonds secured by the Reserve Account, then all sums then held in the Reserve Account shall be used to pay the portion of interest or principal on such Bonds or Parity Bonds becoming due as to which there would otherwise be default, and thereupon the payments required by this paragraph shall again be made into the Reserve Account until an amount equal to the Reserve Requirement is on deposit in the Reserve Account.

Funds in the Special Redemption Fund in excess of the minimum amounts required to be paid therein plus reserve requirements may be transferred to the Surplus Fund.

Money in the Surplus Fund shall first be used when necessary to meet requirements of the Operation and Maintenance Fund including the one month reserve, the Special Redemption Fund including the Reserve Account, and the Depreciation Fund. Any money then remaining in the Surplus Fund at the end of any Fiscal Year may be used only as permitted and in the order

specified in Section 66.0811(2), Wisconsin Statutes. Money thereafter remaining in the Surplus Fund may be transferred to any of the funds or accounts created by this section.

Section 8. Service to the City. The reasonable cost and value of any service rendered to the City by the System by furnishing storm sewer services for public purposes shall be charged against the City and shall be paid by it in quarterly installments as the service accrues, out of the current revenues of the City collected or in the process of collection, exclusive of the Revenues, and out of the tax levy of the City made by it to raise money to meet its necessary current expenses. It is hereby found and determined that the reasonable cost and value of such service to the City in each year shall be in an amount which, together with Revenues of the System, will produce Net Revenues equivalent to not less than 1.25 times the Annual Debt Service Requirement. Such compensation for such service rendered to the City shall, in the manner provided hereinabove, be paid into the separate and special funds described in Section 4 of this Resolution. However, such payment is subject to (a) annual appropriations by the City Council therefor, (b) approval of the Wisconsin Public Service Commission, or successors to its function, if necessary, and (c) applicable levy limits, if any; and neither this Resolution nor such payment shall be construed as constituting an obligation of the City to make any such appropriation over and above the reasonable cost and value of services rendered to the City and its inhabitants or to make any subsequent payment over and above such reasonable cost and value.

Section 9. Operation of System; City Covenants. It is covenanted and agreed by the City with the owner or owners of the Bonds, and each of them, that:

(a) The City will faithfully and punctually perform all duties with reference to the System required by the Constitution and Statutes of the State of Wisconsin, including the making and collecting of reasonable and sufficient rates lawfully established for services rendered by the System, and will collect and segregate the Revenues of the System and apply them to the respective funds and accounts described hereinabove;

(b) The City will not sell, lease, or in any manner dispose of the System, including any part thereof or any additions, extensions, or improvements that may be made part thereto, except that the City shall have the right to sell, lease or otherwise dispose of any property of the System found by the City Council to be neither necessary nor useful in the operation of the System, provided the proceeds received from such sale, lease or disposal shall be paid into the Special Redemption Fund or applied to the acquisition or construction of capital facilities for use in the normal operation of the System, and such payment shall not reduce the amounts otherwise required to be paid into the Special Redemption Fund;

(c) The City will pay or cause to be paid all lawful taxes, assessments, governmental charges, and claims for labor, materials or supplies which if unpaid could become a lien upon the System or its Revenues or could impair the security of the Bonds;

(d) The City will maintain in reasonably good condition and operate the System, and will establish, charge and collect such lawfully established rates and charges for the service rendered by the System, so that in each Fiscal Year Net Revenues shall not be less than 125% of the Annual Debt Service Requirement, and so that the Revenues of the System herein agreed to be set aside to provide for the payment of the Bonds and Parity Bonds and the interest thereon as

the same becomes due and payable, and to meet the Reserve Requirement, will be sufficient for those purposes;

(e) The City will prepare a budget not less than sixty days prior to the end of each Fiscal Year and, in the event such budget indicates that the Net Revenues for each Fiscal Year will not exceed the Annual Debt Service Requirement for each corresponding Fiscal Year by the proportion stated hereunder, will take any and all steps permitted by law to increase rates so that the aforementioned proportion of Net Revenues to the Annual Debt Service Requirement shall be accomplished as promptly as possible;

(f) The City will keep proper books and accounts relative to the System separate from all other records of the City and will cause such books and accounts to be audited annually by a recognized independent firm of certified public accountants including a balance sheet and a profit and loss statement of the System as certified by such accountants. Each such audit, in addition to whatever matters may be thought proper by the accountants to be included therein shall include the following: (1) a statement in detail of the income and expenditures of the System for the Fiscal Year; (2) a statement of the Net Revenues of the System for such Fiscal Year; (3) a balance sheet as of the end of such Fiscal Year; (4) the accountants' comment regarding the manner in which the City has carried out the requirements of this Resolution and the accountants' recommendations for any changes or improvements in the operation of the System; (5) the number of connections to the System at the end of the Fiscal Year, for each user classification (i.e., residential, commercial, public and industrial); and (6) a list of the insurance policies in force at the end of the Fiscal Year setting out as to each policy the amount of the policy, the risks covered, the name of the insurer, and the expiration date of the policy. The owners of any of the Bonds shall have at all reasonable times the right to inspect the System and the records, accounts and data of the City relating thereto; and

(g) So long as any of the Bonds are outstanding the City will carry for the benefit of the owners of the Bonds insurance of the kinds and in the amounts normally carried by private companies or other public bodies engaged in the operation of similar systems. All money received for loss of use and occupancy shall be considered Revenue of the System payable into the separate funds and accounts named in Section 4 of this Resolution. All money received for losses under any casualty policies shall be used in repairing the damage or in replacing the property destroyed provided that if the City Council shall find it is inadvisable to repair such damage or replace such property and that the operation of the System has not been impaired thereby, such money shall be deposited in the Special Redemption Fund, but in that event such payments shall not reduce the amounts otherwise required to be paid into the Special Redemption Fund.

Section 10. Additional Bonds. No bonds or obligations payable out of the Revenues of the System may be issued in such manner as to enjoy priority over the Bonds. Additional obligations may be issued if their lien and pledge is junior and subordinate to that of the Bonds. Additional obligations may be issued on a parity with the Bonds as to the pledge of Revenues of the System ("Parity Bonds") only if all of the following conditions are met:

a. Either: (i) The Net Revenues of the System for the last completed Fiscal Year immediately preceding the issuance of such Parity Bonds must have been equal to at least

1.25 times the average combined annual principal and interest requirements on all Bonds and Parity Bonds then outstanding payable from Revenues of the System (other than Bonds and Parity Bonds being refunded) and on the Parity Bonds then to be issued, in any Fiscal Year. Should an increase in permanent rates and charges, including those made to the City, be properly ordered and made effective during the Fiscal Year immediately prior to the issuance of such additional obligations or during that part of the Fiscal Year of issuance prior to such issuance, then Revenues for purposes of such computation shall include such additional Revenues as an independent certified public accountant, consulting professional engineer or the Wisconsin Public Service Commission may certify would have accrued during the prior Fiscal Year had the new rates been in effect during that entire immediately prior Fiscal Year; or (ii) An independent certified public accountant or consulting professional engineer must have provided a certificate setting forth for each of the three Fiscal Years commencing with the Fiscal Year following that in which the projects financed by such Parity Bonds are to be completed, the projected Net Revenues and the maximum annual interest and principal requirements on all Bonds and Parity Bonds outstanding payable from the Gross Revenues of the System and on the Parity Bonds then to be issued (the "Maximum Annual Debt Service Requirement"); and demonstrating that for each such Fiscal Year the projected Net Revenues will be in an amount not less than 125% of such Maximum Annual Debt Service Requirement;

b. The payments required to be made into the funds and accounts enumerated in Section 7 of this Resolution (including the Reserve Account, but not the Surplus Fund) must have been made in full.

c. The Parity Bonds must have principal maturing on May 1 of each year in which principal falls due and interest falling due on May 1 and November 1 of each year.

d. If the Parity Bonds are to be secured by the Reserve Account, the amount on deposit in the Reserve Account must be increased to an amount equal to the Reserve Requirement applicable upon the issuance of Parity Bonds as defined in Section 6 of this Resolution.

e. The proceeds of the Parity Bonds must be used only for the purpose of providing additions, extensions or improvements to the System, or to refund obligations issued for such purpose.

Section 11. Application of Bond Proceeds. All accrued interest received from the sale of the Bonds shall be deposited into the Special Redemption Fund. Any amount of proceeds of the Bonds needed to make the amount currently on deposit in the Reserve Account equal to the Reserve Requirement shall be deposited in the Reserve Account. An amount of proceeds of the Bonds sufficient to provide for the payment of the Refunded Obligations shall be deposited in a special account designated the "Refunding Fund" for that purpose. The balance remaining in said Refunding Fund after paying said costs shall be transferred to the Special Redemption Fund for use in payment of principal of and interest on the Bonds.

Section 12. Amendment to Resolution. After the issuance of any of the Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except:

a. The City may, from time to time, amend this Resolution without the consent of any of the owners of the Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and

b. This Resolution may be amended, in any respect, with the written consent of the owners of not less than two-thirds of the principal amount of the Bonds then outstanding, exclusive of Bonds held by the City; provided, however, that no amendment shall permit any change in the pledge of Revenues derived from the System, or in the maturity of any Bond issued hereunder, or a reduction in the rate of interest on any Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Bonds may be redeemed or make any other modification in the terms of the payment of such principal or interest without the written consent of the owner of each such Bond to which the change is applicable.

Section 13. Defeasance. When all Bonds have been discharged, all pledges, liens, covenants and other rights granted to the owners thereof by this Resolution shall cease. The City may discharge all Bonds due on any date by depositing into a special account on or before that date a sum sufficient to pay the same in full; or if any Bonds should not be paid when due, it may nevertheless be discharged by depositing into a special account a sum sufficient to pay it in full with interest accrued from the due date to the date of such deposit. The City, at its option, may also discharge all Bonds called for redemption on any date when they are prepayable according to their terms, by depositing into a special account on or before that date a sum sufficient to pay them in full, with the required redemption premium, if any, provided that notice of redemption has been duly given as required by this Resolution. The City, at its option, may also discharge all Bonds of said issue at any time by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Bonds to its maturity or, at the City's option, if said Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Bond at maturity, or at the City's option, if said Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Bonds on such date has been duly given or provided for. Upon such payment or deposit, in the amount and manner provided by this Section, all liability of the City with respect to the Bonds shall cease, terminate and be completely discharged, and the owners thereof shall be entitled only to payment out of the money so deposited.

Section 14. Investments and Arbitrage. Monies accumulated in any of the funds and accounts referred to in Sections 7 and 11 hereof which are not immediately needed for the respective purposes thereof, may be invested in legal investments subject to the provisions of Sec. 66.0603(1m), Wisconsin Statutes, until needed. All income derived from such investments

shall be credited to the fund or account from which the investment was made; provided, however, that at any time that the Reserve Requirement is on deposit in the Reserve Account, any income derived from investment of the Reserve Account shall be deposited into the Special Redemption Fund and used to pay principal and interest on the Bonds. A separate banking account is not required for each of the funds and accounts established under this Resolution; however, the monies in each fund or account shall be accounted for separately by the City and used only for the respective purposes thereof. The proceeds of the Bonds shall be used solely for the purposes for which they are issued but may be temporarily invested until needed in legal investments. No such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations.

An officer of the City, charged with the responsibility for issuing the Bonds, shall, on the basis of the facts, estimates and circumstances in existence on the date of closing, make such certifications as are necessary to permit the conclusion that the Bonds are not "arbitrage bonds" under Section 148 of the Code or the Regulations.

Section 15. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the City and the owner or owners of the Bonds, and after issuance of any of the Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 12, until all of the Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the City, the governing body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the City, its governing body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 16. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 17. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the Fiscal Agent.

Section 18. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the City Manager and City Clerk shall execute and deliver in the name of the transferee

or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the City Manager and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 19. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 20. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

The foregoing covenants shall remain in full force and effect, notwithstanding the defeasance of the Bonds, until the date on which all of the Bonds have been paid in full.

Section 21. Conditions on Issuance and Sale of the Bonds. The issuance of the Bonds and the sale of the Bonds to the Purchaser are subject to satisfaction of the following conditions:

(a) approval by the City Manager and Finance and Administrative Services Director of the City of the definitive aggregate principal amount, annual maturity amounts, mandatory redemption provisions (if any), interest rates, true interest cost, and purchase price for the Bonds, which approval shall be evidenced by execution by the City Manager and Finance and

Administrative Services Director of a certificate in substantially the form attached hereto as Exhibit B (the "Approving Certificate") and incorporated herein by this reference; and

(b) realization by the City of present value debt service savings in an amount equal to 0.00% or greater of the principal amount refunded.

The Bonds shall not be issued, sold or delivered until these conditions are satisfied. Upon satisfaction of these conditions, the City Manager and Finance and Administrative Services Director of the City is authorized to execute a Proposal with the Purchaser providing for the sale of the Bonds to the Purchaser.

Section 22. Official Statement. The City Council hereby directs the City Manager and Finance and Administrative Services Director to approve the Preliminary Official Statement with respect to the Bonds and deem the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by the City Manager and Finance and Administrative Services Director or other officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City officials shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 23. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

The City Manager and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 24. Redemption of the Refunded Obligations; Material Event Notice. The Refunded Obligations are hereby called for prior payment and redemption on July 1, 2013 or any date thereafter as determined by the City Manager and Finance and Administrative Services Director in the Approving Certificate, at a price of par plus accrued interest to the date of redemption, subject to final approval of the issuance and sale of the Bonds by the City Manager and Finance and Administrative Services Director as evidenced by the execution of the Approving Certificate.

Immediately after adoption of this Resolution, the City Manager and Finance and Administrative Services Director shall work with Ehlers to provide notice of the City's intent to redeem the Refunded Obligations in substantially the form attached hereto as Exhibit C and incorporated herein by this reference. Such notice shall be provided in the manner required by the Undertaking the City entered into in connection with the Refunded Obligations.

After execution of the Approving Certificate, the City Manager and Finance and Administrative Services Director shall to work with Ehlers to cause timely notice of redemption of the Refunded Obligations, in substantially the form attached hereto as Exhibit D and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice. All actions heretofore taken by the officers and agents of the City to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

Section 25. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of the proceeds of the Bonds allocable to the payment of issuance expenses to KleinBank, Chaska, Minnesota at Closing for further distribution as directed by Ehlers.

Section 26. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 27. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The City Manager and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the City Manager and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 28. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the City Manager and City Clerk, authenticated, if required, by the Fiscal Agent, sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and

acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, mandatory redemption, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 29. Conflicting Ordinances or Resolutions. All prior ordinances, resolutions, rules, or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage.

Adopted and recorded May 6, 2013.

Charles M. Haynes
City Council President

ATTEST:

Rebecca Houseman LeMire
City Clerk

(SEAL)

RESOLUTION
AUTHORIZING THE APPLICATION AND BORROWING OF UP TO \$677,100 FROM
THE STATE OF WISCONSIN BOARD OF COMMISSIONERS OF PUBLIC LANDS
STATE TRUST FUND LOAN PROGRAM FOR PROJECTS CONTAINED IN THE 2013
CAPITAL IMPROVEMENT BUDGET

WHEREAS, as part of the financing plan for the 2013 Capital Improvement Budget, the Common Council of the City of Beloit authorizes the City Manager to apply to the Board of Commissioners of Public Lands through its State Trust Fund Loan Program for a loan not to exceed \$677,100 for public purpose projects contained in the 2013 Capital Improvement Budget for public works projects, property acquisition, equipment, and facility improvements; and

WHEREAS, by the provisions of Section 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed; and

WHEREAS, by the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes.

THEREFORE, BE IT RESOLVED, that the City of Beloit, in the County of Rock, Wisconsin, is authorized to make application and borrow from the Trust Funds of the State of Wisconsin the sum of \$677,100 for the purpose of financing projects contained in the 2013 Capital Improvement Budget and for no other purpose.

BE IT FURTHER RESOLVED, that said loan will be payable within ten (10) years in annual installments with interest thereon at the rate of 2.75 percent per annum from the date of making the loan to the 15th day of March next and thereafter annually as provided by law.

BE IT FURTHER RESOLVED, that there shall be raised and there is levied upon all taxable property both real and personal within the City of Beloit in the County of Rock, Wisconsin, a direct annual tax sufficient in the amount to pay the principal and interest payments on the loan as they become due.

BE IT FURTHER RESOLVED, that no money obtained by the City of Beloit by such loan from the State be applied or paid out for any purpose except financing 2013 capital budget projects without the consent of the Board of Commissioners of Public Lands of Wisconsin.

BE IT FURTHER RESOLVED, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the City Manager and City Clerk the City of Beloit in the County of Rock, Wisconsin, are authorized and empowered, on behalf of the City to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission for any sum of money that may be loaned to the City pursuant to this resolution. The City Manager and City Clerk of the City will perform all necessary actions to fully carry out the provisions of

Chapter 24, Wisconsin Statutes, and these resolutions.

BE IT FURTHER RESOLVED, that this preamble and these resolutions and the aye and nay vote by which they were adopted, be recorded, and that the City Clerk forward this certified record, along with the application for the loan to the Board of Commissioners of Public Lands of Wisconsin.

Dated at Beloit, Wisconsin, this 6th day of May 2013.

Charles M. Haynes
President of the Council

ATTEST:

Rebecca Houseman LeMire
City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Approving the Application and Borrowing for a State Trust Fund Loan in an amount not to exceed \$677,100 for projects in the 2013 Capital Improvement Budget

Date: May 6, 2013

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

Department(s): Finance and Administrative Services

Overview/Background Information: As part of the financing plan for the 2013 Capital Improvement Budget, several projects were identified for funding through a loan from the Board of Commissioners of Public Lands State Trust Fund Loan Program. The loan would be in an amount not to exceed \$677,100 and will be used for public works projects, property acquisition, equipment, and facility improvements, all of which are included in the 2013 Capital Improvement Budget.

Key Issues (maximum of 5):

1. To complete the projects contained in the 2013 Capital Improvement Budget a State Trust Fund Loan is required.
2. A State Trust Fund Loan in an amount not to exceed \$677,100 will provide this funding.
3. The loan will be for a term of 10 years at the current rate of 2.75%.
4. Payments will begin on March 15, 2014.

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

This loan will satisfy four of the five key goals contained in the city's Strategic Plan.

1. As an eco-municipality, focus on the sustainable stewardship of City resources, services and infrastructure; to protect both our built and natural environment and enhance the quality of life for current and future generations.
2. Continue competitive and sustainable economic development focused on workforce development, retention, and recruitment to fully serve the business and entrepreneurial community resulting in private investment and job creation.
3. 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.
4. Apply sound, sustainable practices to promote a high quality community through historic preservation, community revitalization and new 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 Council adoption of the Resolution authorizing a State Trust Fund Loan in an amount not to exceed \$677,100 for the 2013 Capital Improvement Budget.

Fiscal Note/Budget Impact: The loan has been programmed in the 2013 Capital Budget.