



**AGENDA
BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Monday, September 16, 2013**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. Proclamation declaring September 2013 as **Campus Fire Safety Month** (Liggett)
4. PUBLIC HEARINGS
 - a. Resolution approving a **Conditional Use Permit** to allow vehicle repair in the C-3, Community Commercial District, for the property located at 1119 Broad Street (Christensen) Plan Commission recommendation for approval 5-0
5. CITIZENS PARTICIPATION
6. CONSENT AGENDA

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

- a. Approval of the **Minutes** of the Regular and Special Meetings of September 3, 2013 (LeMire)
- b. Application for a **Conditional Use Permit** to allow an outdoor seating area and outdoor sales, possession and consumption of alcohol in a C-3, Community Commercial District, for the property located at 201 Short Street (Christensen) Refer to Plan Commission
- c. Application to amend a **Conditional Use Permit** to allow one additional room in an existing Boarding House in a C-3, Community Commercial District, for the property located at 622 Broad Street (Christensen) Refer to Plan Commission
- d. Resolution approving a **Change of Agent** for The Cheese People of Beloit, located at 431 East Grand Avenue, from Jill Delise-Smith to Andrea Levine (LeMire) ABLCC recommendation for approval 4-0
- e. Resolution authorizing **Final Payment** of Public Works Contract C11-23, River Bend Shoreline Stabilization (Boysen)
- f. Resolution authorizing **Final Payment** of Public Works Contract C13-01, Bayliss Avenue Rehabilitation (Boysen)

- g. Resolution awarding **Pubic Works Contract C13-16**, Post and Emerson Storm Sewer (Boysen)

7. LICENSES

- a. Resolution **Setting Return Date and Authorizing the Issuance of a Summons** for an Alcohol License Sanction Hearing for HRNS V Entertainment, d/b/a Adiktion, Jaime Hernandez, Agent, located at 1310 Cranston Road (Krueger)

8. ORDINANCES

- a. Proposed Ordinance to create Section 15.03(4g) of the Code of General Ordinances of the City of Beloit pertaining to **Loitering on Public Property** (Krueger)
ABLCC recommendation for approval 4-0
First reading, suspend rules for Second Reading

9. APPOINTMENTS

10. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

11. CITY MANAGER'S PRESENTATION – none

12. REPORTS FROM BOARD AND CITY OFFICERS

- a. Resolution approving a **Lease Agreement** between the City of Beloit and the Beloit Youth Hockey Association (BYHA) (Boysen)
- b. Resolution authorizing the City Manager to **Acquire Tax Delinquent Properties** from the Rock County Treasurer (Christensen)

13. ADJOURNMENT

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

Dated: September 11, 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 student-related housing fires in Wisconsin and across the country have tragically cut short the lives of some of the youth of our Nation; and

WHEREAS it is recognized that automatic fire alarm systems and smoke alarms provide the necessary early warning to occupants and the fire department of a fire so that appropriate action can be taken; and

WHEREAS it is recognized that automatic fire sprinkler systems are a highly effective method of controlling or extinguishing a fire in its early stages, protecting the lives of the building's occupants; and

WHEREAS many students are living in off-campus occupancies, Greek housing, and residence halls that are not adequately protected with automatic fire sprinkler systems and automatic fire alarm systems or adequate smoke alarms; and

WHEREAS it is recognized that fire safety education is an effective method of reducing the occurrence of fires and reducing the resulting loss of life and property damage; and

WHEREAS it is vital to educate students about the importance of fire safety behavior so that these behaviors can help to ensure their safety during their college years and beyond.

NOW, THEREFORE, BE IT PROCLAIMED that the President of the City Council of the City of Beloit, in recognition of and to express support of the establishment of September as Campus Fire Safety Month, does hereby declare the month of **September 2013** as **CAMPUS FIRE SAFETY MONTH** and encourages technical schools, colleges, and universities to take the necessary steps to ensure fire-safe living environments through fire safety education, installation of fire suppression and detection systems, smoke alarms and carbon monoxide alarms.

Presented this 16th day of September, 2013.

BELOIT CITY COUNCIL

Charles M. Haynes, President

ATTEST:

Rebecca Houseman LeMire, City Clerk

RESOLUTION
AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW
VEHICLE REPAIR IN THE C-3, COMMUNITY COMMERCIAL DISTRICT,
FOR THE PROPERTY LOCATED AT 1119 BROAD STREET

WHEREAS, the application of Cornellier Enterprises for a Conditional Use Permit to allow vehicle repair in the C-3, Community Commercial District, for the property located at 1119 Broad Street, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow vehicle repair in the C-3, Community Commercial District, for the property located at 1119 Broad Street in the City of Beloit, for the following described premises:

Lots 4, 5, 6, 7, 8, and West 20 feet of Lot 9 of Dow's Second Addition to the City of Beloit, County of Rock, State of Wisconsin (a/k/a 1119 Broad Street). Said parcel contains 0.83 acre, more or less.

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

1. This Conditional Use Permit authorizes vehicle repair within the existing building, in conjunction with auto sales inside and/or outside on the subject property.
2. Vehicle repair may not occur outside of the enclosed building.
3. Junk vehicles (as defined in Chapter 7) shall not be stored outside.
4. The applicant shall obtain an automobile dealer's license from the State of Wisconsin prior to selling vehicles.
5. The applicant shall patch, sealcoat, and stripe the asphalt parking lot by November 15, 2013.
6. The applicant shall install landscape strips (as defined & specified in Chapter 34) along the perimeter of the asphalt parking lot facing Broad Street and Grand Avenue by November 15, 2013.
7. The applicant shall remove the vinyl siding on the front façade and replace the windows with contemporary, commercial grade windows by November 15, 2013 after obtaining an Architectural Review Certificate and permit.
8. The applicant shall refurbish/reface or remove the existing pole sign & cabinet by November 15, 2013.
9. The applicant shall remove the westernmost driveway and restore the curb & gutter and grass by November 15, 2013.
10. Any major changes in the adopted conditions or use of the property shall be approved by the

Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

Adopted this 16th day of September, 2013.

BELOIT CITY COUNCIL

Charles M. Haynes, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Conditional Use Permit Application for the property located at 1119 Broad Street

Date: September 16, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Cornellier Enterprises has filed an application for a Conditional Use Permit to allow vehicle repair in the C-3, Community Commercial District, for the property located at 1119 Broad Street.

Key Issues (maximum of 5):

- Ace Auto Sales & Repair operated at this location until closing earlier this year. Because the prior use was discontinued, a Conditional Use Permit is required before vehicle repair may be reestablished in the C-3 district. Auto sales is permitted by-right in the C-3 district. Although the subject property is located in the WPO, Wellhead Protection Overlay District, the proposed uses are permitted by-right in the WPO district.
 - The applicant intends to lease the subject property to a business that will sell and repair vehicles. The applicant has not proposed any changes to the building or site.
 - The subject property includes a 7,800 square-foot building with one overhead door and a fenced outdoor storage area to the east of the building. The building was constructed in 1961.
 - The subject property is served by three driveways on Broad Street. The westernmost driveway is not needed; therefore, Planning staff is recommending a condition of approval that will require elimination of this driveway & restoration of the terrace.
 - As shown in the attached photos, the existing parking lot is in a deteriorated condition. Therefore, Planning staff is recommending a condition of approval that will require repair or replacement of the parking lot.
 - The subject property does not have any landscaping, and the area between the parking lot and public sidewalk is uneven and unsightly. Planning staff is recommending a condition that will require landscape strips on both East Grand Avenue and Broad Street.
 - The attached Public Notice was sent to nine nearby property owners. As of this writing, staff has not received any comments or concerns.
 - The Plan Commission reviewed this item on September 4, 2013 and voted unanimously (5-0) to recommend approval of the Conditional Use Permit, subject to 10 conditions of approval.
-

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

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

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

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

Action required/Recommendation:

- City Council consideration and action on the proposed Resolution
-

Fiscal Note/Budget Impact: N/A

Attachments: Resolution and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: September 4, 2013

Agenda Item: 5

File Number: CU-2013-14

Applicant: Cornellier Enterprises

Owner: Cornellier Enterprises

Location: 1119 Broad Street

Existing Zoning: C-3, Community Commercial District

Existing Land Use: Vacant Building

Total Area: 0.83 Acre

Request Overview/Background Information:

Cornellier Enterprises has filed an application for a Conditional Use Permit to allow vehicle repair in the C-3, Community Commercial District, for the property located at 1119 Broad Street.

Key Issues:

- Ace Auto Sales & Repair operated at this location until closing earlier this year. Because the prior use was discontinued, a Conditional Use Permit is required before vehicle repair may be reestablished in the C-3 district. Auto sales is permitted by-right in the C-3 district. Although the subject property is located in the WPO, Wellhead Protection Overlay District, the proposed uses are permitted by-right in the WPO district.
- The applicant intends to lease the subject property to a business that will sell and repair vehicles. The applicant has not proposed any changes to the building or site.
- The attached **Location & Zoning Map** shows the location of the subject properties and the underlying zoning of the surrounding area. The entire area is included in the WPO District. The adjacent zoning and land uses are as follows:
 - North: C-3, Community Commercial District; Vacant Land
 - South: C-3, Community Commercial District; Auto Sales & Repair
 - East: R-1B, Single-Family Residential District; Right-of-Way
 - West: R-1B, Single-Family Residential District; Single-Family Dwelling
- The subject property includes a 7,800 square-foot building with one overhead door and a fenced outdoor storage area to the east of the building. The building was constructed in 1961.
- The subject property is served by three driveways on Broad Street. The westernmost driveway is not needed; therefore, Planning staff is recommending a condition of approval that will require elimination of this driveway & restoration of the terrace.
- As shown in the attached photos, the existing parking lot is in a deteriorated condition. Therefore, Planning staff is recommending a condition of approval that will require repair or replacement of the parking lot.
- The subject property does not have any landscaping, and the area between the parking lot and public sidewalk is uneven and unsightly. Planning staff is recommending a condition that will require landscape strips on both East Grand Avenue and Broad Street.
- According to Section 8-103 of the Zoning Ordinance, the subject property must include 4 off-street parking stalls per service bay and 2 off-street parking stalls per employee. The subject property meets these requirements.
- The City's Review Agents have reviewed this application and have not submitted any comments or concerns.
- The Water Resources Division conducted a walk-through on August 22nd and verified the presence of a solid concrete floor and the absence of any above-ground fuel tanks.
- The attached Public Notice was sent to nine nearby property owners. As of this writing, staff has not received any comments or concerns.
- **Findings of Fact**
 - Based on Section 2-504 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:
 - a. *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - Subject to certain conditions of approval, the proposed conditional use will not be detrimental to or endanger public health, safety, or welfare.
 - b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - There is vacant land to the north, identical land uses to the south, and a large section of right-of-way to the east. Existing trees & open space separate the subject property from the dwellings to the west. Therefore, the conditional use is compatible with existing nearby uses.

- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
- Subject to certain conditions of approval that will bring the subject property closer to compliance with the City's land use ordinances, the conditional use will not impair property values. If the auto repair & sales use is established without conditions and the site & building continue to deteriorate, it is conceivable that property values may be adversely affected.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
- The establishment of the conditional use will not impede nearby development, so long as the site is repaired/upgraded as recommended by staff.
- e. *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
- The existing building includes two prominent examples of inappropriate window replacement, whereby large windows were replaced with small windows and/or vinyl siding. Planning staff is recommending a condition of approval to correct these inappropriate alterations.
- f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
- Adequate facilities and infrastructure are available to serve the conditional use.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
- The existing street network is capable of handling any additional traffic generated by the conditional use. Planning staff is recommending a condition of approval that will require the removal of the unnecessary westernmost driveway and terrace restoration.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
- The conditional use will comply with all other applicable regulations of the Zoning Ordinance.

Consistency with Comprehensive Plan and Strategic Plan:

The City's Comprehensive Plan recommends Community Commercial uses for the subject properties, and the underlying C-3 zoning district classification is consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #5.

Sustainability:

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

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow vehicle repair in the C-3, Community Commercial District, for the property located at 1119 Broad Street, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes vehicle repair within the existing building, in conjunction with auto sales inside and/or outside on the subject property.
2. Vehicle repair may not occur outside of the enclosed building.
3. Junk vehicles (as defined in Chapter 7) shall not be stored outside.
4. The applicant shall obtain an automobile dealer's license from the State of Wisconsin prior to selling vehicles.
5. The applicant shall patch, sealcoat, and stripe the asphalt parking lot by November 15, 2013.
6. The applicant shall install landscape strips (as defined & specified in Chapter 34) along the perimeter of the asphalt parking lot facing Broad Street and Grand Avenue by November 15, 2013.
7. The applicant shall remove the vinyl siding on the front façade and replace the windows with contemporary, commercial grade windows by November 15, 2013 after obtaining an Architectural Review Certificate and permit.
8. The applicant shall refurbish/reface or remove the existing pole sign & cabinet by November 15, 2013.
9. The applicant shall remove the westernmost driveway and restore the curb & gutter and grass by November 15, 2013.
10. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

Fiscal Note/Budget Impact: N/A

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

Location & Zoning Map

1119 Broad Street

CU-2013-14



1 inch = 59 feet

0 12.525 50 75 Feet

Legend

-  COB Parcels
-  Zoning District

Map prepared by: Drew Pennington

Date: August 2013

For: City of Beloit Planning & Building Services

Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION



CITY of BELOIT

Planning and Building Services Division

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

Conditional Use Permit Application

(Please Type or Print)

File Number: CU-2013-14

1. Address of subject property: 1119 BROAD ST

2. Legal description: _____

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

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

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

3. Tax Parcel Number(s): 13650806

4. Owner of record: CORNELLIER ENT. Phone: 608-362-0555

123 DEARBORN ST. BELOIT WI. 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: CORNELLIER ENT.

123 DEARBORN ST. BELOIT WI. 53511
(Address) (City) (State) (Zip)

608-362-0555 1-608-751-0975 BRADLAWVER@YAHOO.COM
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: CAR REPAIR & CAR SALES

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

A Conditional Use Permit for: VEHICLE REPAIR
in a(n) C-3 Zoning District.

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

Principal use: CAR SALES

Secondary use: VEHICLE REPAIR

Accessory use: AUTO BODY REPAIR

City of Beloit **Conditional Use Permit Application Form (continued)**

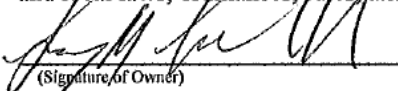
9. Project timetable: Start date: _____ Completion date: _____

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

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

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

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


 _____, LARRY N. CORNELLA SA, 8-8-13
(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 Planning and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

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

To be completed by Planning Staff

Filing fee: **\$275.00** Amount paid: \$275.⁰⁰ Meeting date: Sept. 4, 2013

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

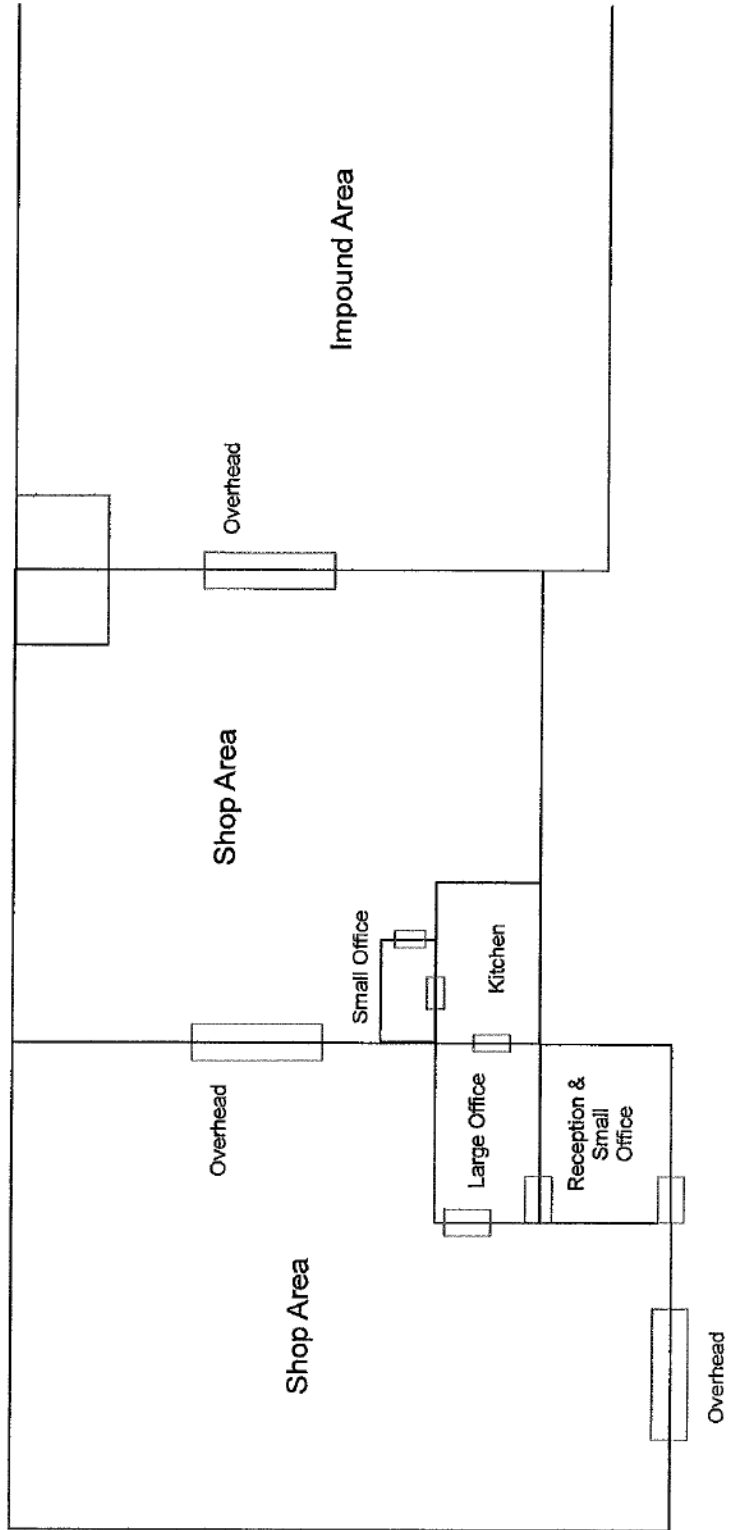
Application accepted by: Drew Pennington Date: 8/8/13

DISCLAIMER:
Floor Plan is an approximator

E. Grand Avenue

Extra Land

Former Paint Booth



1119 Broad Street



City of
BELOIT, Wisconsin
Division of Planning and Building Services

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

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

www.ci.beloit.wi.us

Equal Opportunity Employer

NOTICE TO THE PUBLIC

August 21, 2013

To Whom It May Concern:

Cornellier Enterprises has filed an application for a Conditional Use Permit to allow vehicle repair in the C-3, Community Commercial District and Wellhead Protection Overlay District, for the property located at:

1119 Broad Street.

Ace Auto Sales & Repair operated at this location until closing earlier this year. Because the prior use was discontinued, a Conditional Use Permit is required before vehicle repair may be reestablished in the C-3 district. The applicant intends to lease the subject property to a business that will sell and repair vehicles.

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

City Plan Commission: Wednesday, September 4, 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, September 16, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.

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

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

CU-2013-14, Vehicle Repair, 1119 Broad Street

SOO LINE RAILROAD
COMPANY
120 S 6TH ST STE 190
MINNEAPOLIS, MN 55402

VOSS INVESTMENTS LLC
2566 RIVERSIDE DR
BELOIT, WI 53511

JOSE L & CHRISTINA B CRUZ
317 WISCONSIN AVE
BELOIT, WI 53511

MARK CAREY
11518 SALADINO CT
ROSCOE, IL 61073

ESTATE OF HELEN GOODALL
RYAN
1335 CHAPIN ST
BELOIT, WI 53511

EMMANUEL BAPTIST CHURCH
1151 E GRAND AVE
BELOIT, WI 535116476

DBA CROCKERS MOTORS
EDWARD G CROCKER
19891 SW 97TH LN
DUNNELLON, FL 344324175

DAVID A & DENISE S
POINDEXTER
708 PATTERSON
STOUGHTON, WI 53589

GARY WEINKAUF
1822 EMERSON ST
BELOIT, WI 53511



**PROCEEDINGS OF THE BELOIT CITY COUNCIL
Special Meeting
100 State Street, Beloit, WI 53511
Tuesday, September 3, 2013**

Presiding: Mark Spreitzer
Present: Sheila De Forest (arrived at 5:32 p.m.), Chuck Kincaid (arrived at 5:40 p.m.), Kevin D. Leavy,
David F. Luebke, and James E. Van De Bogart
Absent: Charles M. Haynes

1. Vice President Spreitzer called the meeting to order at 5:30 p.m. in the 4th Floor City Manager's Conference Room at City Hall.
2. Councilor Van De Bogart made a motion to adjourn into closed session pursuant to Wis. Stats. 19.85(1)(g) to **confer with legal counsel with respect to pending litigation** in which the City is likely to become involved. Councilor Leavy seconded. The motion carried, and the Council adjourned into closed session at 5:31 p.m.
3. At 6:23 p.m., Councilor Spreitzer made a motion to adjourn the closed session. Councilor Kincaid seconded, and the motion carried.

Rebecca Houseman LeMire
City Clerk

www.ci.beloit.wi.us

Date Approved by Council:



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
Tuesday, September 3, 2013

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

1. The meeting was called to order at 7:00 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS – none
4. PUBLIC HEARINGS
 - a. Community Development Director Julie Christensen presented a resolution authorizing a **Planned Unit Development (PUD)** Master Land Use Plan for the property located at 1877 Madison Road (Woodman's Food Markets, Inc.). It was noted that the Plan Commission recommended approval 4-0. Ms. Christensen described the project, which includes multiple buildings on one site, requiring the Planned Unit Development Master Land Use Plan and a zoning change to the PUD, Planned Unit Development District. She indicated that this project will include a car wash, which requires a Conditional Use Permit, but that public process will be included with this PUD. President Haynes opened the public hearing.
 - Gary Fox, who represents Woodman's as the construction manager for this project, said that he is available to answer any questions about the project.President Haynes closed the public hearing. Councilor Luebke made a motion to adopt the resolution, and Councilor De Forest seconded. Councilor De Forest thanked staff for being sensitive to the high volume of pedestrian traffic in the area by requiring sidewalks and bike racks. The motion carried 7-0. File 7614
5. CITIZENS PARTICIPATION
 - Jamie Gaffke and Ruth Vater, 719 Bushnell Street, spoke in favor of the resolution to provide benefits for City of Beloit employees in same sex relationships. They said that this is an issue of competitiveness among employers, and if the City wants to attract and retain the best employees, this benefit should be offered. They encouraged the Council to unanimously approve item 11.a.
6. CONSENT AGENDA

Councilor De Forest requested that item 6.c. be removed from the Consent Agenda. Councilor De Forest made a motion to adopt the Consent Agenda, which consists of items 6.a., 6.b., 6.d., and 6.e. Councilor Kincaid seconded, and the motion carried that the Consent Agenda be accepted, adopted, or referred and acted upon as required by state and local codes by a vote of 7-0.

 - a. The **Minutes** of the Regular Meeting of August 19, 2013 were approved.
 - b. The application for a **Zoning Map Amendment** to change the zoning district classification of the properties located at 2091 and 2105 Shopiere Road from R-1B, Single-family Residential District, to C-2, Neighborhood Commercial District, was referred to the Plan Commission. File 8026
 - d. The application for a **Conditional Use Permit** to allow a vehicle repair business in a C-3, Community Commercial District and Wellhead Protection Overlay District, for the property located at 1119 Broad Street, was referred to the Plan Commission. File 8609
 - e. The resolution awarding Public Works Contract C12-15, Broad Street Parking Lot, was adopted. File 8612

- c. Ms. Christensen presented an application for an **Architectural Review Exception** to Section 34.15(1) of the Architectural Review and Landscape Code to allow the installation of metal siding on a commercial building in a C-2, Neighborhood Commercial District, for the property located at 105 Dearborn Street. Councilor De Forest requested that the Council be provided with a history of similar applications and the number granted and denied in the past when this item returns for Council action. Councilor Spreitzer made a motion to refer the matter to the Plan Commission for a recommendation, and Councilor Van De Bogart seconded. The motion carried 7-0. File 8608

7. ORDINANCES

- a. Ms. Christensen presented a proposed Ordinance to amend various sections of the Code of General Ordinance of the City of Beloit pertaining to the name change of the **Equal Opportunities and Human Relations Commission (EOHRC)**. Ms. Christensen said that two separate committees were combined in 2000 after a joint strategic planning session and started using the name EOHRC. She said that since that time, the commission and the public have struggled with the name. The EOHRC recommended that the new name be the Equal Opportunities Commission. Councilor Van De Bogart made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Luebke seconded, and the motion carried 7-0. On the merits, Councilor Leavy made a motion to enact the ordinance, and Councilor Spreitzer seconded. Councilor Leavy said that the Council used to receive reports on the number and type of complaints and requested that they receive that information again. Councilor De Forest asked if the Commission has any plans to publicize their mission. Ms. Christensen stated that they have applied for Community Development Block Grant funds for that purpose. She said that the Commission had a Fair Housing Intern this summer and will likely have another mock hearing in the spring. The motion carried, and the ordinance was enacted by a vote of 7-0.
File 7465 Ordinance 3500

8. APPOINTMENTS – none

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor Van De Bogart said that there are many activities going on this weekend in the Stateline area and encouraged the public to enjoy the weather.
- Councilor De Forest said that there is a public information meeting regarding improvements to Willowbrook Road at 2400 Springbrook Court from 5:00-7:00 p.m. on September 5th. She also encouraged the public to attend the Good to Great Activate family festival promoting active families on September 14th.
- Councilor Luebke reminded the public that school is back in session and encouraged everyone to drive carefully. He also encouraged the public to participate in Heritage Days this weekend and attend the Beloit Historical Society ice cream social and picnic events.
- Councilor Leavy said that has been enjoying the weather on his bike.
- Councilor Spreitzer said that Beloit College and the Friends of the Riverfront participated in a lighted boat parade to introduce the new students to the Riverfront.

10. CITY MANAGER'S PRESENTATION – none

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. City Manager Larry Arft presented a resolution approving **Benefits for Employees** in same-sex relationships who meet eligibility requirements. Mr. Arft stated that this policy change would allow the City to offer the same benefits to employees with same-sex partners as are offered to married couples. He said that this is a good business practice and that the City would not want a highly-qualified applicant to go elsewhere because this policy was not in place. He said any major impact of this policy change may be seen in the group health insurance programs but that there are no employees currently eligible for the benefit. Councilor Spreitzer made a motion to adopt the resolution, and Councilor Luebke seconded. Councilor Luebke said that this is a good business decision and is the fair and right thing to do. Councilor Spreitzer said that he is glad he

has the opportunity to vote on this and that employees have contacted him supporting this policy change. Councilor Van De Bogart said that he intends to vote for this but he cautioned the Council against taking action on social policy items. Councilor De Forest said this policy impacts employees now and that there are things that should be done out of fairness even if a group has not specifically requested it. Councilor Leavy said that he has not heard any push for this policy change from the community or during union negotiations. He said that he is uncomfortable with the change because the financial implications are unknown and not all of his questions have been answered. Councilor Leavy requested that the Council vote on this matter through a roll call vote. Councilor Kincaid said that he will vote for this because it is the right thing to do and this is the right time to do it. Councilor Haynes said that it is important that the Council members continue to respect each other's opinions. The motion carried by roll call vote 6-1, with Councilors De Forest, Kincaid, Spreitzer, Haynes, Luebke, and Van De Bogart voting in favor and Councilor Leavy voting in opposition. File 8610

- b. Mr. Arft presented a resolution authorizing the City Manager to **appeal the Wisconsin Department of Revenue's Assessment and Determination** of the relative value of taxable general property in the City of Beloit to the Tax Appeals Commission and designating the City Manager as the City Council's official representative. Mr. Arft that the valuation numbers for the residential and industrial properties in the City decreased by four percent but that the commercial real estate dropped by 20 percent in a single year. He said that the sample used by the City's contracted assessor was not indicative of the larger commercial picture in Beloit. Mr. Arft indicated that the Council met in a closed session meeting earlier in the evening to discuss this topic. He requested that the Council appeal the Department of Revenue's assessment to the Tax Appeal Commission. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Luebke seconded. Councilor De Forest asked if the resolution and staff report were made available to the public as indicated on the agenda, and Mr. Arft said that they were. The motion carried 7-0. File 8611

12. At 7:44 p.m., Councilor Leavy made a motion to adjourn the meeting, and Councilor De Forest seconded. The motion carried 7-0.

Rebecca Houseman LeMire, City Clerk

www.ci.beloit.wi.us

Date approved by Council:

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Conditional Use Permit Application for the property located at 201 Short Street – Council Referral to the Plan Commission

Date: September 16, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Clancy Smith has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in a C-3, Community Commercial District, for the property located at 201 Short Street.

Key Issues (maximum of 5):

- The applicant has proposed a 253 square-foot (11' x 23') outdoor seating area on the north side of the building and the extension of the sales, possession, & consumption of alcohol into said area. The proposed outdoor seating area will be enclosed by a 5' wood privacy fence.
 - The proposed outdoor seating area includes replacing an existing window with a 36" door to provide access to the outdoor area. There will also be an outdoor gate for emergency exit.
 - Section 4-804 of the Zoning Ordinance states that outdoor seating areas for bars are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.
-

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

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

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

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

Action required/Recommendation:

- Referral to the Plan Commission for the September 18, 2013 meeting
 - This item will most likely return to the City Council for a public hearing and possible action on October 7, 2013.
-

Fiscal Note/Budget Impact: N/A

Attachments: Application and Site Sketch

CITY of BELOIT

Planning and Building Services Division

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

Conditional Use Permit Application

(Please Type or Print)

File Number: CN-2013-15

1. Address of subject property: 201 Short Street

2. Legal description: _____

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

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

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

3. Tax Parcel Number(s): 13450440

4. Owner of record: Lagger Bay Property Phone: 299-1459

250 Garden Ln Beloit WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: Clancy Smith

201 Short St Beloit WI 53511
(Address) (City) (State) (Zip)

815-389-8084 16082015902 1
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: Restaurant & Bar

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

A Conditional Use Permit for: outdoor seating & alcohol
in a(n) C-3 Zoning District.

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

Principal use: _____

Secondary use: _____

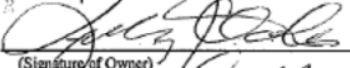
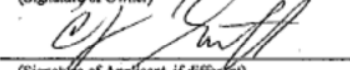
Accessory use: _____

9. Project timetable: Start date: _____ Completion date: _____

10. I/We represent that I/we have a vested interest in this property in the following manner:
- () Owner
 - () Leasehold, length of lease: _____
 - () Contractual, nature of contract: _____
 - () Other, explain: _____

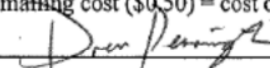
The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

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

 <small>(Signature of Owner)</small>	Kelly J Clokes <small>(Print name)</small>	7/25/13 <small>(Date)</small>
 <small>(Signature of Applicant, if different)</small>	Chacey Smith <small>(Print name)</small>	7-9-13 <small>(Date)</small>

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

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

To be completed by Planning Staff		
Filing fee: \$275.00	Amount paid: <u>\$275.00</u>	Meeting date: <u>Sept. 18, 2013</u>
No. of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____		
Application accepted by: 		Date: <u>8/14/13</u>

PLOT PLAN

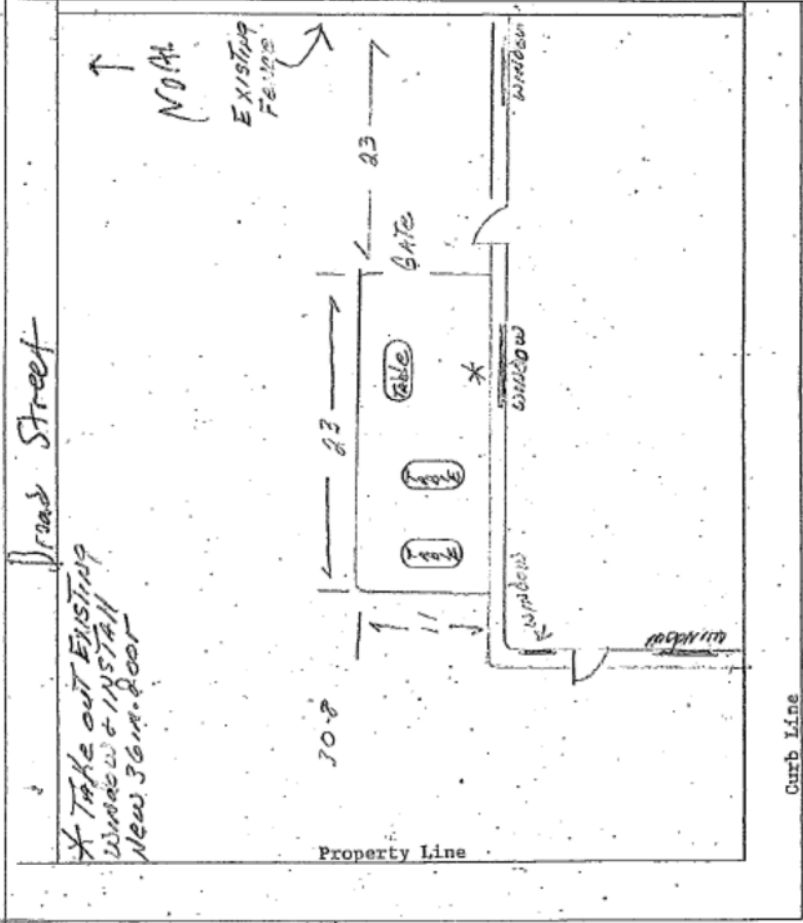
Street Address _____
 Lot _____ Block _____ Subdivision _____
 Interior Lot Corner Lot Thru Lot

Show The Following

- | | |
|--|--|
| 1. All Existing & Proposed Buildings | 6. Elevation of Curb at Lot Corners extended |
| 2. All Lot Dimensions | 7. Finish Grade At Lot Corners |
| 3. All Yard Dimensions | 8. Finish Grade At Building Corners |
| 4. Building Dimensions | 9. North Arrow |
| 5. Location of Drive & Opening Width at Curb | 10. Elevation at top of Foundation Wall. |

→ fence location
 → type & height
 → # of poles / c/o
 → Door

197' E. STREET
 162' business



44' & 6" STREET
 100
 100
 100

Fence Type Wood
 APPROX. 5' TALL



CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Conditional Use Permit Application for the property located at 622 Broad Street – Council Referral to the Plan Commission

Date: September 16, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Jerome Fagerstrom has filed an application to amend a Conditional Use Permit (CU-2007-13) to allow one additional room in an existing Boarding House in the C-3, Community Commercial District, for the property located at 622 Broad Street.

Key Issues (maximum of 5):

- On January 22, 2008, the City Council authorized a Conditional Use Permit to allow a 7-room Boarding House on the subject property.
 - The applicant has proposed the subdivision of the largest room into two rooms, which requires an amendment to his 2008 Conditional Use Permit.
 - The applicant has not proposed any exterior changes to the structure or site.
 - A copy of the application and site plan are attached to this report.
-

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

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

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

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

Action required/Recommendation:

- Referral to the Plan Commission for the September 18, 2013 meeting
 - This item will most likely return to the City Council for a public hearing and possible action on October 7, 2013
-

Fiscal Note/Budget Impact: N/A

Attachments: Application, Site Plan, and 2008 CUP.

CITY of BELOIT

Planning and Building Services Division

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

Conditional Use Permit Application

(Please Type or Print)

File Number: CU-2013-16

1. Address of subject property: 622 BROAD ST
2. Legal description: L9, E 523 FT L40, N 18.02 FT L4, E 523 FT OF N 18.02 FT L3B57 ORIGINAL PLAT

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

Property dimensions are: 130.02 feet by 65.23 feet = _____ square feet.

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

3. Tax Parcel Number(s): 13650340 DA A PRETTY STEAM 1 LLC
4. Owner of record: JEROME A FACESTRIM Phone: 608 931 0262
659 BLUFF ST BELOIT WI 5351
(Address) (City) (State) (Zip)

5. Applicant's Name: SAME
(Address) (City) (State) (Zip)
608 362 7652 / 608 931 0262 / dryfdco@gmail.com
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: BOARDING HOUSE

7. THE FOLLOWING ACTION IS REQUESTED: To Amend CU-2007-11

A Conditional Use Permit for: 8 BR BOARDING HOUSE
in a(n) COMMERCIAL Zoning District.

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

Principal use: BOARDING HOUSE

Secondary use: _____

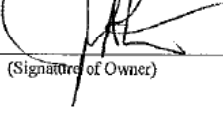
Accessory use: _____

9. Project timetable: Start date: 11/1/2013 Completion date: 11/15/2013

10. I/We represent that I/we have a vested interest in this property in the following manner:
- Owner
 - Leasehold, length of lease: _____
 - Contractual, nature of contract: _____
 - Other, explain: _____

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

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


 _____, Jerome A Fagerstrom, 08/15/2013
 (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 Planning and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting. This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

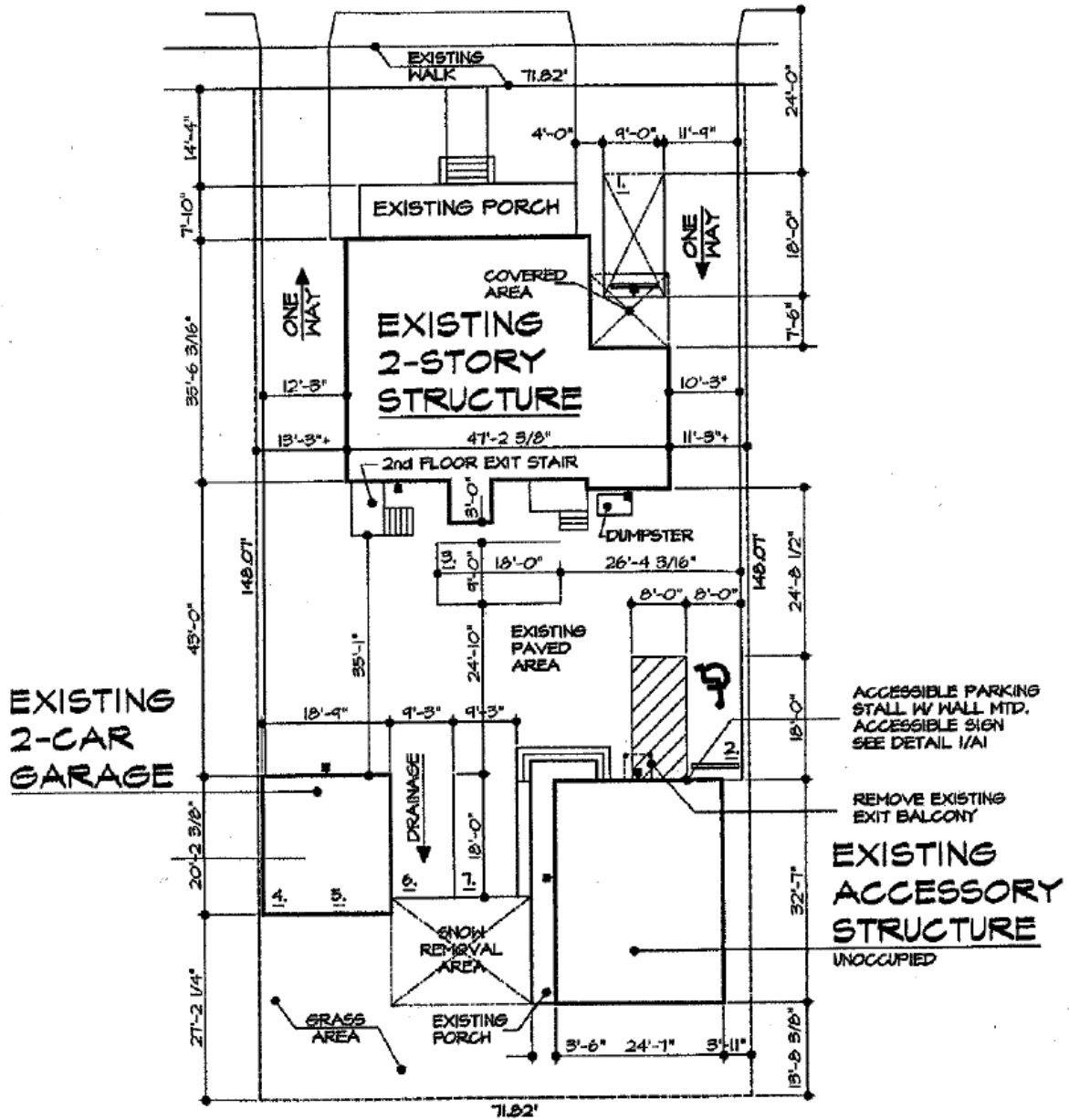
To be completed by Planning Staff

Filing fee: \$275.00 Amount paid: \$275.⁰⁰ Meeting date: Sept. 18, 2013

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

Application accepted by: [Signature] Date: 8/15/13

BROAD STREET



NOTE:

1. PROPOSED BOARDING HOUSE WITH MAX SEVEN RENTABLE ROOMS.
2. ALL DRIVES AND PARKING AREAS ARE EXISTING
3. BUILDING IS EQUIPPED W/ AUTOMATIC FIRE DETECTION/ALARM SYSTEM.

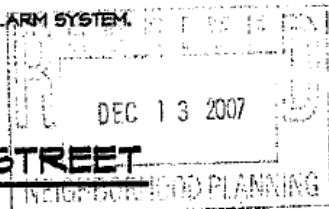
SYMBOL

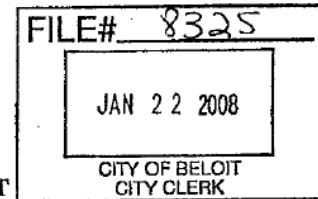
■ WALL MOUNTED LIGHT



SITE PLAN 622 BROAD STREET

1/20" = 10'





**RESOLUTION
AUTHORIZING A CONDITIONAL USE PERMIT
TO ALLOW A BOARDING/ROOMING HOUSE USE IN A
C-3, COMMUNITY COMMERCIAL DISTRICT FOR
PROPERTY LOCATED AT 622 BROAD STREET**

WHEREAS, the application of Jerome and Heidi Fagerstrom for a Conditional Use Permit to allow a Boarding/Rooming House use in a C-3, Community Commercial District, at 622 Broad Street, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow a Boarding/Rooming House use in a C-3, Community Commercial District, for property located at 622 Broad Street, in the City of Beloit, for the following described premises:

Lot 9, the East 5.23 feet of Lot 10, the North 18.02 feet of Lot 4, and the East 5.23 feet of the North 18.02 feet of Lot 3, Block 51 of the Original Plat of the City of Beloit, Rock County, Wisconsin (a/k/a 622 Broad Street, parcel number 1365-0340).

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

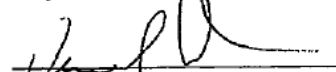
1. The property owner must obtain an annual rental permit for each rented room in the building from the Housing Services Division.
2. At least one parking space per rented room must be maintained throughout the year.
3. The parking area must be striped and the entrance and exit only directional signs erected by June 1, 2008.
4. The owner may rent a maximum of seven rooms, and a maximum of seven people may live on this property. Any increase in the number of rentable rooms or the number of people living on the property constitutes a major change in the adopted conditions and requires an amendment to this Conditional Use Permit.
5. An appropriate fire detection/alarm system for a Boarding/Rooming House must be approved by the City of Beloit Fire Department and must be in place before occupancy.
6. All necessary maintenance, including replacement or repair of the rotting soffits, the leaky roof, and the faded paint, must be completed before occupancy.
7. The dumpsters shown south of principal structure must be completely screened from view. An Architectural Review Certificate must be secured and dumpsters enclosed by June 1, 2008.
8. An interior rental inspection by the City of Beloit Housing Services Division and compliance

CU-2007-13, 622 Broad Street, Boarding House (Council Report)

- with all conditions of the inspection are required before occupancy.
9. If City staff receives complaints stemming from the lack of on-site management from tenants, neighboring property owners, Beloit College officials, or elected or appointed City officials, staff reserves the right to re-review the conditions of this Conditional Use Permit with the Plan Commission and City Council.
 10. The building and use must comply with all local, state, and federal codes, including, but not limited to Comm. 79 of the Wisconsin Administrative Code and Chapter 7 of the City of Beloit Municipal Ordinances.
 11. Any major changes in the adopted conditions or use of this property shall be approved by the Plan Commission and City Council by amending the Conditional Use Permit. The Community Development Director may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of these standards and requirements of code.

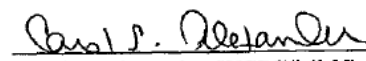
Adopted this 22nd day of January 2008.

City Council of the City of Beloit



Terrence T. Monahan, President

Attest:



Carol S. Alexander, WCPC/MMC, City Clerk

CU-2007-13, 622 Broad Street, Boarding House (Council Report)

**RESOLUTION APPROVING CHANGE OF AGENT
ALCOHOL BEVERAGE LICENSE**

WHEREAS, the agent of record for The Cheese People of Beloit, LLC, d/b/a The Cheese People of Beloit, located at 431 East Grand Avenue is Jill DeLisle Smith; and

WHEREAS, The Cheese People of Beloit, LLC, has requested and the Alcohol Beverage License Control Committee has recommended that the agent be changed to Andrea Levine

NOW, THEREFORE, IT IS RESOLVED that the new agent for The Cheese People of Beloit, LLC, d/b/a The Cheese People of Beloit, located at 431 East Grand avenue is Andrea Levine.

Dated this 16th day of September 2013.

Charles M. Haynes, President
Beloit City Council

Attest:

Rebecca Houseman LeMire, City Clerk



**ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE
RECOMMENDATION**

TO: Beloit City Council

FROM: Alcohol Beverage License Control Committee

DATE: September 10, 2013

SUBJECT: Change of Agent for The Cheese People of Beloit

The Alcohol Beverage License Control Committee recommends the Beloit City Council approve the Change of Agent at The Cheese People of Beloit, 431 East Grand Avenue, from Jill Delise-Smith to Andrea Levine.

Motion carried 4-0.

**Rebecca Houseman LeMire
City Clerk**

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 The Cheese People of Beloit 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 Cheese People of Beloit
(trade name)

located at 431 East Grand Avenue, Beloit, WI, 53511

appoints Andrea Levine
(name of appointed agent)

950 1/2 Sherwood Drive NE, 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? 2 yrs, 5 months (five)

Place of residence last year 950 1/2 Sherwood Drive NE Beloit, WI 53511

For: The Cheese People of Beloit LLC
(name of corporation/organization/limited liability company)

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

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

ACCEPTANCE BY AGENT

I, Andrea Levine, 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.

Andrea Levine 8-27-13 Agent's age _____
(signature of agent) (date)

950 1/2 Sherwood Drive NE, 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 clerk, 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)	
Levine		Andrea		Sue	
Home Address (street/route)		Post Office	City	State	Zip Code
950 1/2 Sherwood Drive NE			Beloit	WI	53511
Home Phone Number	Age	Date of Birth		Place of Birth	
515-975-1716					

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 The Cheese People of Beloit
(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? 2 years, 9 months
- 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
Trader Joes	1810 Monroe St. Madison, WI	March 2011	May 2012
AmeriCorps program at	1821 Grand Ave. West Des Moines, IA	November 2009	November 2010
<i>Amanda the Panda Family Grief Center</i>			

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 28 day of August, 2013

[Signature]
(Clerk/Notary Public)

Andrea Levine
(Signature of Named Individual)

My commission expires 8-23-17



Printed on Recycled Paper

Wisconsin Department of Revenue

Completed required state class on 4-2-13

the
CHEESE  PEOPLE
of Beloit

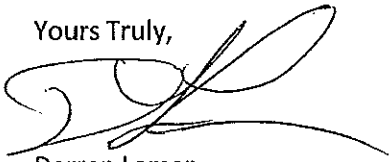
08-13-13

Effective immediately, The Cheese People of Beloit would like to appoint Andrea Levine as the agent for our liquor license. Andrea has been employed with us since we opened in May of 2012. She currently has an alcohol beverage operator's license issued by your office.

Andrea will provide the supplemental questionnaire for agents in time to be distributed for the next liquor license committee meeting.

We also would like to inform that Nikki's Café will be closing and will reopen within a few weeks as Café Fromage. Café Fromage is an extension of The Cheese People with all operations being combined. The name is being used to help identify the nature of the business.

Yours Truly,



Darren Larsen

The Cheese People of Beloit

**RESOLUTION
AUTHORIZING FINAL PAYMENT OF
PUBLIC WORKS CONTRACT C11-23
River Bend Shoreline Stabilization**

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

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

NOW, THEREFORE, BE IT RESOLVED, that Corporate Contractors, Inc. be paid \$18,316.92 as the final payment for Contract C11-23 River Bend Shoreline Stabilization, as recommended by the City Engineer.

Dated at Beloit, Wisconsin this 16th day of September 2013.

City Council of the City of Beloit

Charles M. Haynes, President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Final Payment for Contract C11-23, River Bend Shoreline Stabilization

Date: September 16, 2013

Presenter(s): Gregory Boysen

Department(s): Public Works/ Engineering

Overview/Background Information:

This project installed a sea wall along the east bank of the Rock River between the Broad Street Bridge and the Bike Path Bridge, and installed rip rap from the Bike Path Bridge downstream to the point where the 2003 was project terminated.

Key Issues (maximum of 5):

1. The requirements of the contract have been completed to the satisfaction of the City.
2. The awarded contract amount was \$ 521,651.85
Quantity increases and change orders \$ 12,605.87
Net payment due contractor \$ 534,257.72
3. The City Engineer, City Attorney, and Director of Accounting recommend that a final payment be made to Corporate Contractors, Inc. in the amount of \$18,316.92.

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

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**
 - This project sustains containment of the Brownfield listed property at Riverbend and protects developed property from the design flood thereby improving the area.

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

- **Reduce dependence upon fossil fuels**
n/a
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
n/a
- **Reduce dependence on activities that harm life sustaining eco-systems**
n/a
- **Meet the hierarchy of present and future human needs fairly and efficiently**
This project will protect the riverfront property from flooding.

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

Action required/Recommendation:


Approval of the Resolution authorizing the Final Payment.

Fiscal Note/Budget Impact:

This project is funded through the Community Development Block Grant - Emergency Assistance Program as a result of the 2008 flood. The City is reimbursed for 100% of the project cost.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch

FROM: Andy Hill, Project Engineer 

DATE: August 16, 2013

SUBJECT: Final Payment Contract C11-23
River Bend Shoreline Stabilization

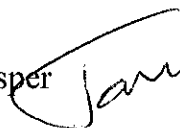
The work on this project was completed on July 18, 2012. I have inspected the work and find it to be satisfactory and in compliance with the requirements of the contract. The contractor has asked for final payment. The project was inspected by city staff. The final payment quantities have been approved by the contractor.

The original contract amount was for \$521,651.85, and the final contract amount is \$534,257.72. The increase in cost was primarily due to special excavation of an old stone wall determined to be necessary in order to drive the sheet piles. A detailed variance report is attached. Payments to date under this contract total \$515,940.80, and all lien waivers from subcontractors are on file.

Therefore, I recommend a final payment in the amount of \$18,316.92 be made to Corporate Contractors, Inc.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Andy Hill

FROM: Thomas R. Casper 

DATE: August 29, 2013

SUBJECT: **Final Payment Public Works Contract C11-23**
Corporate Contractors, Inc.
River Bend Shoreline Stabilization

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

/tdh
encs.

**RESOLUTION
AUTHORIZING FINAL PAYMENT OF
PUBLIC WORKS CONTRACT C13-01
Bayliss Avenue Rehabilitation**

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

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

NOW THEREFORE, BE IT RESOLVED, that Rock Road Co, Inc. be paid \$3,637.84 as the final payment for Contract C13-01 Bayliss Avenue Rehabilitation, as recommended by the City Engineer.

Dated at Beloit, Wisconsin this 16th day of September 2013.

City Council of the City of Beloit

Charles M. Haynes, President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Final Payment for Contract C13-01, Bayliss Avenue Rehabilitation

Date: September 16, 2013

Presenter(s): Gregory Boysen

Department(s): Public Works/ Engineering

Overview/Background Information:

This project rehabilitated rough pavement on Bayliss Avenue between Glen Avenue and Park Avenue.

Key Issues (maximum of 5):

1. The requirements of the contract have been completed to the satisfaction of the City.
2. The awarded contract amount was \$ 123,911.12
Quantity increases and change orders \$ 574.94
Net payment due contractor \$ 124,486.06
3. The City Engineer, City Attorney, and Director of Accounting recommend that a final payment be made to Rock Road Co, Inc. in the amount of \$3,637.84.

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

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**
 - This project enhances the quality of life in Beloit by improving the appearance and quality of ride and improving pedestrian safety on this street while lowering street maintenance costs.

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

- **Reduce dependence upon fossil fuels**
n/a
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
n/a
- **Reduce dependence on activities that harm life sustaining eco-systems**
n/a
- **Meet the hierarchy of present and future human needs fairly and efficiently**
The improved pavement meets the present and future human needs by extending the life of the pavement, increasing pedestrian safety, and reducing pavement maintenance.

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

Action required/Recommendation:

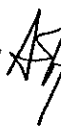
Approval of the Resolution authorizing the Final Payment.

Fiscal Note/Budget Impact:

Adequate funding is available in the 2013 Capital Improvement Plan. The Town of Beloit has agreed to reimburse the City for their share in the amount of \$38,281.70.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch

FROM: Andy Hill, Project Engineer 

DATE: August 19, 2013

SUBJECT: Final Payment Contract C13-01
Bayliss Avenue Rehabilitation


The work on this project was completed on June 11, 2013. I have inspected the work and find it to be satisfactory and in compliance with the requirements of the contract. The contractor has asked for final payment. The project was inspected by city staff. The final payment quantities have been approved by the contractor.

The original contract amount was for \$123,911.12, and the final contract amount is \$124,486.06. The increase in cost was due to an old brick manhole that needed to be reconstructed. Payments to date under this contract total \$120,848.22, and all lien waivers from subcontractors are on file.

Therefore, I recommend a final payment in the amount of \$3,637.84 be made to Rock Road Co, Inc.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Andy Hill

FROM: Thomas R. Casper 

DATE: August 30, 2013

SUBJECT: **Public Works Contract C13-01**
Bayliss Avenue Rehabilitation
Rock Road Companies, Inc.

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

/tdh
encs.

**RESOLUTION
AWARDING PUBLIC WORKS CONTRACT C13-16
POST AND EMERSON STORM SEWER**

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

WHEREAS, this project will add storm sewer to Post Road, Emerson Street, and Prairie Avenue improving the drainage in all areas. Once the storm sewer is installed, the pavement and terraces will be replaced with new asphalt, concrete and seed restoration; and

WHEREAS, Prairie Avenue storm sewer was an alternate bid to be included if adequate funding was available; and

WHEREAS, four competitive bids were received, the low bid being from E&N Hughes Co. Inc.; and

WHEREAS, E&N Hughes Co. Inc. is a qualified bidder.

NOW, THEREFORE, BE IT RESOLVED, by the City of Beloit City Council that Public Works Contract C13-16 Post and Emerson Storm Sewer, be, and hereby is, awarded to E&N Hughes Co. Inc., Monroe, Wisconsin, in the following amounts:

E&N Hughes Co. Inc.
PO Box 408
N2629 Coplien Rd.
Monroe, WI 53566

Base Bid	\$131,438.30
Alternate Bid	\$ 60,446.00
<u>Allowance for Change Orders and/or Extra Work</u>	<u>\$ 28,789.40</u>
TOTAL PROJECT COST	\$220,718.70

BE IT FURTHER RESOLVED, that the amount of \$220,673.70 be, and hereby is, funded as follows:

P2702542 5511 2009 Storm Building/Construction	\$ 23,121.39
P2702189 5522 2010 Storm Sewer System	\$ 11,414.81
P2702189 5522 2011 Storm Sewer System	\$ 45,000.00
P2702189 5522 2012 Storm Sewer System	\$ 30,822.50
<u>P2706601 5522 2012 Storm Sewer System</u>	<u>\$110,350.00</u>
TOTAL	\$220,718.70

Dated at Beloit, Wisconsin, this 16th day of September 2013.

BELOIT CITY COUNCIL

Charles M. Haynes, President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Award of Construction Contract for C13-16 Post and Emerson Storm Sewer

Date: September 16, 2013

Presenter(s): Greg Boysen, Public Works Director

Department(s): Public Works/ Engineering

Overview/Background Information:

This project will add storm sewer to Post Road, Emerson Street and Prairie Avenue. The project will improve drainage in these areas. Once the storm sewer is installed, the pavement and terraces will be replaced with new asphalt, concrete and seed restoration.

Key Issues (maximum of 5):

1. Four bids were received for this project. The low total bid of \$191,929.30 was from E&N Hughes Co. Inc. and is 22% more than the engineer's estimate of \$157,039.00. (Pavement patches were higher than anticipated)
2. Prairie Avenue storm sewer was an alternate bid to be included if adequate funding allowed. Adequate funding is available.
3. E&N Hughes Co. Inc. is considered a responsible bidder for this project.
4. The costs for this project are as follows: \$131,483.30 for base bid construction, \$60,446 for alternate bid construction, \$28,789.40 for Change Orders or extra work, for a total of \$220,718.70
5. No properties will be special assessed for this project.

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

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**
 - This project will reduce flooding to both residential and commercial properties.

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 project will reduce flooding to both residential and commercial properties.

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

Action required/Recommendation:

The Engineering Division recommends awarding this Public Works Contract to E&N Hughes Co. Inc. in the amount of \$220,718.70.

Fiscal Note/Budget Impact:

Adequate funding is available in the 2010, 2011 and 2012 Capital Improvement Budgets.

**RESOLUTION SETTING A RETURN DATE AND
AUTHORIZING THE ISSUANCE OF A SUMMONS FOR AN
ALCOHOL LICENSE SANCTION HEARING FOR
HRNS V ENTERTAINMENT, LLC, d/b/a ADIKTION,
JAIME HERNANDEZ, AGENT,
1310 CRANSTON ROAD, БЕLOIT, WI 53511**

WHEREAS, the City of Beloit Alcohol Beverage License Control and Advisory Committee at its meeting on July 9, 2013 recommended that the alcohol beverage license issued to HRNS V ENTERTAINMENT, LLC, d/b/a ADIKTION, JAIME HERNANDEZ, AGENT, be suspended for 60 consecutive days; and

WHEREAS, City Ordinance 31.01 adopts Wisconsin State Statutes 125.12(1) -(3m) which, among other things, requires that the City Council shall issue a summons signed by the City Clerk upon the filing of a complaint seeking revocation or suspension of a license; and

WHEREAS, such a complaint has been duly presented to the City Council; and

WHEREAS, the City Council is desirous of setting a return date and a hearing date on said matter at 6:30 p.m., on the 23rd day of September, 2013, at the Forum in City Hall.

BE IT RESOLVED, that the City Clerk is hereby directed to sign a summons, said summons being hereby issued by the City Council for a hearing date of 6:30 p.m., on the 23rd day of September, 2013, at the Forum in City Hall.

Dated this 16th day of September, 2013.

BELOIT CITY COUNCIL:

By:

_____ **Charles M. Haynes, President**

ATTEST:

**Rebecca Houseman LeMire
City Clerk
City of Beloit, Wisconsin**

IN THE MATTER OF THE
SUSPENSION OR REVOCATION
OF THE ALCOHOL BEVERAGE
LICENSE OF
HRNS V ENTERTAINMENT, LLC
d/b/a ADIKTION
JAIME HERNANDEZ, AGENT
1310 CRANSTON ROAD
BELOIT, WI 53511

SUMMONS

THE CITY OF БЕЛОIT TO:

HRNS V ENTERTAINMENT, LLC
d/b/a ADIKTION
JAIME HERNANDEZ, AGENT
1310 CRANSTON ROAD
BELOIT, WI 53511

You are hereby summoned and required to appear before the City Council for the City of Beloit, Rock County, Wisconsin on the **September 23, 2013 at 6:30 p.m.** in the Forum, City Hall, 100 State Street, Beloit, Wisconsin regarding the attached Complaint.

The hearing will be held in accordance with the provisions of Section 31.01 of the Beloit Code of General Ordinances, which adopts by reference Section 125.12 of the Wisconsin Statutes.

At said hearing, you will be expected to be present to admit or deny the allegations of the Complaint. If you do not appear, the allegations of the Complaint shall be taken as true, and should the City Council deem said allegations sufficient, your license shall be revoked. Should you appear and deny the Complaint, the City Council will proceed to a hearing at said time and you will be required to show cause as to why the relief requested in the Complaint should not be granted.

You are further notified that the City Council will consider evidence regarding the allegations alleged in the Complaint at said hearing.

You are notified that at said hearing you have the right to be personally present and represented by counsel. You will have the right to confront any sworn witnesses under oath who support the aforementioned charges. You will have the right to present evidence on your own behalf by witnesses that you choose to present under oath. If you desire, you may have subpoenas issued requiring the attendance of witnesses on your behalf.

The hearing will be recorded. You have the right to have a verbatim record of the hearing proceeding made at your own expense. Should you desire a stenographic transcript, you have the right to have a stenographer present, but the arrangement and expenses, therefore, shall be your responsibility.

Dated this 16th day of September, 2013.

Rebecca Housman LeMire
City of Beloit City Clerk

IN THE MATTER OF THE
SUSPENSION OR REVOCATION
OF THE ALCOHOL BEVERAGE
LICENSE OF
HRNS V ENTERTAINMENT, LLC
d/b/a ADIKTION
JAIME HERNANDEZ, AGENT
1310 CRANSTON ROAD
BELOIT, WI 53511

COMPLAINT

TO: THE CITY COUNCIL OF
THE CITY OF БЕЛОIT
ROCK COUNTY, WISCONSIN

COMES NOW Chief Norm Jacobs, being first duly sworn and upon oath respectfully makes the following allegations against the license holder listed above:

1. The Complainant is Chief Norm Jacobs of the City of Beloit Police Department, 100 State Street, Beloit, WI 53511 and a resident of the City of Beloit.

2. HRNS V Entertainment, LLC, d/b/a "Adiktion", Jaime Hernandez, Agent, 1310 Cranston Road, is the holder of the attached fermented malt beverage and intoxicating liquor license issued for the period of July 1, 2013 through June 30, 2014 and the license and application are attached hereto as Exhibit 1 and Exhibit 2.


3. The abridged minutes of the July 9, 2013 regular meeting of the City of Beloit Alcohol Beverage License Control Committee are attached hereto as Exhibit 3 and incorporated herein by reference. Said minutes document the appearance of the license holder before the committee to address the failure of the license holder to properly document the purchase or transfer of fermented malt beverages and intoxicating liquors on or about April 13, 2013. Said minutes document the committee's recommendation of a consecutive 60-day suspension of said license.

4. As grounds for the sanction, it is alleged that the licensed holder violated Chapter 125 of the Wisconsin Statutes or municipal regulations adopted under §125.10, Wis. Stats. Specifically, it is alleged that on or about April 13, 2013 the license holder failed to maintain records in accordance with Wis. Admn. Code Tax sections 7.01 and 8.21, adopted by section 31.01 of the Code of General Ordinances for the City of Beloit which adopts Chapter 125 of the Wisconsin Statutes and regulations promulgated therein. The license holder failed to maintain all invoices and stock transfer documents for the purchase and/or receipt of fermented malt beverages and intoxicating liquors for a period of two years from the date of the invoice. Report number 13-03-138 documents the Department of Revenue's investigation into this incident and is attached hereto and incorporated herein as Exhibit 4.

5. In addition to the incidents described above, the City reserves the right to rely on evidence, if any, arising out of any further violations at or about the premises complained of up to the time of any hearing held herein.

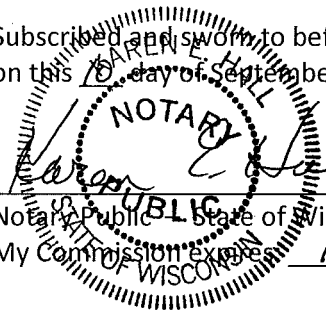
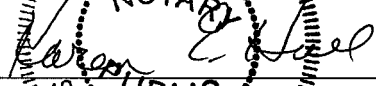
6. By reason of the foregoing acts and omissions of the license holder, the ABLCC recommends to the City Council that the license be **suspended for a period of 60 days** beginning forthwith and running for 60 consecutive days.

Dated this 10 day of September, 2013.



Chief Norm Jacobs
Police Department, City of Beloit, Wisconsin

Subscribed and sworn to before me
on this 10 day of September, 2013:

Notary Public - State of Wisconsin
My Commission expires 1-26-14

RENEWAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 7-1-2013 ending: 6-30-2014
(MM DD YYYY) (MM DD YYYY)

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

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

CHECK ONE Individual Partnership Limited Liability Company
 Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name) Home Address Post Office & Zip Code

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company HRMS-V ENTERTAINMENT
 Address of Corporation/Limited Liability Company (if different from licensed premises) _____

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:

Title	Name (Inc. Middle Name)	Home Address	Post Office & Zip Code
President/Member	<u>Julian Valencia</u>	<u>209 Sprucewood Ct</u>	<u>Round Lake Beach, IL 60073</u>
Vice President/Member			<u>PO Box 69</u>
Secretary/Member			
Treasurer/Member			
Agent	<u>Jaime Hernandez</u>	<u>2137 Deer Run, Delavan, WI</u>	<u>53113</u>
Directors/Managers			

C. 1. Trade Name ADIKTION Business Phone Number 224-321-4779

2. Address of Premises 1310 Cranston Rd Post Office & Zip Code Beloit WI

3. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

4. 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.) Stored in a storage room with a door

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

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side Yes No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side Yes No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. Yes No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. Yes No

9. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown under Section A or B above? [phone (608) 266-2776] Yes No

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? Yes No

11. 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.)

SUBSCRIBED AND SWORN TO BEFORE ME

this 15th day of April, 2013

Julius J. Ahrens
(Clerk/Notary Public)

My commission expires 10-11-15

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

(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>4/15/2013</u>	Date reported to council/board <u>5-6-13</u>	Date license granted <u>6-3-13</u>
License number issued <u>N/A</u>	Date license issued <u>6-28-13</u>	Signature of Clerk / Deputy Clerk <u>[Signature]</u> Wisconsin

EXHIBIT

1

ORIGINAL

CITY OF BELOIT
STATE OF WISCONSIN

Non-Transferable

HRNS V ENTERTAINMENT~ JAIME HERNANDEZ, AGENT

Having paid to the City of Beloit, the sum of \$600.00

IS HEREBY GRANTED A LICENSE

To: Sell Class "B" Fermented Malt Beverages and "Class B" Intoxicating Liquors

At: ADIKTION, 1310 CRANSTON RD., 2 bar areas, dance floor, sitting area, walk-in cooler, store room

Within this City, subject to the Ordinances thereof and to the laws of this State, unless previously relinquished or revoked.

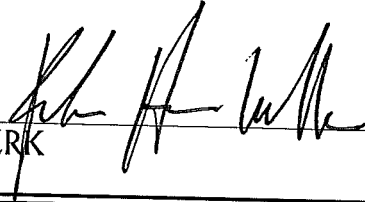
This License expires: **June 30, 2014**

Approved by the Beloit City Council

Issued this 30th day of June, 2013

COPY

CITY CLERK



EXHIBIT

2

tabbles®



ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE

Beloit City Hall - The Forum
100 State Street, Beloit, WI
July 9, 2013 - 4:00 p.m.

Present: Ralph Berkley, Malissa Cronin, John Metter, Joseph Vickerman,
Councilor Kevin Leavy (non-voting)
Absent: Tina Goecks, Ron Tilley, (1 Vacancy)
Advisory: Captain Dan Risse, Deputy City Attorney Elizabeth Krueger

1. The meeting was called to order at 4:00 p.m. by Chairman Ralph Berkley with a quorum present.
2. Consideration of a new Class "B" Beer and Reserve "Class B" Liquor License for Hourglass Media, LLC, d/b/a The Castle, 501 Prospect Street. John Wittnebel, Owner/Agent, appeared.

Attorney Krueger stated she and City Clerk Rebecca Houseman LeMire met with John and Jody Wittnebel to discuss their application. She said Mr. Wittnebel has made the suggested changes to the private manager's suite and there will not be any permanent presence of any other type of business. Attorney Krueger stated that with these concessions, the application would be suitable for approval if this committee wishes.

Mr. Vickerman said that he did not believe there has been approved a liquor license within 300 feet of a church or school before. He said that approving this application would not set a good precedent.

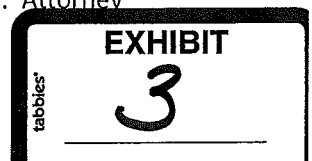
Attorney Krueger said the City Council could waive this requirement by a super majority vote and she believes that the City has done this in the past.

Mr. Metter moved approval of this license application, second by Mr. Berkley. Motion carried 3-1 with Mr. Vickerman voting no.

3. Consideration of incidents at Adiktion, 1310 Cranston Road, Jaime Hernandez, Agent, on May 3, 2013, Police Report #13-2818 and an incident on May 12, 2013, Police Report #13-3850. Agent, Jaime Hernandez and Owner, Ismael Hernandez appeared.

Captain Risse stated that Police Incident Report #13-2818 was regarding an assistance call to the Wisconsin Department of Revenue Alcohol and Tobacco Enforcement Unit (ATEU) regarding a complaint that Adiktion was purchasing alcohol from unauthorized sources. Captain Risse further stated that Police Report #13-3850 was a shooting incident in the parking lot, followed by a car chase and subsequent arrest.

Attorney Krueger said the ATEU report showed that Mr. Jaime Hernandez, Agent, could not produce invoices for alcohol as required by state law to prove alcohol was purchased from a Wisconsin licensed distributor. Attorney Krueger asked the applicants why they started buying alcohol from unlicensed sources. Ismael Hernandez stated the alcohol was purchased from a licensed distributor last year, but that their business has been slow and the alcohol on premise is from that purchase last year. Attorney



Alcohol Beverage Compliance Committee

July 9, 2013

Page Two

Krueger questioned Mr. Ismael Hernandez why he let the ATEU officers confiscate 300 bottles of alcohol if they had the invoices to account for them. Mr. Hernandez stated he was out of town when this happened and his employees did show ATEU officers invoices, but they were told that they were too old.

Mr. Metter stated there is a contradiction as to the number of people attending events at his business as the Police Department states he is at capacity on weekends. Mr. Ismael Hernandez replied that even though they are at capacity, not all of the people are drinking alcohol. Mr. Ismael Hernandez said that the event he had recently had over 500 people attending but they only sold \$500 worth of alcohol.

Chairman Berkley told Mr. Hernandez that he finds his explanation unacceptable based on the ATEU report. Chairman Berkley made a motion to suspend the license of Adiktion for 60 days, second by Mr. Metter. Motion carried 4-0.

Attorney Krueger explained to Mr. Ismael Hernandez that a Complaint will be prepared and presented to the City Council and a hearing date will be set for three to ten days after that meeting. Attorney Krueger said she would notify Mr. Ismael Hernandez and Mr. Jaime Hernandez by mail of the expected hearing date and enclose a copy of the Complaint.

4. Citizen Comments: None
5. Committee Comments: Chairman Berkley asked Captain Risse if the Police Department was keeping the City parking lot at Fourth Street and West Grand Avenue under surveillance. Captain Risse replied they were monitoring the lot more closely because of loitering problems with Brass Rail, End Zone and Club Impulse. Chairman Berkley stated that on behalf of this committee he commended the Police Department for watching this area where there have been so many problems in the past.
6. Police Department Comments: None
7. Attorney Comments: None
8. At 4:25 p.m. Mr. Vickerman moved to adjourn, second by Mr. Metter. Motion Carried.

Judith A. Elson
Deputy City Clerk

COMPLAINT REPORT

WISCONSIN DEPARTMENT OF REVENUE ALCOHOL AND TOBACCO ENFORCEMENT UNIT

CASE #: 13-03-138		DATE RECEIVED: March 21, 2013	
NATURE OF COMPLAINT: Unauthorized source alcohol Records - alcohol			
SUBJECT OF COMPLAINT: Hrns V Entertainment LLC Agent: Jaime Hernandez			
DATE OF BIRTH: ██████████		A.K.A. (ALIAS):	
LICENSE/PERMIT (TYPE): Class B - Liquor/Beer		DOING BUSINESS AS: Adiktion	
ADDRESS: 1310 CRANSTON RD			
MUNICIPALITY: BELOIT		COUNTY OF VIOLATION: ROCK	ASSIGNED AGENT: Jason Lee
SUBMITTING AGENT: Jason Lee		INFORMATION RECEIVED FROM: Anonymous Complaint	
ADDRESS: 2135 Rimrock Road Madison, WI 53708		PHONE NUMBER: 608-267-5190	

FACTS OF THE COMPLAINT

I received an anonymous complaint on a business known as Adiktion located at 1310 Cranston Road in Beloit, Wisconsin. The complainant informed me that Adiktion was purchasing alcohol from unauthorized sources. I informed the anonymous complainant that I would investigate the complaint.

On Tuesday, February 26, I contacted three of the main alcohol distributors for the City of Beloit and found out the last delivery dates for Adiktion. General Beverage informed me that Adiktion's last delivery of alcohol was in August 24, 2012. Frank Beer informed me that Adiktion's last delivery of beer was on October 26, 2012. Frank Liquor informed me that Adiktion's last delivery of alcohol was on August 24, 2012.

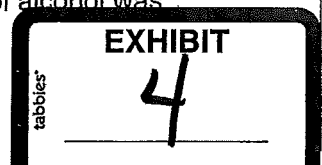
On Tuesday, February 26, SA Uhlig and I sat and performed surveillance on the business known as Adiktion located at 1310 Cranston Road in the City of Beloit. SA Uhlig and I performed surveillance for over two hours and the business never opened.

SA Uhlig and I left the area.

No further action taken at this time.

I was able to find the hours of operation for Adiktion and found out that they are only open on Friday and Saturday nights and that it was a Latino night club. I spoke with co-worker SA Mario Altuzar and asked him if he would be able to assist me with investigating the complaint that I had received for Adiktion's in Beloit and he told me that he would be able to assist. SA Altuzar and I set up a date and time to investigate the complaint.

On Thursday, March 21, 2013, I contacted several of the alcohol distributors to check the status of Adiktion's orders/deliveries. Frank Liquor, Frank Beer, and General Beverage all told me that Adiktion's order/delivery status had not changed since the last time I spoke to them. I also called Phillips Distributing, Wirtz Beverage, and Ott Schweitzer Distributing. Phillips Distributing informed me that Adiktion's last delivery of alcohol was



COMPLAINT REPORT

WISCONSIN DEPARTMENT OF REVENUE ALCOHOL AND TOBACCO ENFORCEMENT UNIT

in April of 2012. Wirtz Beverage informed me that Adiktion's last delivery of alcohol was in May of 2012. Ott Schweitzer Distributing informed me that Adiktion's last delivery of alcohol was in October of 2012.

On Friday, March 22, 2013, SA Altuzar and I sat and performed surveillance on the business known as Adiktion located at 1310 Cranston Road in the City of Beloit. SA Altuzar and I performed surveillance for several hours and the business never opened.

SA Altuzar and I left the area.

No further action taken at this time.

I was able to find out that Adiktion was going to be having a band playing at their night club on Saturday, April 13, 2013 so I asked SA Altuzar if he was available to assist me with my investigation at Adiktion and he said yes.

On Saturday, April 13, 2013, SA Altuzar and I headed to Adiktion in Beloit, Wisconsin. SA Altuzar and I arrived at Adiktion at approximately 8:30pm and sat in the parking lot next to Adiktion and performed surveillance. The lights and doors were open at Adiktion's. SA Altuzar and I also witnessed several customers enter the premises. I then contacted Beloit Police Officer Dave Elrod to see if he was available to assist SA Altuzar and I with an inspection at the Adiktion night club and he said that he and his co-worker could assist us and that they would be en-route to our location shortly.

SA Altuzar and I met Beloit Police Officer's Dave Elrod and Andrew Pullman in the parking lot of the State Farm insurance building which is adjacent to Adiktion's. SA Altuzar and I informed Officer's Elrod and Pullman that we were investigating Adiktion's and explained the inspection process to them. I told Officer's Elrod and Pullman that Adiktion hadn't purchased from a licensed WI distributor in approximately 8-12 months. Officer Elrod informed me that Adiktion gets very busy on weekends and that the parking lot is usually full.

SA Altuzar, PO Elrod, PO Pullman, and I drove over to Adiktion's and entered the open, licensed premises at approximately 9:00 pm. SA Altuzar and I made contact with Jaime Hernandez M/H D.O.B. [REDACTED] (corporation agent) and identified ourselves with our badges and state photo identification cards. I explained to Hernandez that we were going to be inspecting the premises (Hernandez spoke some English but felt more comfortable speaking Spanish). I had SA Altuzar do the rest of the communicating with Hernandez in Spanish (please see SA Altuzar's supplemental report for full details).

SA Altuzar and I also identified ourselves to the owner's brother Efrain Valencia Tellez M/H D.O.B. [REDACTED] with our badges and state photo identification cards. SA Altuzar and I then gave Efrain our business cards. SA Altuzar had to speak to Efrain in Spanish since he did not speak hardly any English. SA Altuzar informed me that Efrain was at the club for the evening to supervise the event (please see SA Altuzar's supplemental report for full details).

I began checking the licenses and sellers permit while SA Altuzar spoke to Efrain and Hernandez. The alcohol license was valid and being posted as required by law, however, I wasn't able to find a copy of the seller's permit anywhere. There was one other bartender on the premises at the time of our arrival. I identified the bartender as Alfredo Artega M/H D.O.B. [REDACTED]

SA Altuzar and I walked around the premises to see how much alcohol Adiktion had on the premises and to see where they kept all of it. Adiktion had a large volume of alcohol on the premises for not ordering from distributors for 8-12 months (I noticed that the bottles of alcohol weren't dusty either, which is usually an indicator that the bottles haven't been sitting for 8-12 months). All of the alcohol at Adiktion was located in the bar area and the liquor storage room.

COMPLAINT REPORT

WISCONSIN DEPARTMENT OF REVENUE ALCOHOL AND TOBACCO ENFORCEMENT UNIT

Hernandez and Efrain were not able to produce any invoices for Adiktion's alcohol purchases. SA Altuzar and I were able to find 6 invoices and 2 grocery receipts for alcohol purchases. The 6 alcohol invoice we found on the premises were all for beer purchases in 2011. Of the 6 invoices, 4 of them were made out to LaMovida (the previous owner) and 2 of them were made out to Adiktion (please see the attached photos for details). The one grocery receipt that SA Altuzar and I found was for 3 bottles of X-Rated Fusion Liqueur and the other grocery receipt was for 10 twenty four packs of Bud Light and 6 twelve packs of Miller Lite (please see the attached photo for details).

I explained to Hernandez and Efrain that by law, all alcohol on the licensed premises of Adiktion has to be covered by an invoice made out to the licensee name and address and any alcohol not covered by an invoice from an authorized source is subject to seizure and that SA Altuzar and I would be seizing all of their sealed liquor. I also told Hernandez and Efrain that all invoices for the alcohol must be kept on the premises for two years from date of invoice, in sequence and order, and available for inspection during any reasonable hours. I then had SA Altuzar explain everything to Hernandez and Efrain in Spanish so they completely understood what I told them.

I filled out Property Receipts documenting the 306 bottles of liquor (all sealed) that I seized (please see the attached copies for details). I also filled out a Field Report documenting our investigation (please see the attached copy). I had SA Altuzar explain the Property Receipts and the Field Report to Hernandez and Efrain and then I had Hernandez sign all of the copies.

Hernandez was able to find an Ott Schweitzer Distributing receipt for Adiktion dated 4/2/13 for \$1750.00 (Hernandez found the receipt over at the owner's restaurant which is also located in Beloit; please see the attached picture for details). The Ott Schweitzer Distributing receipt did not specify what brands of beer products Adiktion purchased. I thanked Hernandez for showing me the receipt but told him it was irrelevant since Ott Schweitzer Distributing distributes beer and we were only seizing liquor.

Hernandez and Efrain were cooperative during our investigation.

Beloit Police Officers Elrod and Pullman, SA Altuzar, and I exited the premises of Adiktion at approximately 1:00 am.

The seized property was secured in the Madison Department of Revenue evidence room.

No further action taken at this time.

On Friday, April 19th, 2013, at approximately 10:30 am, SA Altuzar and I arrived at Adiktion in Beloit to meet with the owner and check the alcohol invoices. SA Altuzar and I entered Adiktion and met owner Julian Valencia Tellez M/H D.O.B. [REDACTED] and his brother, Alberto Valencia M/H DOB [REDACTED]. SA Altuzar and I identified ourselves with our badges and state photo identification cards to Tellez and Alberto and then gave them our business cards.

Both Tellez and Alberto preferred to speak Spanish so I had SA Altuzar explain what transpired on 4/13/13 during our investigation and seizure (please see SA Altuzar's supplemental report for full details).

While SA Altuzar was talking to Tellez and Alberto, I made a brief walk around of the premises. They bar area had been stocked with new liquor products but the storage room did not have any new products in it.

Tellez and Alberto showed SA Altuzar and I the alcohol invoices that they had. Tellez and Alberto showed us the really old invoices that we already looked at on 4/13/13 along with four pretty old invoices from Frank Liquor (1 from January 2012, 2 from February of 2012, and 1 from August of 2012). Tellez and Alberto had 6

COMPLAINT REPORT

WISCONSIN DEPARTMENT OF REVENUE ALCOHOL AND TOBACCO ENFORCEMENT UNIT

new invoices that were all dated after our investigation on 4/13/13. I looked through the new invoices while SA Altuzar spoke to Tellez and Alberto. All of Adiktion's new liquor products were covered by invoice from authorized sources.

I explained to Tellez and Alberto that by law, all alcohol on the licensed premises of Adiktion has to be covered by an invoice made out to the licensee name and address and any alcohol not covered by an invoice from an authorized source is subject to seizure. I also told Tellez and Alberto that all invoices for the alcohol must be kept on the premises for two years from date of invoice, in sequence and order, and available for inspection during any reasonable hours. I then had SA Altuzar explain everything to Tellez and Alberto in Spanish so they completely understood what I told them.

Tellez and Alberto were cooperative during our meeting.

SA Altuzar and I exited the premises around 12:00pm.

No further action taken at this time

End of Report.

AGENT: Jason A. Lee AT-6
Mario Altuzar AT-9

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AT-220

CASE ACTIVITY REPORT

WISCONSIN DEPARTMENT OF REVENUE ALCOHOL AND TOBACCO ENFORCEMENT UNIT

CASE # 13-03-138	DATE: March 21, 2013	CASE TITLE: Hrns V Entertainment LLC Agent: Jaime Hernandez
ACTIVITY: SA Altuzar's Case/Supplement Report		DATE OF ACTIVITY: April 13, 2013

SA Altuzar's Case Report/Supplemental Report:

On April 13, 2013, at approximately 9:00 p.m. Special Agent Jason Lee and I, working with the WI Department of Revenue Alcohol & Tobacco Enforcement in the Criminal Investigation Section, entered Club Adiktion to conduct an inspection. Accompanying us were two Beloit Police Officers for safety and security.

Upon entering the premises, we met with the manager, Jaime Hernandez. We identified ourselves with badge and picture identification. We gave our business cards to Hernandez. Hernandez spoke English, but preferred communicating in Spanish. I explained to Hernandez the reason for the visit and told him that we will be inspecting the premise's alcohol stock and their invoices, along with the establishment's permits, and licenses. Hernandez said he understood. Hernandez was then identified via a WI Driver's License, (M/H, DOB [REDACTED] 2137 Deer Run Delevan, WI 53115, telephone #262-215-5794).

Hernandez said the owner of the club resides in Illinois, but informed me that one of the owner's brothers is present at the club this evening. Hernandez introduced SA Lee and I to Efrain Valencia Tellez. I identified Efrain verbally, (M/H, DOB [REDACTED] 209 Spruce Goose Round Lake, IL, phone #847-774-9507).

Efrain stated he is brother to the owner, Julian Tellez. Efrain said he was at the club supervising the event this evening. SA Lee and I identified ourselves with badge and picture identification. We gave our business cards to Efrain. I explained to Efrain the reason for the inspection. Efrain said he understood and will be contacting Julian by phone.

During the initial inspection, SA Lee checked the liquor license and noticed that Hernandez was named the "Agent" for the establishment. SA Lee and I requested Hernandez to produce the alcohol invoices to which he was unable to do so. Hernandez said he is not the person that neither orders the alcohol nor receives the alcohol at time of delivery. Hernandez said, "The alcohol is already here whenever I work. I don't see who brings it." Hernandez further stated, "I've made sure the owners know all alcohol purchases must come from legitimate distributors." Hernandez explained, "I've been in this type of business for a long time and I know about the laws. I don't want to get in trouble."

I spoke with Efrain and asked him if he had the distributors' invoices for all the alcohol on the premises. Efrain stated he did not know where the invoices were, but assured SA Lee and I the owner just recently received a shipment of beer, Corona and Modelo, from a distributor. When pressed about the liquor stock present behind the bar and inside the stockroom, Efrain said, "Most of the liquor was received from the previous club owner at time of purchase." When asked if an alcohol beverage stock transfer sheet was completed detailing all sealed liquor, wine, and beer stock at time of the purchase of the bar, Efrain said, "No. I don't think we have any form like that." Efrain reassured me no transfer form or inventory sheet was ever created detailing all the alcohol that they obtained when they purchased the bar.

Efrain said he will contact his brother Julian and ask him where the invoices are located.

During the inspection of the alcohol stock room, SA Lee and I came across a few distributors' invoices. After careful inspection of these invoices, most of them were dated last year and a few had the previous bar name on the invoices. Photos of these invoices were taken as evidence. No other invoices were found in the bar nor were provided to us by either Hernandez or Efrain.

SA Lee and I informed Hernandez and Efrain that all unopened liquor was going to be seized as evidence as the result of no distributors' invoices present at the licensed establishment, Hernandez was unable to explain with certainty where the alcohol was purchased, and Efrain's own admission of the liquor stock being from the previous owner and having no transfer form. SA Lee allowed the bar to keep the beer and all opened liquor bottles.

A substantial amount of liquor was seized as evidence and secured inside my state vehicle.

SA Lee, the Beloit Police Officers, and I exited the premises at approximately 1:00 a.m.

The evidence was transported and secured at the DOR Evidence Warehouse.

No further action taken at this time.

On April 17, 2013, at approximately 1:02 p.m., I made phone contact with Julian Valencia, one of the owners of Adiktion, at the following contact #847-445-2640. I verbally identified myself as a DOR employee working with the Alcohol & Tobacco Enforcement Section.

Julian quickly explained the liquor seized by us was obtained from the previous owner and that no transfer form was ever completed. Julian said he was not aware of such form and procedure. Julian described how slow his business is that he has not had the need of purchasing alcohol in large amounts. Julian expounded that the winter months are the slowest for his business.

Julian reassured me he has some alcohol invoices, but not all. Julian explained the previous Agent named, Luis Fuentes, ordered all of the alcohol for Adiktion. Julian said he does not know where Fuentes was purchasing the alcohol, but Julian stated Fuentes did turn some of the invoices to him before he stopped working for Adiktion. I asked Julian for Fuentes's contact information. I informed Julian I would like to speak to Fuentes about the alcohol purchases. Julian said he did not have Fuentes's contact information and failed to provide it to me. Julian claimed there were alcohol distributors who did not give him any invoices when the deliveries took place. Julian was unable to remember who these distributors were or when the alleged transaction took place.

Julian said he would like to meet with us to show the invoices he has in his possession. I advised Julian I will call him at a later date to schedule an appointment.

After a few other phone calls, a scheduled visit to Julian's business, Adiktion, was set for April 19, 2013.

On April 19, 2013, at approximately 10:30 a.m. SA Lee and I arrived to Adiktion and met with Julian Valencia-Tellez and his brother, Alberto Valencia. SA Lee and I identified ourselves with badge and picture identification. I gave both subjects my business card. Julian was verbally identified, (M/H, DOB [REDACTED], 511 Lakewood Terrace, Round Lake, IL and having a contact #773-418-3401). Alberto was identified, what it appeared to be a, Mexican consulate identification card, (M/H, DOB [REDACTED], 341 Lawn Terrace, Round Lake, IL 60073, having a contact #847-445-2640).

I explained to Julian and Alberto the reason for the visit on April 13th, 2013 and the subsequent seizure of the business's liquor products. Alberto, who did most of the talking between the two, stated that they want to be within the law when operating their club in Wisconsin. Throughout our conversation, Alberto explained in separate occasions that it was probably their carelessness not knowing the laws of the state and apologized to SA Lee and I for their indiscretion.

Julian and Alberto showed us recent invoices of alcohol purchases that followed after our inspection of the premises. They also presented other invoices from distributors dated last year. Alberto explained the

business is very slow and those patrons who come to the club do not drink alcohol much; hence the need of not buying too much alcohol from distributors.

When confronted with Beloit Police Officer's accounts that they have observed, on many occasions, very large crowds heading into Adiktion and the parking lot being full to its capacity, both subjects adamantly denied the occurrences and immediately discredited the police officers' statements.

When questioned about the liquor product they had on hand the night of the inspection, both Alberto and Julian said that liquor was obtained from the previous owner. Neither Julian nor Alberto could provide a transfer form for the liquor product.

SA Lee and I explained to Julian and Alberto the liquor seized that night will not be returned to them; that all alcohol must be purchased from legitimate distributors; and all invoices must be kept at Adiktion ready for inspection at any time.

Alberto and Julian said they understood and reassured us they will be within the law when operating their establishment. SA Lee and I encouraged both subjects to contact us if they have any future questions.

SA Lee and I exited the premises at approximately 12:00 p.m.

No further action taken at this time.

End of Report.

AGENT(S): Jason A. Lee AT-6
Mario Altuzar AT-9

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AT-221

FIELD REPORT

Wisconsin Department of Revenue
 Alcohol & Tobacco Enforcement
 Post Office Box 8933
 Madison, Wisconsin 53708-8933
 (608) 266-2776

Post ASAP

Seller's permit number

Seller's permit to

Date	4/23/13	County	ROCK
Licensee	HRNS V Entertainment LLC		
Corporation agent	Jaime Hernandez	Municipality	C-Beloit
Address of premises	1310 Cranston Road		
Class of license(s)	B-4/B	Date of issuance	6/30/12
Trade name	Adiktion		

- Weapons on Premises**
- Yes No
 1. Any firearms or other dangerous weapons?
 (Note type, make, locallon, serial # in Comments area)
2. Weapon secured by agent during inspection?

- Licensing - Alcohol Beverages**
- Yes No
 3. Licenses properly issued?
 4. Licenses issued to actual operator of premises?
 5. Operator's license checked? (if applicable)
 6. Name of operator Jaime Hernandez MIII
 7. Licenses displayed as required by law?
 8. Premises also licensed as a restaurant?

- Compliance**
- Yes No
 9. Underage/intoxicated patrons on premise?
 10. ID's checked?
 11. Alcohol beverage storage available for inspection?
 12. Uninvoiced alcohol found?
 13. Was any alcohol confiscated?
 14. Was hold-order placed on alcohol?
 15. Liquor labels defaced on empty bottles?
 16. Empty liquor bottles broken/recycled?
 17. Was refill test conducted?
 18. Did refill test show any irregularity?
 19. Was any contaminated liquor found?
 20. Was it destroyed by person in charge of the premises?
 21. Tied-house violations?

- Draught Beer**
- Yes No
 22. Multiple brands?
 23. Do brands and taps agree?

- Cigarettes / Tobacco Products**
- Yes No
 24. Cigarette/tobacco products license issued in exact name of licensee?
 25. Cigarette machine(s)?
 26. Owner _____
 27. Cigarette vending machine number (if applicable) _____
 28. Machine serviced by _____
 29. Is tax indicia visible?
 30. Color of indicia _____
 31. Indicia number(s) _____
 32. Cigarette stamper _____
 33. Cigarette/tobacco products supplier _____
 34. Verify stamp authentically?
 35. Were any cigarettes/tobacco products seized?

- Invoices**
- Yes No
 36. Is alcohol transfer form available? (New Licensees)
 37. Invoices on premises?
 38. If not, where? @ owners?
 39. Invoices properly prepared?
 40. Invoices retained in sequence for:
 > Liquor?
 > Beer?
 > Cigarettes?
 > Tobacco Products?

- Miscellaneous**
- Yes No
 41. Video gambling devices present?
 42. Number of machines _____
 43. Owner of machines _____
 44. Date owner referred to Audit _____
 45. Signs of other criminal activity?
 46. Do coolers and licensed area, including restrooms and storage area, appear sanitary?

Referrals (weapons & other): * Post sellers permit ASAP *

#12-#13 Uninvoiced alcohol found & confiscated (See property receipts for details)

Comments #15 Deface empty liquor labels with "X" on label before discarding

#37-#40 See presentation of records on back.

* All alcohol (Liquor & Beer) must be purchased from WI licensed distributors. * Stop unauthorized source purchases of alcohol immediately *

Agent	J. LEE AF-6 / M ALTOZAR AF-9	Badge Number	AF-9
Signature of person in charge of licensed premises	<i>Jaime Hernandez</i>		

PROPERTY RECEIPT

Wisconsin Department of Revenue
 Alcohol & Tobacco Enforcement
 PO Box 8933
 Madison WI 53708-8933
 (608) 266-2776

BY AUTHORITY OF WISCONSIN STATUTE 125

CASE NUMBER _____

1048

Date	<u>4/23/13</u>	County	<u>Rock</u>
Licensee	<u>HRNS V Entertainment LLC</u>		
Address of premises	<u>1310 Cranston Road</u>		
Municipality	<u>C-Beloit</u>		
Trade name	<u>Addiction</u>		

➤ The following article(s) were confiscated from:

Ident. No.	Quantity	Size	Description of Article(s) (Brand, container size, content level, stamp number)	Opened	Sealed
<u>A</u>	<u>7</u>	<u>750ml</u>	<u>Patron Reposado Tequila</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
<u>B</u>	<u>1</u>	<u>750ml</u>	<u>Patron XO Cafe</u> " <u> </u> " <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
<u>C</u>	<u>1</u>	<u>750ml</u>	<u>Patron Silver</u> " <u> </u> " <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
<u>D</u>	<u>18</u>	<u>750ml</u>	<u>Don Julio Blanco</u> " <u> </u> " <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
<u>E</u>	<u>9</u>	<u>750ml</u>	<u>Don Julio Anejo</u> " <u> </u> " <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
<u>F</u>	<u>100</u>	<u>750ml</u>	<u>100 Anos Tequila</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
<u>G</u>	<u>22</u>	<u>750ml</u>	<u>Don Pedro Brandy</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
<u>H</u>	<u>15</u>	<u>750ml</u>	<u>Buchanan's Scotch Whisky</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>

Signature of Agent [Signature] Witness [Signature]

Signature of party from whom articles were obtained [Signature]

➤ Chain of Custody

Ident. No.	Quantity	Lab No.	Relinquished by (Signature)	Received by (Signature)	Date	Placement

➤ Final Disposition

- Article(s) with Identification Number(s) _____
 Returned to owner by Agent _____ Date _____
 Received by _____ Date _____
- Ownership relinquished by [Signature] Date 3/22/13
- Article(s) with Identification Number(s) _____
 Destroyed by _____ Date _____
 Witnessed by _____ Title _____

PROPERTY RECEIPT

Wisconsin Department of Revenue
 Alcohol & Tobacco Enforcement
 PO Box 8933
 Madison WI 53708-8933
 (608) 266-2776

2018

Date	<i>3/22/13</i>	County	<i>ROCK</i>
Licenses	<i>HRNS V Entertainment LLC</i>		
Address of premises	<i>1310 Cranston Road</i>		
Municipality	<i>C. Beloit</i>		
Trade name	<i>Adik-tion</i>		

BY AUTHORITY OF WISCONSIN STATUTE 125

CASE NUMBER _____

➤ The following article(s) were confiscated from: _____

Ident. No.	Quantity	Size	Description of Article(s) (Brand, container size, content level, stamp number)	Opened	Sealed
<i>I</i>	<i>3</i>	<i>750ml</i>	<i>Buchanan's 18 Scotch Whisky</i> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<i>X</i>
<i>J</i>	<i>10</i>	<i>750ml</i>	<i>Remy Martin VSOP</i> <input type="checkbox"/> Untaxed <input type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<i>X</i>
<i>K</i>	<i>3</i>	<i>1L</i>	<i>X Rated Fusion</i> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<i>X</i>
<i>L</i>	<i>1</i>	<i>750ml</i>	<i>Remy Martin VSOP</i> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<i>X</i>
<i>M</i>	<i>6</i>	<i>750ml</i>	<i>Nuvo Lemon Sorbet</i> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<i>X</i>
<i>N</i>	<i>4</i>	<i>750ml</i>	<i>Nuvo Lesprit de Paris</i> <input type="checkbox"/> Untaxed <input type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<i>X</i>
<i>O</i>	<i>15</i>	<i>1L</i>	<i>Canada's Peperacho Tequila</i> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<i>X</i>
<i>P</i>	<i>10</i>	<i>750ml</i>	<i>H L H</i> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<i>X</i>

Signature of Agent *[Signature]* AT-16 Witness *[Signature]*
 Signature of party from whom articles were obtained *[Signature]* *Jaime Hernandez*

➤ Chain of Custody

Ident. No.	Quantity	Lab No.	Relinquished by (Signature)	Received by (Signature)	Date	Placement

➤ Final Disposition

Article(s) with Identification Number(s) _____
 Returned to owner by Agent _____ Date _____
 Received by _____ Date _____

Ownership relinquished by *[Signature]* *Jaime Hernandez* Date *3/22/13*

Article(s) with Identification Number(s) _____
 Destroyed by _____ Date _____
 Witnessed by _____ Title _____

PROPERTY RECEIPT

Wisconsin Department of Revenue
 Alcohol & Tobacco Enforcement
 PO Box 8933
 Madison WI 53708-8933
 (608) 266-2776

3018

BY AUTHORITY OF WISCONSIN STATUTE 125

CASE NUMBER _____

Date	<u>4/13/13</u>	County	<u>Rock</u>
Licensor	<u>HRNS V Entertainment LLC</u>		
Address of premises	<u>1310 Cranston Road</u>		
Municipality	<u>C. Beloit</u>		
Trade name	<u>Addiction</u>		

➤ The following article(s) were confiscated from:

Ident. No.	Quantity	Size	Description of Article(s) (Brand, container size, content level, stamp number)	Opened	Sealed
<u>Q</u>	<u>13</u>	<u>750ml</u>	<u>President's Brandy</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>R</u>	<u>4</u>	<u>1L</u>	<u>Kahlua</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>S</u>	<u>8</u>	<u>1L</u>	<u>Jack Daniels</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>T</u>	<u>3</u>	<u>750ml</u>	<u>Espolon Tequila Reposado</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>V</u>	<u>3</u>	<u>1L</u>	<u>New Amsterdam</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>V</u>	<u>4</u>	<u>1L</u>	<u>Dr. Mart</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>W</u>	<u>5</u>	<u>750ml</u>	<u>UV Blue</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>X</u>	<u>10</u>	<u>1L</u>	<u>Southern Comfort</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>

Signature of Agent [Signature] Witness [Signature]

Signature of party from whom articles were obtained Jairme Hernandez

➤ Chain of Custody

Ident. No.	Quantity	Lab No.	Relinquished by (Signature)	Received by (Signature)	Date	Placoment

➤ Final Disposition

- Article(s) with Identification Number(s) _____
 Returned to owner by Agent _____ Date _____
 Received by _____ Date _____
- Ownership relinquished by Jairme Hernandez Date 3/22/13
- Article(s) with Identification Number(s) _____
 Destroyed by _____ Date _____
 Witnessed by _____ Title _____

PROPERTY RECEIPT

Wisconsin Department of Revenue
 Alcohol & Tobacco Enforcement
 PO Box 8933
 Madison WI 53708-8933
 (608) 266-2776

Hot 9

BY AUTHORITY OF WISCONSIN STATUTE 125

CASE NUMBER _____

Date	<u>4/23/13</u>	County	<u>ROCK</u>
Licensee	<u>HRNS V. Entertainment LLC</u>		
Address of premises	<u>1310 Cranston Road</u>		
Municipality	<u>C-Beloit</u>		
Trade name	<u>Actiktion</u>		

➤ The following article(s) were confiscated from:

Ident. No.	Quantity	Size	Description of Article(s) (Brand, container size, content level, stamp number)	Opened	Sealed
<u>Y</u>	<u>7</u>	<u>1L</u>	<u>Old Thompson</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>Z</u>	<u>2</u>	<u>1-750ml</u> <u>1-1L</u>	<u>Skyy Vodka</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>a</u>	<u>13</u>	<u>750ml</u>	<u>Chivas Regal Whiskey</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>b</u>	<u>8</u>	<u>750ml</u>	<u>Henri VS Cognac</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>c</u>	<u>6</u>	<u>1L</u>	<u>Aloeski Vodka</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>d</u>	<u>4</u>	<u>1L</u>	<u>Mr Boston Rum</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>e</u>	<u>4</u>	<u>750ml</u>	<u>Sutter Home Moscato</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>
<u>f</u>	<u>3</u>	<u>750ml</u>	<u>" " Pink Moscato</u> <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<u>X</u>

Signature of Agent [Signature] A-T-6 Witness [Signature]

Signature of party from whom articles were obtained [Signature]

➤ Chain of Custody

Ident. No.	Quantity	Lab No.	Relinquished by (Signature)	Received by (Signature)	Date	Placement

➤ Final Disposition

- Article(s) with Identification Number(s) _____
 Returned to owner by Agent _____ Date _____
 Received by _____ Date _____
- Ownership relinquished by [Signature] Laime Hernandez Date 3/22/13
- Article(s) with Identification Number(s) _____
 Destroyed by _____ Date _____
 Witnessed by _____ Title _____

PROPERTY RECEIPT

Wisconsin Department of Revenue
 Alcohol & Tobacco Enforcement
 PO Box 8933
 Madison WI 53708-8933
 (608) 266-2776

5078

Date	4/13/13	County	Rock
Licensee	ARNIS V. Entertainment LLC		
Address of premises	1310 Cranston Rd		
Municipality	Beloit		
Trade name	Apikhan		

BY AUTHORITY OF WISCONSIN STATUTE

125

CASE NUMBER

The following article(s) were confiscated from:

Ident. No.	Quantity	Size	Description of Article(s) (Brand, container size, content level, stamp number)	Opened	Sealed
g	5	1L	Mr Boston Amaretto <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
h	1	1L	Sagermeister <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
i	4	750ml	Gran Centenario <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
j	9	1L	Mr. Boston Triple Sec <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
k	1	1L	Mr. Boston English Shaker Gin <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
l	1	750ml	Jose Puero - Tradicional <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
m	4	1L	Kotel One Orange <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>
n	4	1L	Mr Boston Peach Schnapps <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		<input checked="" type="checkbox"/>

Signature of Agent

[Signature]

Witness

[Signature]

Signature of party from whom articles were obtained

[Signature]

Chain of Custody

Ident. No.	Quantity	Lab No.	Relinquished by (Signature)	Received by (Signature)	Date	Placement

Final Disposition

- Article(s) with Identification Number(s) _____
 Returned to owner by Agent _____ Date _____
 Received by _____ Date _____
- Ownership relinquished by *[Signature]* Jaime Hernandez Date 4/13/13
- Article(s) with Identification Number(s) _____
 Destroyed by _____ Date _____
 Witnessed by _____ Title _____

PROPERTY RECEIPT

Wisconsin Department of Revenue
Alcohol & Tobacco Enforcement
PO Box 8933
Madison WI 53708-8933
(608) 266-2776

608

BY AUTHORITY OF
WISCONSIN STATUTE 125

CASE NUMBER _____

Date	4/13/13	County	Rock
Licensee	HRNS V Ent. LLC		
Address of premises	1310 Cranston Rd		
Municipality	A. Beloit		
Trade name	Addiction		

► The following article(s) were confiscated from:

Ident. No.	Quantity	Size	Description of Article(s) (Brand, container size, content level, stamp number)	Opened	Sealed
o	2	750ml	Artega De Oro Brandy <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
p	2	1L	D. Bouche Triple Sec <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
q	2	750ml	Corralejo Tequila Reposado <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
r	3	1L	Watermelon Pucker <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
s	6	1L	Arrow Spearmint <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
t	8	1L	Blackwater Foot Beer <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
u	2	750ml	Malibu Cranberry Cherry Rum <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
v	2	1L	Mr. Boston Vodka <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓

Signature of Agent _____ Witness _____
Signature of party from whom articles were obtained Jaima Hernandez

► Chain of Custody

Ident. No.	Quantity	Lab No.	Relinquished by (Signature)	Received by (Signature)	Date	Placement

► Final Disposition

Article(s) with Identification Number(s) _____
Returned to owner by Agent _____ Date _____
Received by _____ Date _____
 Ownership relinquished by Jaima Hernandez Date 4/13/13
 Article(s) with Identification Number(s) _____
Destroyed by _____ Date _____
Witnessed by _____ Title _____

PROPERTY RECEIPT

Wisconsin Department of Revenue
 Alcohol & Tobacco Enforcement
 PO Box 8933
 Madison WI 53708-8933
 (608) 266-2776

BY AUTHORITY OF
 WISCONSIN STATUTE

CASE NUMBER

7 of 8

125

Date	2/13/13	County	Rock
Licensee	HRNS V Ent LLC		
Address of premises	1310 Cranston Rd		
Municipality	C. Beloit		
Trade name	Addiction		

The following article(s) were confiscated from:

Indent. No.	Quantity	Size	Description of Article(s) (Brand, container size, content level, stamp number)	Opened	Sealed
W	2	750ml	J&B Scotch <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
X	1	750ml	Hennessey Cognac <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
Y	1	750ml	Jose Cuervo Gold Tequila <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
Z	1	750ml	Tres Generaciones Plata <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
1	1	750ml	Crown Royal Black <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
2	1	1L	Pinnacle Grape <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
3	1	750ml	Tequila Cinco Blanco Silver <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓
4	2	750ml	Tequila Cinco Blancas Anejo <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		✓

Signature of Agent

Witness

Signature of party from whom articles were obtained

Chain of Custody

Ident. No.	Quantity	Lab No.	Relinquished by (Signature)	Received by (Signature)	Date	Placoment

Final Disposition

- Article(s) with Identification Number(s) _____
 Returned to owner by Agent _____ Date _____
 Received by _____ Date _____
- Ownership relinquished by Adrian Hernandez Date 4/13/13
- Article(s) with Identification Number(s) _____
 Destroyed by _____ Date _____
 Witnessed by _____ Title _____

15

PROPERTY RECEIPT

Wisconsin Department of Revenue
 Alcohol & Tobacco Enforcement
 PO Box 8933
 Madison WI 53708-8933
 (608) 266-2776

8018

BY AUTHORITY OF WISCONSIN STATUTE 125

CASE NUMBER _____

Date	4/13/13	County	Rock
Licensee	HRNS & Ent. LLC		
Address of premises	1310 Praxelon Rd.		
Municipality	P. Beloit		
Trade name	A. K. S. I. M.		

➤ The following article(s) were confiscated from:

Ident. No.	Quantity	Size	Description of Article(s) (Brand, container size, content level, stamp number)	Opened	Sealed
5	1	750ml	Grey Goose Vodka <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		→
6	1	1L	Tanqueray <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		→
7	1	750ml	Herradura Silver Tequila <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		→
8	1	750ml	Double Barrel Reposado <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		→
9	1	1L	Canadian Club Classic 12 <input type="checkbox"/> Untaxed <input checked="" type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		→
			<input type="checkbox"/> Untaxed <input type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		
			<input type="checkbox"/> Untaxed <input type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		
			<input type="checkbox"/> Untaxed <input type="checkbox"/> Unauthorized source <input type="checkbox"/> Other:		

Signature of Agent [Signature] AT-6 Witness [Signature]
 Signature of party from whom articles were obtained Juan Hernandez

➤ Chain of Custody

Ident. No.	Quantity	Lab No.	Relinquished by (Signature)	Received by (Signature)	Date	Placement

➤ Final Disposition

Article(s) with Identification Number(s) _____
 Returned to owner by Agent _____ Date _____
 Received by _____ Date _____
 Ownership relinquished by Juan Hernandez Date 4/13/13
 Article(s) with Identification Number(s) _____
 Destroyed by _____ Date _____
 Witnessed by _____ Title _____

AT-225 (R. 2-07)

ORDINANCE NO. _____

AN ORDINANCE TO CREATE SECTION 15.03(4g) OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO LOITERING ON PUBLIC PROPERTY.

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

Section 1. Section 15.03(4g) of the Code of General Ordinances of the City of Beloit is hereby created to read as follows:

(4g) LOITERING ON PUBLIC PROPERTY.

- (a) No person shall loiter or remain on public property in such a manner as to:
 - 1. Create or cause to be created a breach of the peace;
 - 2. Create or cause to be created any disturbance or annoyance to the comfort of any person;
 - 3. Obstruct or interfere with the free passage of pedestrians or vehicles in a public parking area, or in any way impede or cause any restriction in the free and unimpeded access to parking areas;
 - 4. Obstruct or interfere with any person lawfully in any public place, which prohibition shall include the making of unsolicited remarks of any offensive or profane in nature, or which are calculated to annoy or disturb the person to, or in whose hearing, they are made; or
 - 5. Create or cause to be created a littering problem.

- (b) No person shall loiter in, on or about any public street, public sidewalk, street crossing, alley, bridge, public parking lot or other place of assembly or public use after being requested to move by any police officer. Upon being requested to move, a person shall immediately comply with such request by leaving the premises or area thereof at the time of the request.

- (c) There shall be no violation of this section if the presence of a person is allowed or permitted under section 18.01 of the Code of General Ordinances for the City of Beloit.

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

Adopted this 16th day of September 2013.

BELOIT CITY COUNCIL

By: _____
Charles M. Haynes, President

ATTEST:

By: _____
Rebecca Houseman LeMire, City Clerk

PUBLISHED: _____

EFFECTIVE DATE: _____

01-611100-5231- _____

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: ORDINANCE RELATED TO LOITERING ON PUBLIC PROPERTY

Date: September 16, 2013

Presenter(s): Elizabeth A. Krueger, Deputy City Attorney

Department(s): Attorney's Office

Overview/Background Information:

The City has experienced substantial issues with the parking lots located in the downtown areas, particularly over the weekends between the hours of 11:00 p.m. and 3:00 a.m. The police department has expended countless hours monitoring the lots due to the large groups of individuals who congregate in the lots and cause problems to the quality of life for both downtown residents and visitors to businesses in the area. Some of the observed problems have been reckless and unsafe driving of vehicles in the lots, illegal consumption of drugs and alcohol, loud music, littering, public urination/defecation, and disorderly behavior. On a given weekend night, at least four or five officers (oftentimes more) have to divert from their normal patrol operations to monitor the lots. Without the active oversight by law enforcement, events in the parking lots escalate quickly and become out of control. The city cannot sustain such a drain on limited police resources.

Attempts at remediating the issues have been unsuccessful and it is believed that one way to properly address these issues is to enact the attached proposed ordinance. The ordinance was presented to the Alcohol and Beverage License Control Committee at its September meeting and the Committee unanimously recommended support for the ordinance.

Key Issues (maximum of 5):

1. The near constant drain on police resources over the weekend, during the overnight hours, cannot be sustained.
 2. The quality of life for downtown residents and visitors to businesses in the area are substantially affected by the activity occurring in the downtown parking lots.
 3. The proposed ordinance will provide an additional tool in addressing the ongoing and reoccurring issues in parking lots in the downtown areas during the overnight hours.
 4. The Downtown Beloit Association has indicated support for this ordinance.
-

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

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

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

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

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

Action required/Recommendation:

The proposed ordinance has been reviewed by staff and the ABLCC and is recommended for approval.

Fiscal Note/Budget Impact:

The proposed ordinance should not obligate any additional City funds.

September 16, 2013

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

The undersigned Charles M. Haynes, duly elected President of the Beloit City Council, subject to confirmation by the Beloit City Council, does hereby appoint the following citizen members to the vacancies and terms indicated below, said appointments being pursuant to nominations made and approved by the Appointment Review Committee at the regular meeting held September 9, 2013:

Charles M. Haynes, President
Beloit City Council

Appointments

Park, Recreation & Conservation Advisory Commission

Keston Geistwalker, 700 College St., Box 852 (replacing Steve Ferger) for a term ending September 30, 2015

Incumbent **Rebecca Charles** (Youth position) for a term ending September 30, 2014

Incumbent **Mark Preuschl** for a term ending September 30, 2016

PLEASE ANNOUNCE THE FOLLOWING VACANCIES

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

**RESOLUTION
APPROVING A LEASE AGREEMENT
BETWEEN THE CITY OF БЕЛОIT
AND THE БЕЛОIT YOUTH HOCKEY ASSOCIATION (BYHA)**

The City Council of the City of Beloit, Rock County, Wisconsin, hereby resolves that the attached Lease Agreement between the City of Beloit and the Beloit Youth Hockey Association, (BYHA), be, and it is hereby, approved.

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

Adopted this 16th day of September 2013

City Council of the City of Beloit

Charles M. Haynes, President

Attest:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Consideration and approval of a renewed Lease Agreement between the City of Beloit and the Beloit Youth Hockey Association (BHYA).

Date: September 16, 2013

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

Overview/Background Information:

BHYA serves approximately 200-250 youth from Beloit and the surrounding Stateline area annually. The association schedules practice sessions and games weekly at the Edwards Ice Arena from October through March. A rental fee is paid by the Association to the City for use of the Ice Arena. Under the previous lease agreement, BYHA would annually rent the Ice Arena for approximately 800 hours annually, and pay an additional fee for any hours in excess of 800 hours.

The City of Beloit recognizes the excellent youth hockey program offered by BYHA, and greatly appreciates their commitment as a volunteer parent organization to provide this activity to the youth of the Greater Beloit area. BYHA is a youth instructional hockey program as well as designed as an intramural league program serving youth ages 6-16.

The City and BYHA have previously partnered on several capital improvement projects within the Ice Arena, including the recent purchase of a new scoreboard which was installed at the east-end of the arena in 2012, and they arranged to have the new arena lighting installed in 2012. Furthermore, BYHA has expressed their interest in assisting the City in completing repairs and/or replacement of the hockey boards to the outdoor ice arena located directly north of the building sometime with the near future.

At their recent Board Meeting in August, the BYHA Board of Directors has reviewed the new terms associated with the new lease agreement, and have authorized their Board President and Secretary to initiate and sign this agreement as presented.

The current lease agreement with BYHA expired at the end of March, 2013 and therefore has been revised to reflect the new rates and fees, as well as the consideration of increasing terms from a three year lease to a five year term lease, and is being presented to the City Council for your consideration and authorization.

Key Issues (maximum of 5):

- 1.) Term of the lease ending on March 31, 2014, with an option to extend the lease for four (4) additional one-year periods.
- 2.) BHYA's basic rent at 800 hours annually has increased approximately \$3.00/hour each year.
- 3.) Hours in excess of 800 hours annually has increased approximately \$3.00/hour each year as well.
- 4.) Additionally, there has been a slight annual increase in terms to credit BHYA for installation and dismantling of the Hockey Boards as represented in Exhibit B.

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

- Consideration of this request supports Strategic Goal #1, Strategic Goal #4, and Strategic Goal #5.

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

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

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

Action required/Recommendation:

- **Staff recommends Council approval of the attached Lease Agreement with BYHA.**

Fiscal Note/Budget Impact:

The proposed 2014 rental fees as indicated within this lease agreement have already been entered into the 2014 proposed budget, which represents an approximate 3.3% increase over the 2013 actual budget. BYHA's revenues contribute to approximately 73% of the overall revenue annually at the Ice Arena, and approximately 33% of the actual operating expense.

Other entity's that utilize the Ice Arena includes the Rock County Fury, the Beloit School District, various rental groups, and the skating programs offered by the Parks & Leisure Services Division.

**LEASE AGREEMENT
BETWEEN THE CITY OF БЕЛОIT AND
THE БЕЛОIT YOUTH HOCKEY ASSOCIATION, INC.**

THIS AGREEMENT is made this 16th day of September, 2013, by and between the **City of Beloit**, a Wisconsin municipal corporation, with its principal offices located at 100 State Street, Beloit, WI 53511 (hereinafter referred to as the “**City**”) and the **Beloit Youth Hockey Association, Inc.**, a Wisconsin non-stock corporation, with its principal mailing address located at P. O. Box 1262, Beloit WI 53512 (hereinafter referred to as “**BYHA**”).

The **City** and **BYHA** agree as follows:

1. LEASED PREMISES.

1.1 Description of Leased Premises. The **City** hereby leases to **BYHA** the following portions of the Edwards Activity and Sport Center at 2101 Cranston Road in the City of Beloit, Rock County, Wisconsin, during the term of this lease: the ice sheet, surrounding spectator areas, scorers’ tables, penalty boxes, rest rooms, concession area, conference room, mezzanine areas and adjacent locker rooms.

1.2 Physical Control of the Environment of the Leased Premises. The **City** shall have sole control of the physical environment of the leased premises. Nothing in this Agreement shall be construed to grant **BYHA** the right to control the physical environment of the leased premises.

1.3 Modification or Improvement of Leased Premises. Any physical modification or improvement to the leased premises must be approved by the **City**. Any such modification or improvement to the leased premises shall become the property of the **City**.

1.4 Maintenance of the Leased Premises. The City shall be responsible for the maintenance of the ice sheet in the leased premises. The ice sheet shall be maintained according to a schedule agreed to by both **BYHA** and the City and consistent with generally accepted standards of ice quality. Any deficiencies in ice quality should be reported to the Director of Parks and Leisure Services, or his/her designee, so corrective action can be taken.

In the event of an electrical or mechanical failure that causes the facility to be closed, the City will notify **BYHA** as soon as possible. If, after consultation with **BYHA**, the Director of Parks and Leisure Services, or his/her designee, determines that the faulty equipment cannot be repaired timely, the Director, or his/her designee, shall have the authority to close the ice rink. The City shall not be liable to **BYHA** for any damages arising out of any cancellation due to electrical or mechanical failure.

The City shall be responsible for maintaining the leased premises and the adjacent parking lot and pedestrian areas, except that **BYHA** shall be responsible for maintaining the concession area. The City's maintenance responsibility shall include, but not be limited to, general maintenance, cleaning, plowing, garbage collection and disposal. The City shall be responsible for provision of utilities including heat, electricity, water and sewer to the entire premises and maintenance of equipment including the refrigeration system, ice resurfacer, hockey boards, lighting and spectator seating facilities.

1.5 Use of the Leased Premises. **BYHA** agrees that the primary use of the leased premises is for training; fund raising activities for the benefit of **BYHA**; conducting recreational and competitive events for youth hockey members; and operation of the concession for the conveniences of members and spectators. **BYHA** and the City agree that the meeting room and mezzanine may be scheduled for use by **BYHA** during the season. However, if the meeting

room is needed by the **City**, the room will be made available to the **City**, provided at least one week's notice is given to **BYHA** by the **City**. Both parties will make reasonable efforts to coordinate schedules and avoid conflicts.

2. TERM OF LEASE; TRANSFER OF FACILITY OR OPERATIONS.

2.1 Initial Term of Lease. The initial term of this lease shall commence on October 1, 2013 and shall terminate on March 31, 2014.

2.2 Option to Renew Lease. **BYHA** shall have the option to renew this lease for four additional hockey seasons commencing on:

October 1, 2014 and ending on March 31, 2015;

October 1, 2015 and ending on March 31, 2016;

October 1, 2016 and ending on March 31, 2017;

October 1, 2017 and ending on March 31, 2018.

BYHA shall notify the **City** of its intent to renew the lease for each additional hockey season on or before April 1 of the current hockey season.

2.3 "Hockey Season" Defined. The hockey season is defined as that period of time between October 1st and March 31st of the following year.

3. LEASE PAYMENTS.

3.1 Basic Rent. **BYHA** agrees to rent the leased premises from the **City** for 800 hours per year. The annual rent for 800 hours minimum shall be as follows:

<u>Hockey Season</u>	<u>Hourly Rate</u>	<u>Basic Rent</u>
2013-2014	\$\$87.50	\$\$70,000
2014-2015	\$\$90.00	\$\$72,000
2015-2016	\$\$93.00	\$\$74,400

2016-2017	\$95.00	\$76,000
2017-2018	\$98.00	\$78,400

3.2 Hours in Excess of 800. BYHA agrees to pay the City for any hours in excess of 800 as follows:

<i><u>Hockey Season</u></i>	<i><u>Hourly Rate</u></i>
2013-2014	\$92.50
2014-2015	\$95.00
2015-2016	\$98.00
2016-2017	\$100.00
2017-2018	\$103.00

A schedule of the 800 hours reserved for the initial term of this lease is attached hereto, marked Exhibit A, and incorporated herein by reference. BYHA will schedule additional hours in advance as deemed necessary. All Saturday and Sunday hours in March will be available for BYHA rental, with the exception of hours reserved for public skate. BYHA shall receive credits against the basic rent as provided in Exhibit B which is attached hereto and incorporated herein by reference.

3.3 Defective Ice. BYHA shall not be required to pay for any reserved ice time when, in the sole discretion of the City, it is determined that the quality of the ice rink is so deficient that it is unfit for use by BYHA for BYHA's intended purpose.

3.4 Rental Skates. Ice rental rates do not include use of City rental skates.

4. ICE RESERVATION PROCEDURES.

During the hockey season, the City shall allocate ice time among the various user groups using the following procedures:

- (a) The **City** shall, no later than August 1st, provide **BYHA** with a schedule of projected ice availability and hours of operation for the upcoming season.
- (b) **BYHA** shall submit to the Director of Parks and Leisure Services, or his/her designee, a “requested schedule” of ice reservation for **BYHA** no later than August 10th. Provided that **BYHA** is not in default on its obligations under this lease, **BYHA** shall be guaranteed ice time included in the “requested schedule” that had been used by **BYHA** during the previous season.
- (c) The **City** shall provide **BYHA** a “final schedule of ice reservation” no later than August 20th. **BYHA** shall have until August 31st to delete any hours reserved as requested in paragraph (b).
- (d) The Director of Parks and Leisure Services' decision, or his/her designee's decision, on ice scheduling is final.
- (e) **BYHA** shall have first priority in scheduling any hours that are not otherwise reserved for public skate or leased to another user, provided that **BYHA** gives the Director of Parks and Leisure Services, or his/her designee, 30 days advance notice of its intent to reserve those hours. The rent for additional hours shall be payable in the next billing cycle.
- (f) Once the final schedule of ice reservation is approved by the Director of Parks and Leisure Services, or his/her designee, **BYHA** agrees that the times reserved for **BYHA** on the final schedule of ice reservation constitutes a contractual commitment for ice rental time between the **City** and **BYHA**. **BYHA** shall be responsible for the payment of ice rental fees

for all ice time included in the final schedule of ice reservation unless **BYHA** notifies the Director of Parks and Leisure Services, or his/her designee, of cancellations at least 11 calendar days prior to the scheduled ice rental period or unless the ice is declared unfit. The time not used will be credited on the next bill at the hourly rate as established by this Agreement.

5. BILLING AND PAYMENT OF RENT.

The City shall bill **BYHA** in six equal monthly installments for **BYHA** reserved ice time listed in Exhibit A (or any amendment thereto mutually agreed to by the parties). The bill shall be mailed on November 10th and on the 10th day of each month thereafter. Bills shall be payable within 20 days of the date of invoice.

6. CONCESSION OPERATIONS.

The City shall, on or before September 30th, provide **BYHA** with the concession area which is shown on the map which is attached hereto marked Exhibit C.

6.1 **BYHA** shall be solely responsible to pay for all materials and supplies ordered, prepared, maintained or kept in inventory for the purpose of providing concessions. **BYHA** shall not use the name, reputation, or status of the City in any manner with respect to the acquisition, purchase, lease, or assignment of concession equipment, supplies or services.

6.2 **BYHA** shall assist in keeping the concession area, storeroom, locker rooms and lobby area in a clean, neat and acceptable condition each time **BYHA** uses the leased premises. At the close of each reserved ice time, the **BYHA** shall be solely responsible for the clean up and policing of the concession area. At the close of each reserved ice time, **BYHA** shall be solely responsible for turning off the equipment and cleaning equipment in the concession area.

6.3 **BYHA** shall have exclusive rights regarding the establishment of prices for concession items and products.

6.4 **BYHA** and the **City** expressly agree that the **City** incurs no responsibility or liability associated with the operation of concessions pursuant to this Agreement. **BYHA** shall be solely responsible for payment of salaries and wages, payroll taxes, supplies, equipment and any other expenses or financial commitment made by or on behalf of **BYHA**.

7. **SUPERVISION OF CITY EMPLOYEES.**

The **City** shall be responsible for scheduling and supervising all **City** employees assigned to the Edwards Activity and Sports Center. Work requests originating from **BYHA** shall be communicated to the Director of Parks and Leisure Services, or his/her designee. **BYHA** expressly understands that **BYHA** and its individual officers, members or guests have no authority to schedule or supervise the work activities of **City** employees.

8. **INDEMNIFICATION.**

BYHA agrees to indemnify and hold the **City** harmless from liability for any claims, including reasonable attorneys' fees, arising out of any acts or omissions of **BYHA**, its employees, agents, members, volunteers, guests and contractors.

9. **INSURANCE.**

BYHA shall, at its expense, procure the following insurance policies from insurance companies licensed to do business in the State of Wisconsin with Best's ratings of no less than "AVII" in amounts and coverages not less than the following:

(1) **Commercial General Public Liability Insurance:**

(a) General Aggregate Limit (other than Product/Completed Operations)	\$2,000,000
(b) Products/Completed Operations Aggregate Limit	\$2,000,000

(c) Personal & Advertising Injury Limit	\$1,000,000
(d) Each occurrence Limit	\$1,000,000
(e) Medical Expense Limit/Any One Person	\$5,000

The Commercial General Liability policy will include protection for:

- (a) Bodily Injury and Property Damage Liability arising from premises, operations, products and completed operations; and
- (b) Contractual Liability insurance coverings contracts which **BYHA** may enter into as part of its normal business operations, including this contract.

(2) **Certificate of Insurance.** All insurance policies and required endorsements shall be approved by the **City** prior to the execution of this Agreement. **BYHA** shall provide the **City** with a certificate of insurance coverage required by this Agreement. The certificate shall name the **City** as an additional insured and shall unconditionally provide that the policy of insurance shall not be canceled or altered without 30 days prior written notice to the **City**.

10. ASSIGNMENT OF AGREEMENT.

BYHA may not assign its interest in this contract to any other party without the express written authorization of the **City**.

11. AMENDMENT TO THE CONTRACT.

This contract may be amended by written mutual consent of the **City** and **BYHA**.

12. ENTIRE AGREEMENT.

This contract contains the entire agreement of the parties.

13. DEFAULT.

13.1 Payment of Rent. If **BYHA** fails to pay billings for reserved ice time as required by this Agreement, the **City** shall give **BYHA** a written notice to pay 50% of the delinquent payment within 14 days and the balance of the delinquent payment with the next regular billing.

If the delinquent payment is the final payment for the season, **BYHA** shall be given until April 30th to cure its default. If **BYHA** fails to cure its default within the time provided, the **City** shall give **BYHA** a 5-day written notice to cure its default. If **BYHA** fails to cure its default within that time, this lease shall terminate and the **City** may commence an action to evict **BYHA** from the premises. In the event that **BYHA** fails to cure the default within the time stated and continues to occupy the premises thereafter, the **City** shall be entitled to a judgment for double damages for each hour that **BYHA** continues to occupy the premises after receipt of the notice of right to cure default.

13.2 Other Breaches.

If **BYHA** is in default of any other provision of this Agreement, the **City** may give **BYHA** a 30-day notice to cure such default. If **BYHA** fails to cure the default within the 30-day period, this lease shall terminate and the **City** may commence an action to evict **BYHA** from the leased premises. The **City** shall be entitled to double damages for each day that **BYHA** continues to occupy the premises after the time to cure the default has expired.

14. CONTACT PERSONS AND PROGRESS MEETING.

The **City** designates the Director of Parks and Leisure Services, or his/her designee, as the contact person for purposes of this Agreement. The Director of Parks and Leisure Services, or his/her designee, shall notify **BYHA** of an alternate contact in the event he/she is unavailable. **BYHA** shall designate a contact person as well.

15. NOTICES.

Notices to **BYHA** shall be mailed to the Beloit Youth Hockey Association, Inc. at P. O. Box 1262, Beloit, WI 53512 by first class mail to the attention of the contact person designated by **BYHA**.

EXHIBIT B

Rent Credits for Ice Rink Installation and Dismantling

1. Set-Up Rink and Takedown.

1.1 **BYHA** agrees to assemble the ice rink at Edwards Activity and Sports Center beginning approximately the fourth week of September, with anticipated completion by the second weekend of October. **BYHA** also agrees to dismantle the rink beginning the Monday following the last weekend in March, with the anticipated completion in two weeks of that date.

1.2 **BYHA** will assume responsibility for the following:

1. Repair and maintenance of the hockey boards surrounding the skating surface prior to set up (less materials).
2. Installation and dismantling of the hockey boards surrounding the skating surface.
3. Installation and dismantling of the players' and minor officials' boxes along the rink perimeter.
4. Installation and dismantling of the Plexiglas and its supporting structures around the rink perimeter, and storing of the Plexiglas and supporting structures along the north side of the pavilion apron near the Mechanical Storage Building entrance.
5. Flooding and preparation of the initial ice surface.
6. Storage of the hockey boards within a designated location within the Edwards Activity and Sports Center.
7. Stacking of the players' and minor officials' boxes along the north side of the pavilion apron near the Mechanical Storage Building entrance.
8. Stacking of the hockey boards along the north side of the pavilion apron if the boards are not stored at the Edwards Activity and Sports Center.

1.3 The **City** will assume responsibility for the following:

1. Installation and takedown of the safety nets at the west and east end of the rink.
2. Installation and takedown of the state tournament banners along the south end.
3. Moving of the players' and minor officials' boxes from the storage facility to the rink and stacking them along the north end of the pavilion apron.

4. Storing of the hockey boards at an off-location facility if the hockey boards are not stored at the Edwards Activity and Sports Center.

1.4 The **City** agrees to credit **BYHA** for the services provided pursuant to paragraphs 1.1 and 1.2 of this Agreement. The credit will be used to offset the rent payable by **BYHA** under the lease agreement. The credit will be calculated by the hours of volunteer work multiplied by the hourly cost of having **City** employees perform this service. This reimbursement will be reflected by a reduction of **BYHA** ice fee in the following amount:

<u><i>Hockey Season</i></u>	<u><i>Credit for Installation</i></u>	<u><i>Credit for Dismantling</i></u>	<u><i>Total Credit</i></u>
2013-2014	\$4,416	\$3,014	\$7,430
2014-2015	\$4,548	\$3,104	\$7,652
2015-2016	\$4,684	\$3,197	\$7,881
2016-2017	\$4,825	\$3,293	\$8,118
2017-2018	\$4,970	\$3,392	\$8,362

1.5 **BYHA** agrees to make repairs and maintain the hockey boards of the outdoor practice rink, located adjacent to the Edwards Center on the north end of the building to the satisfaction of the **City** or have it dismantled within 30 days of notice from the **City**.

CITY OF BELOIT:

By: _____
Larry N. Arft, City Manager

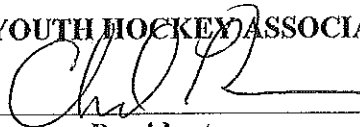
Attest:

By: _____
Rebecca Houseman LeMire, City Clerk

Approved as to Form:

By: _____
Thomas R. Casper, City Attorney

BELOIT YOUTH HOCKEY ASSOCIATION, INC.

By:  _____
Chad Larson, President

By:  _____
Heather Jensen, Secretary

tdh/files/13-1159/BYHA Agr 2013=130718 1612 (rdln)

RESOLUTION
AUTHORIZING THE CITY MANAGER TO ACQUIRE TAX DELINQUENT PROPERTIES FROM THE
ROCK COUNTY TREASURER

WHEREAS, the City Council has established a strategic goal to promote a high quality community through historic preservation, community revitalization, and successful new development; and

WHEREAS, the City Council has adopted a policy on Housing Incentives, which authorizes the Community Development Department to identify properties in the City that could be acquired for resale and redevelopment; and

WHEREAS, Rock County is planning on taking numerous properties through court action on September 17, 2013, and the Rock County properties will be offered for sale to the City of Beloit; and

NOW THEREFORE, the City Council of the City of Beloit hereby resolves that, contingent to Rock Co successfully obtaining free title to these properties through the tax foreclosure process, the City Manager be, and is hereby, authorized to purchase the following real estate from Rock County on behalf of the city: 1256 Dewey Avenue, 1640 Wisconsin Avenue, 1131 Oak Street, 1114 Bluff Street, 252 Merrill Street, 545 Shirland Avenue, 422 Bluff Street and 315 Euclid Avenue, and for a price to be determined by the Rock County Treasurer through the tax foreclosure process.

BE IT FURTHER RESOLVED, that the City Manager be, and is hereby, authorized to negotiate terms and authorize the sales of those properties for the purpose of promoting redevelopment of new housing in the City of Beloit.

AND IT IS FURTHER RESOLVED, that the estimated amount of \$100,679.39 be and hereby is, funded as follows:

P2967520-5510-2013	Land Acquisition	\$100,679.39
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Adopted this 16th day of September, 2013.

BELOIT CITY COUNCIL

Charles M. Haynes, President

ATTEST:

Rebecca Houseman LeMire, City Clerk



CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Purchase of the foreclosed properties from the Rock County Tax Foreclosure Proceedings

Date: September 16, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

On January 21, 2003, the Beloit City Council adopted a policy which directed the Community Development Department to work with the Rock County Treasurer to identify properties that are available through tax foreclosure and could be acquired for resale.

Key Issues (maximum of 5):

1. Exhibit A identifies all Rock County tax foreclosed properties within the City of Beloit. At the top of Exhibit A is a list of eight properties that staff is recommending for purchase and demolition and one property staff is recommending for purchase and rehabilitation. The staff recommendations for purchase this year focus on houses that are dilapidated, non-conforming and unfit for human habitation. That was then weighted to the property's cost and expected benefits of demolishing the building. The houses that are expected to be more cost effective for restoration are the ones that will go to public auction conducted by Rock County. The exhibit lists the existing land use, taxes, special assessments, interest and expenses that the City would pay Rock County to acquire these properties.
2. Since 2003, the City of Beloit has purchased most of the properties acquired by Rock County through the tax foreclosure process. However, with the number of foreclosed houses increasing, we are not able to purchase them all. Our goal is to purchase houses where the demolition or rehabilitation will have an impact on the neighborhood it is located in. We are trying to assist in the revitalization of neighborhoods.
3. Similar to the last two years, the City does not have enough money in the property acquisition account to purchase all of the properties going into foreclosure. One reason that there are such a high number of foreclosures this year is that one landlord is losing all eleven of his rental properties located within the city limits.
4. One of the houses recommended for purchase, 422 Bluff, is being recommended for purchase and rehabilitation. This property is located in the Bluff Street Historic District and contains two houses, a single family house and a three-unit building. Staff's recommendation is that the single family house be demolished, a garage be constructed in its place, and the three-unit be converted into a single family house. However, all proposals are subject to Landmarks Commission approval.
5. Due to Rock County's foreclosure schedule and the City Council meeting schedule, we are asking the City Council to approve the properties to purchase prior to the foreclosure court action. Rock County's foreclosure court date is September 17th, the day after this council meeting. Rock County will sell all remaining properties gained in the court action to the general public on October 11. The City must buy the properties after the court date and before the auction. Therefore, there is the possibility that Rock

County may not get title to all of the properties that they are taking action against. In the event that a property that the City wishes to buy is not available through this foreclosure action, there will be no other actions taken to try to acquire that property.

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

- Consideration of this request supports Strategic Goal #5. By purchasing these properties, the City will be removing substandard housing from the market. The end result will either be a newly rehabbed house for resale or a vacant lot which may become part of an expanded yard or the location of a new house.

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** – Not applicable
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – Not Applicable
- **Reduce dependence on activities that harm life sustaining eco-systems** – Not Applicable
- **Meet the hierarchy of present and future human needs fairly and efficiently** – The purchase of these houses will ensure that there is no negative impact on these neighborhoods as a result of the foreclosure process.

Action required/Recommendation:

Approve the resolution authorizing the City Manager to acquire and sell the foreclosed properties and to handle the negotiation and sale of these properties.

Fiscal Note/Budget Impact:

Funds have been budgeted annually, with \$200,000 budgeted in 2013 for this housing program. As of September 4, 2013, approximately \$115,000 remains to cover the cost of acquisition of these residential properties.

With the purchase of the properties included in the resolution, this account will have approximately \$14,000 for the remainder of 2013 for condemnations, maintenance and other similar issues. The demolition of these properties will have to wait until 2014.

Attachments:

Proposed Resolution and Exhibit A

2013 TAX FORECLOSURE SUMMARY

Tax Foreclosure Process

Vicky Brown, Rock County Treasurer, initiated final warnings of tax foreclosure proceeding on 46 properties located in the City of Beloit on June 7, 2013. The time lines for various actions that will take place in this process are as follows:

1. Rock County will go to foreclosure proceedings through the court on September 17, 2013, and take ownership of the delinquent properties.
2. The City may acquire any of these properties any time after Rock County receives title and before October 11, 2013, which is the day that these properties will be auctioned to the general public.

Following is a list of the 41 properties (28 houses, 13 vacant lots) that are scheduled to be taken in foreclosure court on September 17, 2013.

Properties Recommended for Purchase and Demolition

1256 Dewey Avenue

This property is a **single-family house** which is located on a 66' by 124' (8,184 square foot) lot and is assessed at \$26,900. This property is zoned R1-B, Single Family Residential. The City can purchase this property for \$14,488.86. This house is one of eleven that is up for tax foreclosure by the same owner, an absentee landlord. The house to the north was condemned and demolished in 2011. The roof appears to be beyond its useful life. It is of masonry construction, and there are signs of uneven settling and lack of tuck pointing. Examining the water records, it appears that a leak occurred in March 2011. In December 2011, a pipe burst, and there was a huge increase in water consumption.

The water was not shut off until May 2012, and has not been turned back on since. We anticipate there is significant water damage inside this house.



1640 Wisconsin Avenue

This property is a **duplex house** located on a 41' by 120' lot (4,920 square feet) and assessed at \$32,100. This property is zoned R1-B. This is one of the 11 properties owned by a single owner, an absentee landlord. The City can purchase this property for \$6,048.68. The outside appearance of the house is rough in several areas. This house is being recommended for purchase and demolition because of the signs of low maintenance, low acquisition price, ownership history, zoning non-compliance, and a small lot.



1131 Oak Street

This property is a **single family house** located on a 44' by 130' lot (5,720 square feet), with an assessed value of \$35,500. This property is zoned R1-B, Single Family Residential. The City can purchase this property for \$11,043.44. This house is not in good condition. Utility records show normal water usage until September 2012, followed by a spike in monthly water usage, with the water finally being turned off in May 2013. This house is being recommended for purchase and demolition due to the narrow lot, probable water damage and general appearance.



1114 Bluff Street

This property is a **3 unit house** located on a lot that is 66' by 130' (8,580 square feet), with an assessed value of \$40,800. This property is zoned R1-B, Single Family Residential, which does not allow three-unit buildings. The City can purchase this property for \$15,572.90. This house is one of eleven that is up for tax foreclosure by the same owner. Based on the outside appearance, this house has deteriorated significantly. A brief interior inspection confirmed a lack of overall maintenance and revealed water and structural issues. This house is being recommended for

purchase and demolition due to lack of maintenance, interior issues, history of former owners, and the non-compliance to the current zoning.



252 Merrill Street

This property is a **single family house** located on a 40' by 75' lot (2,800 square feet) and assessed at \$36,000. This property is zoned R1-B, Single Family Residential. This property is one owned by the landlord who is currently losing 11 properties to taxes this year. It is currently posted unfit for human habitation. The City can purchase this property for \$9,351.56. Based on outside appearances, this property appears to be in run down and neglected condition. This house is being recommended for purchase and demolition because of the outside condition, small lot

size, ownership history, and unfit order.



545 Shirland Avenue

This property is a **single family house** located on a 66' by 182' lot (12,012 square feet) and assessed at \$53,200. This property is zoned R1-B, Single Family Residential. It is currently posted unfit for human habitation due to no water service and lack of power. The City can purchase this property for \$14,055.67. Based on outside appearances, this property is in run down and neglected condition. This property also has a history of code enforcement issues. This house is being recommended for purchase and demolition because of the outside condition,

maintenance history and location on a major street.



315 Euclid Avenue

This property is a **duplex house** which is located on a 55' by 90' lot (4,950 square feet) and assessed at \$48,500. This property is zoned R1-B, Single Family Residential. This house is one of eleven that is up for tax foreclosure by the same owner. The City can purchase this property for \$12,946.98. Based on the outside appearance, this is house that has deteriorated significantly. It appears that there was at least one significant water leak that started in July 2011, and finally led to a burst pipe in December 2012. The water

was finally shut off in March 2013. This house is being recommended for purchase and demolition because of lack of maintenance, water leakage, and the non-compliance to the current zoning. .



Properties Recommended for Purchase and Rehabilitation

422 Bluff Street

This property contains a **three-unit house** and a **single family house**. The property is 66' by 132', for a total of 8,712 square feet and is assessed at \$69,500. This property is zoned R1-B, Single Family Residential. This property is owned by a landlord who is currently losing 11 properties to taxes this year. It is currently posted unfit for human habitation. This property is located in the Bluff Street Historic District. The City can purchase this property for \$17,171.30. There is also an outstanding balance in sewer & grass cutting bills for this year of nearly \$2,000. Based on outside appearances, this property appears to be in run down and neglected condition. Code enforcement relays that the inside is in poor condition as well. The recommendation for this property is to purchase this property, tear down the white single family house, and rehab the red multi-unit building into a single family house. The estimated rehabilitation cost for this property cannot be calculated at this time, but based on recent rehabilitations of similar scope would be estimated to be between \$150,000 and \$200,000. The funding for this rehabilitation is expected to come from the HOME program, either through the City's HOME funds or the 2012 and 2013 CHDO dollars. This house is being recommended for purchase and rehabilitation because of zoning non-compliance, significant visible deterioration, and historical significance.



Properties Not Recommended for Purchase

1903 Nelson Avenue

This property is a **single-family house** located on a 50' by 128' lot (6,400 square feet) and assessed at \$21,600. This property is zoned R1-B, Single Family Residential. The City can purchase this property for \$6,618.15. Based on the outside appearance, this is in adequate condition despite the lack of maintenance performed on it in the last few years.



1742 Prairie Avenue

This property is a **single-family house** located on a 50' by 128' lot (6,400 square feet) and assessed at \$21,600. This property is zoned R1-B, Single Family Residential. The City can purchase this property for \$7,824.55. Based on the outside appearance, this is a house in relatively good condition but could use a new roof.



1603 Yates Avenue

This property is a **single-family house** located on a 49' by 100' lot (4,900 square feet) and assessed at \$31,700. This property is zoned R1-B, Single Family Residential. This property has been on the delinquent list every year since 2007, but was redeemed prior to the deadline in past years. There is one lien against the property by Wisconsin Department of Health & Family Services. We can buy this property for \$8,226.23. Based on the outside appearance, this is a house in adequate condition and could be purchased and rehabbed by the private sector.



1014 Washburn Street

This property is a **single family house** located on a 40' by 124' lot (4,960 square feet) and assessed at \$17,100. This property is zoned R1-B, Single Family Residential. The City can purchase this property for \$5,863.04. Based on the outside appearance, this is a house in relatively good condition compared to the other houses on this list. Consulting with code enforcement, they have stated that this house would be one reasonably bought and rehabbed by a private citizen.



1772 Hemlock Street

This property is a **single family house** located on a 40' by 82' lot (3,280 square feet) and assessed at \$34,800. This property is zoned R1-B, Single Family Residential. The City can purchase this property for \$9,825.89. Based on the outside appearance, this is a house in comparable condition compared to the other houses in the neighborhood and better than others on this list.



1747 Park Avenue

This property is a **single family house** located on a 50' by 145' lot (5,225 square feet) and assessed at \$34,700. This property is zoned C-3, Community Commercial, which does not allow single family houses. This is another one of the 11 properties owned by a single owner. The City can purchase this house for \$7,531.21. This property is in relatively good condition, but can no longer be used as a single family dwelling.



1813 Wisconsin Avenue

This property is a **single family house** located on a 50' by 126' lot (6,300 square feet) and assessed at \$36,300. The City can purchase this property for \$7,844.04. Based on the outside appearance, this house is not in good condition. Given the type of construction, as long as the foundation is in good shape, this house could remain for an extremely long time. There was no apparent foundation settling cracks visible at the time Scott Schneider looked at the outside.



1212 Vine Street

This property is a **single family house** located on a 50' by 122' lot (6,100 square feet) and assessed at \$36,700. This property is zoned R1-B, Single Family Residential. This house was on the foreclosure list last year, but was redeemed prior to the deadline. The City can purchase this property for \$8,464.20. The house currently has orders against it for exterior violations.



1150 Garfield Avenue

This property is a **single family house** located on a 44' by 130' lot (5,720 square feet) and assessed at \$70,600. This property is zoned R1-B, Single Family Residential. It has one federal tax lien listed against it. This property was on the 2009 foreclosure list, but redeemed prior to the deadline. The City can purchase this property for \$13,822.72. This property is across the street from Hinkley Park. Based on the outside appearance, the property appears to be fairly well maintained, with the exception of the privacy fence.



2330 Liberty Avenue

This property is a **single family house** located on a 120' by 300' lot (36,000 square feet) and assessed at \$182,800. This property is zoned R1-A, Single Family Residential. The City can purchase this property for \$29,699.15. This house was constructed in 2004. Based on the outside appearance, the property appears to be fairly well maintained.



1016 Johnson Street

This property is a **single family house** located on a 100' by 134' lot (13,400 square feet) and assessed at \$89,200. This property is zoned R1-B, Single Family Residential. The City can purchase this property for \$19,699.95. Based on outside appearance, the house appears to be in relatively decent condition, with a few simpler repairs being apparent.



710 Moore Street

This property is a **single family house** located on a 40' by 53' lot (2,120 square feet) and assessed at \$49,200. This property is zoned R1-B, Single Family Residential. The house is currently posted unfit for human habitation due to water damage. The City can purchase this property for \$11,820.54. Based on outside appearances, this property has been neglected. The property has received little maintenance in the last few years but

appears to be in rehabbable condition.



508 Hackett Street

This property is a **single family house** located on an 82' by 133' lot (10,906 square feet) and assessed at \$55,900. This property is zoned R1-B, Single Family Residential. The City can purchase this property for \$13,221.80. Based on outside appearances, this property has been neglected. However, the roof looks to be in good shape, the lot is a decent size, and the garage is relatively new.



508 Townline Avenue

This property is a **single family house** located on a 107' by 126' lot (13,482 square feet) and assessed at \$58,100. This property is zoned R1-A, Single Family Residential. This property is one owned by the land lord who is currently losing 11 properties to taxes this year, and this particular property is believed to be occupied. We can buy this property for \$9,807.69. Based on outside appearances only, this property is in decent condition.



540 Kenwood Avenue

This property is a **single family house** located on a 66' by 182' lot (12,012 square feet) and assessed at \$59,400. This property is zoned R1-B, Single Family Residential. The City can purchase this property for \$10,397.35. Based on outside appearances, this property appears to be in relatively good condition, with the exception of the bullet holes. New windows and blow in insulation marks are readily visible.



930 Euclid Avenue

This property is a **single family house** located on a 66' by 132' lot (8,712 square feet) and assessed at \$65,200. This property is zoned R1-B, Single Family Residential. This property is currently posted unfit for human habitation. The listed owner died in July 2010. In April 2012, the power and water were turned off. The City can purchase this property for \$9,274.33. Based on outside appearances, this property appears to be in decent condition. Code Enforcement is aware that there is a large quantity of mold growing on

the outside, and inside the back porch.



519 Locust Street

This property is a **duplex** located on a 46' by 105' lot (4,830 square feet) and assessed at \$47,800. This property has one state tax lien against it. This property is zoned R1-B, Single Family Residential, which does not allow a duplex. The City can purchase this property for \$11,933.23. Based on the outside appearance, this house has not been maintained. The City Attorney's office has previously given guidance not to purchase properties with state and federal tax liens, so we would not recommend purchasing this property.



1029 Hackett Street

This property is a **single family house** located on a 50' by 122' lot (6,100 square feet) and assessed at \$44,100. This property is zoned R1-B, Single Family Residential. This house is one of eleven that is up for tax foreclosure by the same owner. There is a person living in this house at this time. We can buy this property for \$8,379.56. Based on the outside appearance, this house looks fairly decent due to the new siding and window wrap, but also has some issues with the roof and windows.



617 Merrill Street

This property is a **duplex** located on a 40' by 76' lot (3,040 square feet) and assessed at \$45,400. This property is zoned R1-B. The City can purchase this property for \$14,198.29. The property is not in the best condition. However, someone has installed vinyl siding on the house.



The remaining properties on the foreclosure list are vacant lots. Staff is not recommending purchasing the vacant lots. The cost and size of the lots are listed in "Exhibit A."

2021 Christilla Drive

2271 Trevino Court

1307 Keeler Avenue

1005 Keeler Avenue

1313 Wisconsin Avenue

1453 Ritscher Street

1223 St Lawrence Avenue

1935 West Grand Avenue

241 Merrill Street

1006 Sixth Street

335 Kenwood Avenue

410 Eighth Street

1416 Clary Street

627 Central Avenue

Exhibit A Properties Available Through Tax Foreclosure Sale

Properties Recommended for Purchase and Demolition by the City of Beloit

Address (Parcel #)	Land Use (Lot Size)	County			Special Assessments		Estimated Expenses	Total
		Taxes	Interest	Penalty	Assessment	Interest		
1256 Dewey Ave (1256-0345)	Single Family (66'x124')	\$2,491.65	\$933.36	\$667.80	\$8,560.45	\$1,335.60	\$500.00	\$14,488.86
1640 Wisconsin Ave (1257-0575)	Duplex (41' x 120')	\$3,043.14	\$1,145.76	\$108.41	\$1,034.55	\$216.82	\$500.00	\$6,048.68
1131 Oak St (1265-0785)	Single Family (44' x 130')	\$3,608.67	\$1,419.90	\$504.75	\$4,000.63	\$1,009.49	\$500.00	\$11,043.44
1114 Bluff St (1265-0835)	Duplex (44' x 130')	\$4,447.37	\$1,664.46	\$636.07	\$7,052.87	\$1,272.13	\$500.00	\$15,572.90
252 Merrill Ave (1351-0080)	Single Family (40' x 75')	\$3,443.42	\$1,296.26	\$344.66	\$3,077.90	\$689.32	\$500.00	\$9,351.56
545 Shirland Ave (1355-0285)	Single Family (66' x 182')	\$5,554.93	\$2,188.49	\$497.98	\$4,318.32	\$995.95	\$500.00	\$14,055.67
315 Euclid Ave (1356-0365)	Duplex (55' x 90')	\$4,721.22	\$1,775.26	\$428.85	\$4,663.94	\$857.71	\$500.00	\$12,946.98
Totals		\$27,310.40	\$10,423.49	\$3,188.52	\$32,708.66	\$6,377.02	\$3,500.00	\$83,508.09

Properties Recommended for Purchase and Rehabilitation by the City of Beloit

Address (Parcel #)	Land Use (Lot Size)	County			Special Assessments		Estimated Expenses	Total
		Taxes	Interest	Penalty	Assessment	Interest		
422 Bluff St (1355-1495)	Multi Unit (66' x 132')	\$6,870.32	\$2,581.52	\$498.92	\$5,722.71	\$997.83	\$500.00	\$17,171.30

All Others Not Selected

Address (Parcel #)	Land Use (Lot Size)	County			Special Assessments		Estimated Expenses	Total Cost
		Taxes	Interest	Penalty	Assessment	Interest		
1903 Nelson Ave (1244-1285)	Single Family (50'x128')	\$2,014.15	\$871.18	\$315.22	\$2,287.15	\$630.45	\$500.00	\$6,618.15
1742 Prairie Ave (1251-1410)	Single Family (50' x 128')	\$3,940.05	\$1,539.50	\$140.51	\$1,423.46	\$281.03	\$500.00	\$7,824.55
1603 Yates Ave (1252-1105)	Single Family (49'x100')	\$3,209.35	\$1,267.12	\$298.06	\$2,355.57	\$596.13	\$500.00	\$8,226.23
1014 Washburn St (1257-0445)	Single Family (40'x124')	\$1,601.16	\$631.29	\$309.51	\$2,202.06	\$619.02	\$500.00	\$5,863.04
1772 Hemlock St (1258-0305)	Single Family (40'x82')	\$3,169.77	\$1,249.15	\$461.54	\$3,522.34	\$923.09	\$500.00	\$9,825.89
1747 Park Ave (1258-0615)	Single Family (50' x 145')	\$3,256.57	\$1,210.84	\$194.80	\$1,979.39	\$389.61	\$500.00	\$7,531.21
1813 Wisconsin Ave (1258-2180)	Single Family (50'x126')	\$3,321.71	\$1,305.70	\$226.57	\$2,036.92	\$453.14	\$500.00	\$7,844.04
1212 Vine St (1265-1670)	Single Family (50'x122')	\$3,403.87	\$1,348.26	\$292.74	\$2,333.84	\$585.49	\$500.00	\$8,464.20
1150 Garfield (1274-0620)	Single Family (44'x130')	\$7,039.98	\$2,759.94	\$388.53	\$2,357.20	\$777.07	\$500.00	\$13,822.72
2330 Liberty Ave (1331-1070)	Single Family (120'x300')	\$18,684.17	\$6,959.65	\$317.75	\$2,602.07	\$635.51	\$500.00	\$29,699.15
1016 Johnson St (1341-1085)	Single Family (100'x134')	\$12,404.54	\$6,637.44	\$13.58	\$117.24	\$27.15	\$500.00	\$19,699.95
710 Moore St (1342-0615)	Single Family (40'x53')	\$4,733.33	\$1,861.34	\$404.91	\$3,511.15	\$809.81	\$500.00	\$11,820.54
508 Hackett St (1343-0420)	Single Family (82' x 133')	\$5,742.00	\$2,233.27	\$437.67	\$3,433.51	\$875.35	\$500.00	\$13,221.80
508 Townline Ave (1346-0485)	Single Family (107'x126)	\$5,556.63	\$2,046.79	\$139.97	\$1,284.37	\$279.93	\$500.00	\$9,807.69
540 Kenwood Ave	Single Family	\$6,233.44	\$2,455.59	\$61.54	\$1,023.69	\$123.09	\$500.00	\$10,397.35

(1355-0410)	(66'x182')	\$0,255.77	\$2,755.57	\$01.57	\$1,025.07	\$125.07	\$500.00	\$10,577.55
930 Euclid Ave	Single Family	\$5,222.94	\$1,718.12	\$113.15	\$1,493.81	\$226.31	\$500.00	\$9,274.33
(1355-1265)	(66'x132')							
519 Locust St	Duplex	\$4,651.22	\$1,847.96	\$357.44	\$3,861.72	\$714.89	\$500.00	\$11,933.23
(1356-1230)	(46'x105')							
1029 Hackett St	Single Family	\$4,207.59	\$1,564.51	\$168.24	\$1,602.74	\$336.48	\$500.00	\$8,379.56
(1358-1000)	(50'x122')							
617 Merrill St	Duplex	\$4,725.91	\$1,868.72	\$664.00	\$5,111.67	\$1,327.99	\$500.00	\$14,198.29
(1358-1345)	(40'x76')							
2021 Christilla Dr	Vacant Lot	\$1,055.02	\$401.92	\$23.90	\$329.08	\$47.80	\$500.00	\$2,357.72
(1214-1420)	(87'x125')							
2271 Trevino Ct	Vacant Lot	\$2,454.76	\$935.14	\$0.00	\$0.00	\$0.00	\$500.00	\$3,889.90
(1226-0400)	(77'x131')							
1307 Keeler Ave	Vacant Lot	\$543.18	\$206.93	\$25.74	\$193.05	\$51.48	\$500.00	\$1,520.38
(1253-1005)	(50'x100')							
1005 Kee;er Ave	Vacant Lot	\$3,878.66	\$1,908.62	\$638.83	\$3,998.64	\$1,277.65	\$500.00	\$12,202.40
(1256-0595)	(54'x114')							
1313 Wisconsin Ave	Vacant Lot	\$647.64	\$246.72	\$0.00	\$0.00	\$0.00	\$500.00	\$1,394.36
(1256-1197)	(50'x124')							
1453 Ritsher St	Vacant Lot	\$1,100.95	\$359.36	\$2.79	\$69.71	\$5.57	\$500.00	\$2,038.38
(1276-0074)	(75'x134')							
1935 W Grand Ave	Vacant Lot	\$2,107.65	\$706.05	\$0.00	\$0.00	\$0.00	\$500.00	\$3,313.70
(1346-1125)	(150'x125')							
241 Merrill St	Vacant Lot	\$1,449.54	\$528.21	\$33.89	\$332.48	\$67.78	\$500.00	\$2,911.90
(1351-0670)	(116'x115')							
1006 Sixth St	Vacant Lot	\$897.34	\$327.00	\$53.84	\$638.14	\$107.68	\$500.00	\$2,524.00
(1351-0675)	(116'x66')							
335 Kenwood Ave	Vacant Lot	\$4,535.94	\$1,702.52	\$489.02	\$4,251.33	\$978.04	\$500.00	\$12,456.85
(1355-0636)	(132'x66')							
410 Eighth St	Vacant Lot	\$877.61	\$319.80	\$6.86	\$171.60	\$13.73	\$500.00	\$1,889.60
(1355-1335)	(60'x66')							
1416 Clary St	Vacant Lot	\$1,585.46	\$824.87	\$165.77	\$796.66	\$331.54	\$500.00	\$4,204.30
(1362-0645)	(39'x115')							
627 Central Ave	Vacant Lot	\$2,658.75	\$1,439.53	\$195.54	\$900.14	\$391.09	\$500.00	\$6,085.05
(1363-0285)	(51'x110')							
Other Totals		\$132,020.27	\$53,183.31	\$7,578.11	\$62,123.92	\$15,156.30	\$16,500.00	\$286,561.91