



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
Monday, August 19, 2013

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

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
 - a. Vice President Spreitzer presented **Certificates of Appreciation** for the Graduates of the "Landlord and the Law" Workshops Series to Beth Olson, Frank Gutierrez, Diana Gutierrez, and Tom Brogan who were present at the meeting. Certificates were also awarded to Alice Vinson, Manual Casares, Julie Bakke, Josh Kooiman, Joann Felckowski, and Dan Felckowski, who were not present. Dick Adams, representing the Beloit Property Management Association, gave an overview of the requirements to graduate from the class. Dale Hicks, President of the State Landlords Association, presented the graduates with Completion Certificates from his association.
4. PUBLIC HEARINGS
 - a. Community Development Director Julie Christensen presented a resolution authorizing a **Conditional Use Permit** to allow a Residential Care Apartment Complex in a C-1, Office District, for the property located at 2157 Schuster Drive. It was noted that the Plan Commission recommended approval 4-0. Ms. Christensen explained the project and an upcoming land division. She stated that primary access to the facility would be on Cranston Road. President Haynes opened and closed the public hearing without participation. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 4-0. File 8543
 - b. Ms. Christensen presented a resolution authorizing a **Conditional Use Permit** to allow the indoor sale, possession, and consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at 946 Wisconsin Avenue. It was noted that the Plan Commission recommended approval 4-0. Ms. Christensen said that there were two comments from the public regarding concerns of possible increased traffic and proximity to the school. President Haynes opened and closed the public hearing without participation. Councilor Spreitzer made a motion to adopt the resolution, and Councilor Van De Bogart seconded. The motion carried 4-0. File 8604
 - c. Ms. Christensen presented a resolution authorizing a **Conditional Use Permit** to allow a drive-in use; an outdoor seating area; and sales, possession, and consumption of Alcohol in a C-2, Neighborhood Commercial District, for the property located at 2777 Milwaukee Road. It was noted that the Plan Commission recommended approval 4-0. Ms. Christensen stated that this property is located in the Milwaukee Road Overlay District and that direct access to Milwaukee Road is prohibited. She stated that Qdoba Restaurant is the proposed drive-through tenant. President Haynes opened and closed the public hearing without participation. Councilor Spreitzer made a motion to adopt the resolution, and Councilor Van De Bogart seconded. Councilor Van De Bogart asked if the drive-through sale of alcoholic beverages would be permitted. Ms. Christensen said she did not think that is the intent of the restaurant. Councilor Leavy made a motion to amend the resolution to include a condition prohibiting the sale of alcoholic beverages through the drive-through window. Councilor Van De Bogart seconded. The amendment carried 4-0. The underlying motion to adopt the resolution, including the amendment, carried 4-0. File 7832

5. CITIZENS PARTICIPATION – none

6. CONSENT AGENDA

Councilor Leavy made a motion to adopt the Consent Agenda, which consists of items 6.a. through 6.d. Councilor Spreitzer seconded, and the motion carried that the Consent Agenda be accepted, approved, adopted, or referred and acted upon as required by state and local codes by a vote of 4-0.

- a. The **Minutes** of the Regular Meeting of August 5, 2013 were approved.
- b. The resolution approving a **Class “B” Beer and “Class C” Wine License** for Jesus Garcia, d/b/a Restaurant La Fuente, 946 Wisconsin Avenue, was adopted. File 8590
- c. The resolution approving **Change of Agent** for Wal-Mart Stores East, LP, d/b/a Wal-Mart Supercenter #2532, located at 2785 Milwaukee Road, from Scott Greschner to Michael A. Lane, Jr., was adopted. File 8590
- d. The application for a **Planned Unit Development (PUD) Master Land Use Plan** for the property located at 1877 Madison Road (Woodman’s Food Markets, Inc.), was referred to the Plan Commission. File 7614

7. ORDINANCES

- a. Public Works Director Gregory Boysen presented a proposed ordinance to Repeal Part I of Section III and to Create Part J of Section III of the Index of Special Locations, Section 13.02 of the Code of General Ordinances of the City of Beloit, Relating to **Parking of Vehicles on the Near Side of Highways Adjacent to Schoolhouses**. It was noted that the Traffic Review Committee recommended approval 6-0. Councilor Van De Bogart made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Leavy seconded, and the motion carried 4-0. On the merits of the ordinance, Councilor Van De Bogart made a motion to enact. Councilor Leavy seconded, and the motion carried 4-0. File 7791 Ordinance 3496
- b. Mr. Boysen presented a proposed ordinance to **Remove Loading Zone Designations** along Poff Street and Townline Avenue near Converse School. It was noted that the Traffic Review Committee recommended approval 6-0. Councilor Leavy made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Spreitzer seconded, and the motion carried 4-0. On the merits of the ordinance, Councilor Spreitzer made a motion to enact. Councilor Van De Bogart seconded, and the motion carried 4-0. File 7791 Ordinance 3497
- c. Mr. Boysen presented a proposed ordinance to **Remove 2-hour Parking Restrictions** in the Heritage View Parking Lot. It was noted that the Traffic Review Committee recommended approval 6-0. Councilor Van De Bogart made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Leavy seconded, and the motion carried 4-0. On the merits of the ordinance, Councilor Spreitzer made a motion to enact. Councilor Leavy seconded, and the motion carried 4-0. File 7791 Ordinance 3498
- d. Mr. Boysen presented a proposed ordinance **Changing the One-Way Travel Direction on Locust Street** between Eighth Street and Bluff Street from Westbound to Eastbound. It was noted that the Traffic Review Committee recommended approval 5-0. Councilor Leavy made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Van De Bogart seconded, and the motion carried 4-0. On the merits of the ordinance, Councilor Van De Bogart made a motion to enact. Councilor Leavy seconded, and the motion carried 4-0. File 7791 Ordinance 3499

8. APPOINTMENTS

President Haynes announced the openings and submitted the following appointments to the City Committees, Boards, and Commissions for approval. The appointments were approved on a motion by Councilor Leavy and a second by Councilor Spreitzer. The motion carried 4-0.

- a. **Alcohol Beverage License Control Committee:** Tina Goecks as the School District of Beloit Representative for the 2013-2014 school year; and Ronald Tilley as the Tavern League Representative, for a term ending June 30, 2016. File 6145
- b. **Business Improvement District (Downtown Beloit Association):** James Packard, Jr., Regal Beloit, for a term ending December 31, 2015. File 6716

- c. **Equal Opportunities and Human Relations Commission:** Steve Howland for a term ending June 30, 2016. File 7465
- d. **Park, Recreation & Conservation Advisory Commission:** Mark Smullen as the School District of Beloit Representative for the 2013-2014 school year; and Rebecca Charles, as the Youth Representative, for a term ending September 30, 2013. File 6180
- e. **Plan Commission:** Jan S. Ruster for a term expiring April 30, 2015. File 6064

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor Van De Bogart stated that there are a tremendous number of activities taking place around our community this time of year and encouraged the public to enjoy them safely.

10. CITY MANAGER'S PRESENTATION – none

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Mr. Boysen presented a resolution approving a **Water Tower and Ground Space Lease** with First National Bank and Trust Company for Space on the Water Tower Site at 2875 Cranston Road. He indicated that First National Bank will withdraw the request for a Conditional Use Permit to allow a wireless communication facility on their property if this lease is approved. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Spreitzer seconded. Councilor Haynes said that this partnership represents a win for the City and a win for First National Bank. The motion carried 4-0. File 7595
- b. Operations Director Chris Walsh presented a resolution approving an **Intergovernmental Agreement** between the City of Beloit and the School District of Beloit for Solid Waste Services. Ms. Walsh stated that this contract is for both recyclables and trash and that the Board of Education has already approved the contract unanimously. She indicated that this will provide a new revenue source for the City, provide a cost-savings for the school district, and benefit a local company. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 4-0. File 8066

12. At 7:36 p.m., Councilor Spreitzer made a motion to adjourn the meeting, and Councilor Van De Bogart seconded. The motion carried 4-0.



Rebecca Houseman LeMire, City Clerk

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Date approved by Council: 09-03-13