



**PROCEEDINGS OF THE BELOIT CITY COUNCIL**  
**100 State Street, Beloit WI 53511**  
**Monday, December 16, 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 7:02 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
  - a. Vice President Mark Spreitzer presented a Proclamation of Appreciation honoring **Police Chief Norm Jacobs** as the longest serving Police Officer in Departmental History. Chief Jacobs thanked the Council for the award. File 7148
4. PUBLIC HEARINGS
  - a. Community Development Director Julie Christensen presented a proposed ordinance amending the City of Beloit **Comprehensive Plan** to change the future land use designation for the property located at 1566 Forest Avenue from Single-family Residential – Urban to Institutional and Community Service, for Gaston School. It was noted that the Plan Commission recommended approval 6-0. Ms. Christensen noted that this property is proposed to be used for open green space. Councilor Haynes opened and closed the public hearing without participation. Councilor Luebke made a motion to suspend the rules and offer a second hearing. Councilor Van De Bogart seconded, and the motion carried 7-0. On the merits of the ordinance, Councilor Van De Bogart made a motion to enact. Councilor Luebke seconded, and the motion carried 7-0. File 8621 Ordinance 3510
  - b. Ms. Christensen presented a proposed ordinance amending the City of Beloit **Zoning District Map** to change the zoning district classification of the property located at 1566 Forest Avenue from R1-B, Single-family Residential District, to PLI, Public Lands and Institutions District, for Gaston School. It was noted that the Plan Commission recommended approval 6-0. Councilor Haynes opened and closed the public hearing without participation. Councilor Spreitzer made a motion to suspend the rules and offer a second reading. Councilor Leavy seconded, and the motion carried 7-0. On the merits of the ordinance, Councilor De Forest made a motion to enact. Councilor Leavy seconded, and the motion carried 7-0. File 8621 Ordinance 3511
  - c. Ms. Christensen presented a resolution authorizing a **Conditional Use Permit** to allow a pick-up window in a C-3, Community Commercial District, for the property located at 204 Park Avenue, for Domino's Pizza. It was noted that the Plan Commission recommended approval 5-0. Ms. Christensen noted that the pick-up window will be for pick-up only and ordering on-site will not be permitted. Councilor Haynes opened and closed the public hearing without participation. Councilor Luebke made a motion to adopt the resolution, and Councilor Spreitzer seconded. The motion carried 7-0. File 8625
5. CITIZENS PARTICIPATION
  - Gary Fields, 13826 Sundance Trail, Rockton, IL, said that, on behalf of the landlords and the Beloit Property Management Association, he appreciates the work of the Community Development Department and supports the changes to the property maintenance ordinance on the agenda.

## 6. CONSENT AGENDA

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

- a. The **Minutes** of the Regular Meeting of December 2, 2013, were approved.
- b. The application for a **Conditional Use Permit** to allow an office use in a M-2, General Manufacturing District, for the properties located at 701, 655, 645, 605 and 601 Third Street, was referred to the Plan Commission. File 8074
- c. The resolution approving **Change of Agent** for ND Gas LLC, d/b/a Beloit Mobil on the Run, located at 2883 Milwaukee Road, from Connie M. Gunning to Syed Saiful Jawad Hussaini, was approved. File 8590
- e. The resolution approving a **Class "A" Beer License** for Bindi R., Inc., d/b/a Clark Gas Station, Jay Gravitt, Agent, located at 903 Broad Street, was approved. File 8590
- f. The resolution approving the **Appointment of Election Officials** for the 2014-2015 Election Cycle was adopted. File 6057
- d. City Clerk Rebecca Houseman LeMire presented a resolution approving **Change of Agent** for HRNS V Entertainment, d/b/a Adiktion, located at 1310 Cranston Road, from Jaime Hernandez to Brenda Flores. Ms. LeMire stated that the Alcohol Beverage License Control Committee did not make a recommendation in this matter because they were not satisfied with the proposed Agent's answers to their questions regarding purchasing of alcohol, record-keeping, and the other responsibilities of an Agent. Councilor De Forest asked if there was a motion to recommend denial, and Deputy City Attorney Elizabeth Krueger stated that the motion for a positive recommendation failed due to a lack of a second by another member. Councilor De Forest asked if the proposed Agent had a language issue, and Ms. Krueger said that she did not. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Leavy seconded. Councilor Leavy said that said that the proposed Agent should have been prepared to answer questions regarding the responsibilities of an Agent before going to the ABLCC. Councilor Spreitzer said that the lack of a second by the ABLCC sends a clear message that they wanted to deny the appointment of the proposed Agent. The motion failed 0-7, and the request to change the Agent was denied. File 8590
- g. Fire Chief Brad Liggett presented a resolution approving a **Service Agreement** between the City of Beloit and Life Line Billing Systems, LLC. Chief Liggett said that the City currently bills for specialty fire responses through the risk management/general services department and that hiring a third party would increase recovery rates. Chief Liggett said that the Fire Department published a request for qualifications and found two qualified bidders. He said that Life Line's contract was much more advantageous to the City. Councilor Luebke made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 7-0. File 8627
- h. City Attorney Tom Casper presented a resolution approving a **Site Access Agreement** with the City of South Beloit, Illinois. Mr. Casper said that the City owns a piece of property in South Beloit because it was part of a larger land acquisition of property in Wisconsin near the Confluence. He said that the City of South Beloit has requested this agreement in order to complete a Phase 2 Environmental Study on the property to qualify for Illinois state funds to clean up any environmental issues. Councilor De Forest asked if we could just deed the property to South Beloit, and Mr. Casper stated that South Beloit would not be eligible for the state funds if it already owned the property. City Manager Larry Arft stated that the intent is to deed the property to the City of South Beloit in the future. Councilor Luebke made a motion to adopt the resolution, and Councilor De Forest seconded. The motion carried 7-0. File 8345

## 7. ORDINANCES

- a. Ms. Christensen presented a proposed ordinance to create Sections 7.065, 14.06(6)(bg); to amend Sections 7.12, 7.24(9)(i)2a, 7.29(3)(c), 7.29(3)(d); and to repeal and recreate Section 7.28(1) of the Code of General Ordinances of the City of Beloit pertaining to the Property

Maintenance Code and **Residential Rental Dwelling Permit Program** for a second reading. She credited Teri Downing and Elizabeth Krueger for their hard work on the ordinance. Councilor De Forest made a motion to enact the ordinance, and Councilor Leavy seconded. De Forest stated that she has been contacted by several property owners who support the ordinance and that she is pleased with collaboration between staff and BPMA. The motion carried 7-0, and the ordinance was enacted. File 5130 Ordinance 3512

- b. Public Works Director Greg Boysen presented a proposed ordinance to amend 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** for Gaston School. Mr. Boysen said that the Traffic Review Committee recommended approval of the ordinance. Councilor Spreitzer made a motion to suspend the rules and offer a second reading. Councilor Leavy seconded. Councilor De Forest asked if there are any concerns from residents, and Mr. Boysen said that he does not know of any concerns. Councilor Kincaid asked how many parking spaces will be eliminated and if the parking needed to be eliminated entirely or if it could be time-restricted. Councilor Spreitzer said that there was no parking in front of the school's footprint and he understood that this ordinance would provide the same for the new Gaston building footprint. Councilor De Forest requested information regarding who was notified of the change in parking requirements. The motion to suspend the rules and offer a second reading failed 0-7. Councilor Leavy made a motion to lay this item over to the January 6, 2014 City Council meeting for a second reading, and Councilor Luebke seconded. The motion carried 7-0. File 7791
- c. Mr. Boysen presented a proposed ordinance establishing **No Parking** regulations on Bushnell Street. He said that these no parking regulations were recommended by the Engineering Division and the Transit Division to assist with bus access. Councilor Kincaid made a motion to suspend the rules and offer a second reading, and Councilor Luebke seconded. The motion carried 7-0. On the merits of the ordinance, Councilor Luebke moved to enact. Councilor Van De Bogart seconded, and the motion carried 7-0. File 7791 Ordinance 3513

## 8. APPOINTMENTS

Councilor Haynes announced the openings and submitted the following appointments to the City Committees, Boards, and Commissions for approval. The appointments were approved on a motion by Councilor Leavy and a second by Councilor Luebke. The motion carried 7-0.

- a. **Appointment Review Committee:** Merlin Kenitzer to a term ending December 31, 2016; and Kurt Reynolds to a term ending December 31, 2016. File 6261
- b. **Board of Review:** Vincent Borgogni, as a Regular Member, to a term ending December 31, 2018. File 6063

## 9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest said that she enjoyed Holidazzle and thanked Visit Beloit and the Downtown Beloit Association for their hard work. She expressed condolences to the family of Dale Hjerpe, who recently passed away.
- Councilor Kincaid said that Holidazzle was a terrific event and encouraged the public to attend next year. He also thanked the Parks Division for grooming trails to allow for cross-country skiing.
- Councilor Luebke said that Holidazzle was a great event. He said that City Manager Larry Arft continues to put Beloit in the spotlight through his role as the President of the League of Wisconsin Municipalities.
- Councilor Spreitzer said he had a fabulous time at Holidazzle and encouraged the public to view the new artwork at the Beloit Fine Arts Incubator.

## 10. CITY MANAGER'S PRESENTATION

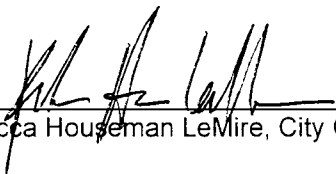
- a. Visit Beloit Executive Director Monica Krysztopa presented a **Visit Beloit Presentation** regarding their goals, programs, tourism blog, State presence, and collaborative marketing with the Vision partners. Ms. Krysztopa began by explaining Visit Beloit's new business strategy including consistency, relevancy, impact, and proof of performance. She discussed Visit Beloit's new

initiatives including a Blog, short videos, social media, and a mobile welcome center. Councilor Luebke thanked her and her staff for their work in promoting Beloit.

#### 11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Police Captain William Tyler presented a resolution approving 2014 Contracts between the City of Beloit and **Dane County Humane Society, Inc.** and authorizing execution thereof. He explained that these are almost identical to the 2013 contracts and that the City is only paying for the services that are requested. Councilor Luebke made a motion to adopt the resolution, and Councilor Leavy seconded. Councilor De Forest asked why the cost for veterinarian services decreased, and Captain Tyler explained that the cost was negotiated based on previous experiences. Councilor De Forest asked about euthanasia rates, and Captain Tyler said that euthanasia does occur for medical or other reasons but that he did not have the information on hand. The motion carried 7-0. File 8576
- b. Captain Tyler presented a resolution approving 2014-2015 Contract between the City of Beloit and **Rock County Humane Society, Inc.** and authorizing execution thereof. He said that this is a two-year contract and noted that the RCHS has a new director. A flat annual fee was established that includes additional services over the previous year. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Luebke seconded. The motion carried 7-0. File 5956
- c. Finance and Administrative Services Director Paul York presented a resolution authorizing the **Transfer of Funds** from the General Fund Contingency Reserve Fund for 2013. Mr. York explained that the general fund operating budget is reviewed before the end of the each year to determine if any funds set aside for contingencies need to be used. He said that the City Attorney's office and the Fire Department experienced unanticipated expenditures and will need funds transferred. Mr. York said that the Attorney's office requires additional funds for legal work including the recent tax appeals and that the Fire Department requires funds for legal expenses due to grievances and overtime. Councilor Spreitzer made a motion to adopt the resolution, and Councilor Leavy seconded. Councilor Spreitzer asked about the overtime expense, and Chief Liggett stated that at one time 11 employees were off for extended absences. Councilor Spreitzer asked if any additional funds will be needed for snow removal. Mr. York responded that there should be sufficient funds within the Public Works Department to cover those costs. Councilor De Forest asked about the amount of money related to overtime and the grievances in the Fire Department. Mr. York responded that \$85,000 is for legal expenses, \$65,000 of which is related to the hiring grievance, and \$33,000 is for overtime. The motion carried 7-0. File 8570
- d. Mr. York presented a resolution declaring **Doubtful Accounts**, authorizing amounts to be written off, and receiving and filing the 2013 Report of the Comptroller. He indicated that one account has been determined uncollectable because the contractor has filed for bankruptcy. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Spreitzer seconded. Councilor De Forest asked how the debt was incurred, and Mr. York stated that the contractor provided a water and sewer connection for a project on Milwaukee Road. The motion carried 7-0. File 8570

12. At 8:22 p.m., Councilor Spreitzer made a motion to adjourn the meeting, and Councilor De Forest seconded. The motion carried 7-0.

  
\_\_\_\_\_  
Rebecca Houseman LeMire, City Clerk