



**AGENDA
BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Monday, February 3, 2014**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. Proclamation recognizing the **Beloit International Film Festival** February 14-23, 2014 (Spreitzer)
4. PUBLIC HEARINGS – none
5. CITIZENS PARTICIPATION
6. CONSENT AGENDA

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

- a. Approval of the **Minutes** of the Regular Meeting of January 21, 2014 (LeMire)
 - b. Application for a **Class “B” Beer and “Class B” Liquor License** for Pitchers Mound LTD, LLC, d/b/a Pitchers Mound, located at 2745 Prairie Avenue, Robert Lee Lewis, Agent (LeMire) Refer to ABLCC
 - c. Application for a **Conditional Use Permit** to allow a vehicle repair use in a C-3, Community Commercial District, for the property located at 1420 Division Street (Christensen) Refer to Plan Commission
 - d. Application for a **Zoning Map Amendment** to change the zoning district classification of the property located at 2508 Milwaukee Road from C-1, Office District, to PLI, Public Lands and Institutions District (Christensen) Refer to Plan Commission
 - e. Resolution setting a date for a Public Hearing for the **Vacation** of Excess S. Turtle Townhall Road Right-of-Way in the City of Beloit, Rock County, Wisconsin (Christensen) Accept and Refer to Plan Commission
7. ORDINANCES
 - a. Proposed Ordinance to amend Section 15.06(4)(b)1 of the Code of General Ordinances of the City of Beloit relating to **Alcohol Consumption and Possession** on Streets and other Public Places (Casper) First reading, suspend the rules for Second reading

- b. Proposed Ordinance to repeal and recreate Section 15.07(5) of the Code of General Ordinances of the City of Beloit pertaining to **Bow and Arrow use** in the City of Beloit (Jacobs) First reading, suspend the rules for Second reading

8. APPOINTMENTS – none

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

10. CITY MANAGER'S PRESENTATION – none

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Resolution declaring Official Intent to **Reimburse Expenditures** from proceeds of borrowing (York)
- b. Resolution amending the **2014 Capital Budget** for the Acquisition of the Hexter-Long Parcels in Tax Increment District #10 (York)

12. ADJOURNMENT

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

Dated: January 29, 2014
Rebecca Houseman LeMire
City of Beloit City Clerk
<http://www.ci.beloit.wi.us>

<p>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.</p>

WHEREAS, the Beloit International Film Festival (BIFF) is celebrating its ninth season, February 14-23, 2014, by expanding to The Ten Days of BIFF; and

WHEREAS, BIFF continues to enhance the quality of life in Beloit, bringing visitors and residents together and bringing recognition and praise to our City; and

WHEREAS, BIFF has concentrated all of the film venues in downtown Beloit this year; and

WHEREAS, this internationally acclaimed festival continues to expand its programming to engage the whole community in its film and musical offerings, including an expanded BIFF Plus Music and the introduction of the Sound of Music Sing-a-long; and

WHEREAS, this year's honorary chair, Mark Wood, is the world's foremost producer of films for the deaf; and

WHEREAS, Beloit's business and industry, retail merchants and hotels, and foundations and financial institutions have shown their commitment to the future of BIFF with their financial support; and

WHEREAS, more than 150 filmmakers from as far away as South Africa and Korea will be here to present 120 outstanding films, documentaries, features, and short films in ten venues; and

WHEREAS, BIFF has continued its important mission of educating future film audiences by bringing thousands of school children together to learn critical viewing and production skills; and

WHEREAS, BIFF has continued its important mission of educating future audiences through Youth at BIFF, brining thousands of students of all ages together to learn critical viewing and production skills; and

WHEREAS, BIFF has launched the BIFF Founders and the Film Society of Beloit, allowing citizens to complement the generosity and support provided by The Hendricks Group, Visit Beloit, and Beloit College.

NOW, THEREFORE, THE PRESIDENT OF THE БЕЛОIT CITY COUNCIL hereby honors the organizers, sponsors, and more than 400 volunteers that contribute to the success of BIFF; declares February 14-23, 2014 to be Beloit International Film Festival Week and a Half; and urges all citizens to enjoy these programs and extend the welcome of our community to the thousands of filmmakers and visitors to Beloit.

Presented this 3rd day of February 2014.

Charles M. Haynes, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
Tuesday, January 21, 2014

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

1. The meeting was called to order at 7:04 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 proposed **Zoning Text Amendment** to repeal and recreate Sections 9.1.1 and 9.1.2 and to amend Sections 9.1.4, 9.2.1(A), and 9.2.2(E) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit relating to nonconforming uses and structures. 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 of the ordinance. Councilor Luebke seconded, and the motion carried 6-0. On the merits, Councilor Spreitzer made a motion to enact the ordinance. Councilor Kincaid seconded, and the motion carried 6-0. Ordinance 3517 File 7724
 - b. Ms. Christensen presented a proposed **Zoning Text Amendment** to create Section 5-102(a)(15) and to amend Section 5-103 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit relating to Public Lands and Institutions (PLI) District Uses and Standards. It was noted that the Plan Commission recommended approval 6-0. Councilor Haynes opened and closed the public hearing without participation. Councilor Van De Bogart made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Luebke seconded, and the motion carried 6-0. On the merits, Councilor De Forest made a motion to enact the ordinance. Councilor Spreitzer seconded, and the motion carried 6-0. Ordinance 3518 File 7724
 - c. Ms. Christensen presented a proposed Ordinance amending the **Zoning District Map** of the City of Beloit to change the zoning district classification of the properties located at 1203, 1233, 1249, 1253, and 1257 Sixth Street from R-2, Two-family Residential District, to PLI, Public Lands and Institutions District, and the properties located at 1313, 1317, 1323, 1327, 1333, 1339, 1343, 1349, and 1353 Sixth Street and 219 and 225 North Street from R-1B, Single-family Residential District, to PLI, Public Lands and Institutions District, for the School District of Beloit. 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 of the ordinance. Councilor De Forest seconded, and the motion carried 6-0. On the merits, Councilor Kincaid made a motion to enact the ordinance. Councilor Spreitzer seconded, and the motion carried 6-0. Ordinance 3519 File 8247
 - d. Ms. Christensen presented a resolution authorizing a **Conditional Use Permit** to allow Vehicle Repair in the C-3, Community Commercial District, for the property located at 1029 Fourth Street. It was noted that the Plan Commission recommended approval 6-0. Ms. Christensen noted that staff recommended several conditions including moving a lot line, providing the required four off-street parking spaces, and complying with the landscape ordinance. She said that the Plan Commission requested that the applicant submit a revised site plan, which she provided to the Council. Councilor Haynes opened the public hearing:

- David Gleichsner, 859 Milwaukee Road, said that he owns the property at 1029 Fourth Street. He said that he has been working on Fourth Street for 35 years and that he does not think that a fence or landscape strip should be required.

Councilor Haynes closed the public hearing. Councilor Spreitzer made a motion to adopt the resolution, and Councilor Luebke seconded. Councilor De Forest asked Mr. Gleichsner about his opposition to the fencing, and he said that a fence would confine the property and that CVS does not have a fence. Councilor De Forest asked about his opposition to the landscape strip, and Mr. Gleichsner said that it would make plowing more difficult and that it is unnecessary. Councilor Kincaid noted that there is an existing fence along the south property line and asked on which property it is located. Mr. Gleichsner stated that it is located on the property to the south and that property owner signed a document stating that he would give Mr. Gleichsner notice if he removes the fence. Ms. Christensen stated that staff requested the north property line be moved to accommodate parking spaces and to allow customers to turn around without backing out onto Fourth Street. She stated that the Conditional Use process allows the City Council to correct nonconforming properties developed under previous code requirements. Ms. Christensen stated that the Plan Commission requested the fence to screen the residential use to the north from this vehicle repair use. Councilor Luebke made a motion to remove Condition #9 and modify Condition #5 to remove the fence requirements. Councilor De Forest seconded. Councilor Kincaid said that the Plan Commission was insistent on the landscaping requirements because of the adjacent residences and said that this is an opportunity to better the area. The motion to amend the resolution carried 5-1, with Councilor Kincaid voting in opposition. The motion to adopt the resolution as amended carried 5-1, with Councilor Kincaid voting in opposition. File 8628

- e. Ms. Christensen presented a resolution allocating **2010 Community Development Block Grant Funds** to Eligible Projects. It was noted that the Community Development Authority recommended approval 5-0. Ms. Christensen stated that the funds would be split between the demolition and/or rehabilitation of a historic property and the Downtown Beloit Association's Business Assistance Program. Councilor Haynes opened and closed the public hearing without participation. Councilor Luebke made a motion to adopt the resolution, and Councilor Spreitzer seconded. Councilor De Forest asked how the rental assistance would benefit those with low to moderate income, and Ms. Christensen stated that the businesses that benefits from this program are required to create jobs for people with low to moderate income. Councilor Spreitzer asked if the number of jobs created was pro-rated, and DBA Executive Director Shauna El-Amin said that each business would have to do its share of job creation. The motion carried 6-0. File 8424
- f. Councilor Haynes stated that the application for the **HOME Partnership Budget Amendment** had been withdrawn. File 8503

5. CITIZENS PARTICIPATION

- Tom Finley, 1740 E. Ridge Road, requested that the City Council support option #1 regarding the proposed interstate realignment. He said that option #2 moves the entrance to Beloit east to Hart Road, which will be detrimental to the casual business on Milwaukee Road.
- Brad Lawver, 711 Azalea Terrace, said that he is representing the Milwaukee Road Business Association and requested that the Council not take action on the resolution regarding the interstate realignment until the business group can meet with the City Manager to discuss the options at the end of the month. He said that he is concerned about the casual traffic, the proposed interstate signage, and any roundabouts.

6. CONSENT AGENDA

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

- a. The **Minutes** of the Regular and Special Meetings of January 6, 2014, were approved.
- b. The resolution approving an **Amendment to the Class "B" Beer and Reserve "Class B" Liquor License** for Clancy Smith, d/b/a Rose's Soulfood, located at 201 Short Street, for an Outdoor Premises Extension, was adopted. File 8590
- d. The resolution approving the **Final Payment** of Public Works Contract C13-05, Rock River Bank Protection, was adopted. File 8602

- c. City Clerk Rebecca Houseman LeMire presented a resolution approving the **Appointment of a Corporation Agent** for HRNS V Entertainment, LLC, d/b/a Adiktion, located at 1310 Cranston Road, of Edgardo Garrido. It was noted that the ABLCC recommended approval 5-0. Councilor Spreitzer made a motion to adopt the resolution, and Councilor Luebke seconded. Councilor De Forest asked Mr. Garrido how he will be purchasing alcohol, and, through a translator, Mr. Garrido stated that he would work with the distributors to purchase the correct amount. Councilor De Forest asked if he understood that he cannot purchase alcohol from a retail liquor store if he runs out, and Mr. Garrido stated that he understands. Councilor Luebke said that Mr. Garrido has a liquor license for his business in Janesville and must understand the correct procedures. Councilor Spreitzer asked Mr. Garrido how long he must keep receipts, and Mr. Garrido answered that he would keep them for three years. Councilor Van De Bogart said that there have been issues in the past at this location with regard to noise and crowd control. He asked how Mr. Garrido intends to stay ahead of the problems, and Mr. Garrido stated that he has installed more cameras and will hire additional security guards. Councilor De Forest said that she would like to see the publications from the Department of Revenue regarding alcohol laws translated into Spanish. The motion to adopt the resolution carried 5-1, with Councilor Spreitzer voting in opposition. File 8590

7. LICENSES

- a. Ms. LeMire presented a resolution approving a **Class "A" Beer and "Class A" Liquor License** for Olde Town Market, Inc., d/b/a Olde Town Market, located at 905 Henry Avenue, Akbir Kang, Agent. It was noted that the ABLCC recommended denial 5-0. Councilor Spreitzer made a motion to adopt the resolution, and the Councilor Luebke seconded. Councilor De Forest asked the Council to deny the license based on the opposition of the neighborhood and the ABLCC's negative recommendation. The motion to adopt the resolution failed 0-6. File 8590

8. ORDINANCES – none

9. 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 Luebke and a second by Councilor Van De Bogart. The motion carried 6-0.

- a. **Board of Ethics:** Terese Tann for a term ending December 31, 2015. File 6049
- b. **Business Improvement District (Downtown Beloit Association):** Malinda Obershaw, Beloit Daily News, for a term ending December 31, 2016; Elaine Ribarich for a term ending December 31, 2016; Mary Widder for a term ending December 31, 2016; and Ramiro Vargas for a term ending December 31, 2016. File 6716

10. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest said that she enjoyed attending several events in the area to commemorate Dr. Martin Luther King, Jr. Day.
- Councilor Van De Bogart encouraged the public to attend and volunteer at the upcoming Beloit International Film Festival.
- Councilor Luebke said that he attended the Dr. Martin Luther King, Jr. Day celebration at Blackhawk Technical College.
- Councilor Spreitzer said that he attended several Dr. Martin Luther King, Jr. Day events, and he recognized the two students who spoke at the convocation ceremony at Beloit College. He encouraged the public to attend the upcoming Winterfest events.

11. CITY MANAGER'S PRESENTATION – none

12. REPORTS FROM BOARD AND CITY OFFICERS

- a. City Attorney Tom Casper presented a resolution approving the settlement of **St. Croix/Bad River Band vs. City of Beloit Litigation** Case No. 2013-CV-498. He presented the agreement, which includes a \$50,000 payment to the St. Croix and Bad River Band and noted that \$46,000 of the total is repayment of money paid to the City over the past several years to maintain the option to purchase the land. Mr. Casper said that the agreement bars the parties from doing anything to tie up this project for 6 years after approval of the project. Councilor Luebke made a motion to adopt the resolution, and Councilor Van De Bogart seconded. The motion carried 6-0. File 7850
 - b. City Manager Larry Arft presented a resolution supporting alternates 2A or 2B for the reconstruction of the I-39/90 and I-43/WIS81 interchange as presented by the **Wisconsin Department of Transportation**. He said that this resolution represented two years of study and monthly meetings with the Department of Transportation. Mr. Arft indicated that the City requested to extend Milwaukee Road to meet with Gateway Boulevard and that this option is far more beneficial to the City than option 1. He said that the City is committed to working with the I-90 business corridor group. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Luebke seconded. Councilor Van De Bogart said that this is an opportunity to build infrastructure for the next 50 years. Councilor Haynes said that the DOT wants the City Council to make a recommendation within the next couple of weeks and that the casual traffic represents only a small percentage of the people using the services along Milwaukee Road. Councilor De Forest made a motion to lay this item over until the next meeting. The motion failed due to lack of a second. Councilor De Forest made a motion to add a recital to the resolution reaffirming the City's commitment to the continued vitality of the businesses along Milwaukee Road and the Gateway Business area and indicating that the City will continue to communicate with businesses in both areas to forward recommendations regarding signage and issues of interest to local businesses to state and federal agencies. Councilor Spreitzer seconded, and the motion carried 6-0. The motion to adopt the resolution as amended carried 6-0. File 8630
13. At 8:58 p.m., Councilor Van De Bogart made a motion to adjourn the meeting, and Councilor De Forest seconded. The motion carried 6-0.

Rebecca Houseman LeMire, City Clerk

www.ci.beloit.wi.us

Date approved by Council:

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

* For the license period beginning 20 ending 6-30 20 15

TO THE GOVERNING BODY of the: Town of Village of City of Beloit
 County of Rock Aldermanic Dist. No. _____ (if required by ordinance)

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

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

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

Applied For

Applicant's Wisconsin Seller's Permit Number:	
Federal Employer Identification Number (FEIN):	
LICENSE REQUESTED ▶	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input checked="" type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>50-PAIP</u>
TOTAL FEE	\$ <u>24.14</u>

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

President/Member	Title <u>Owner</u>	Name <u>Robert Lee Lewis</u>	Home Address <u>1924 Grandview Dr</u>	Post Office & Zip Code <u>53511</u>
Vice President/Member	<u>none</u>			
Secretary/Member	<u>none</u>			
Treasurer/Member	<u>none</u>			
Agent	<u>None</u>	<u>Robert Lee Lewis</u>		
Directors/Managers	<u>none</u>			

3. Trade Name Pitchers Mound Business Phone Number 608-207-3224
 4. Address of Premises 2745 Prairie Ave. Post Office & Zip Code 53511

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: Insert state Wisconsin and date 11/2014 of registration.
 (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
 (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No
- (NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) The alcohol is stored in the coolers off the kitchen and walk in cooler
10. Legal description (omit if street address is given above): Bar area, upper deck, dance floor, kitchen, storage
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? Beloit Neighbors LLC (Pitchers Mound)
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776]. Yes No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

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

SUBSCRIBED AND SWORN TO BEFORE ME
 this 17 day of January, 20 14
Veronica Ruval
(Clerk/Notary Public)
 My commission expires Oct 20th, 2019

[Signature] 1/24/14
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)
[Signature]
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK			
Date received and filed with municipal clerk <u>1-24-14</u>	Date reported to council/board <u>2-3-14</u>	Date provisional license issued <u>N/A</u>	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued <u>N/A</u>	

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Lewis</u>		(first name) <u>Robert</u>		(middle name) <u>Lee</u>	
Home Address (street/route) <u>1924 Grandview</u>		Post Office	City <u>Beloit</u>	State <u>WI</u>	Zip Code <u>53511</u>
Home Phone Number <u>608 931 8120</u>		Age	Date of Birth	Place of Birth <u>Beloit</u>	

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.
- Robert Lee Lewis of Pitchers Mound LTD LLC
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)
President & Agent
 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? 42 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
Ordinance violation in 1989, DUI 1989, DUI Michigan 1982, underage drinking 1990 in California
- 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. Pitchers Mound 2745 Prairie Ave, Beloit, WI 53511 LLC
(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. Beloit, Rock
(Name of Wholesale Licensee or Permittee) (Address By City and County)

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

Employer's Name <u>Scot Forge</u>	Employer's Address <u>Clinton WI</u>	Employed From <u>1976</u>	To <u>Present</u>
Employer's Name <u>NAVY</u>	Employer's Address	Employed From <u>89</u>	To <u>92</u>

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

Subscribed and sworn to before me

this 17 day of January, 2014
Veterinore Howard
(Clerk/Notary Public)

Robert Lee Lewis
(Signature of Named Individual)

My commission expires OCT 20th, 2017



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 Pitchers Mound LTD LCC
(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 Pitchers Mound
(trade name)

located at 2745 Prairie Ave.

appoints Robert Lee Lewis
(name of appointed agent)

1924 Grandview Drive
(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? 42 yrs

* Place of residence last year 1924 Grandview Drive Beloit WI

For: Pitchers Mound LTD LCC
(name of corporation/organization/limited liability company)

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

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

ACCEPTANCE BY AGENT

I, Robert Lee Lewis, hereby accept this appointment as agent for the
(print type agent's name)

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

[Signature] 1/21/14 Agent's age _____
(signature of agent) (date)

1924 Grandview Dr. Date of birth _____
(home address of agent)

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

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

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

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Conditional Use Permit Application for the property located at 1420 Division Street – Council Referral to the Plan Commission

Date: February 3, 2014

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

William Eggers has filed an application for a Conditional Use Permit to allow vehicle repair in a C-3, Community Commercial District, for the property located at 1420 Division Street.

Key Issues (maximum of 5):

- This property currently has two buildings on site. The applicant plans to demolish the front (east) building and convert the back building into a full-scale repair shop. The applicant has also planned an addition on the south side of the building. This will require the applicant to combine the subject property with the adjacent lot, 1412 Division Street.
- Various site renovations have been proposed, including the addition of garage doors to the building, updating the façade, and the creation of a parking lot and landscaping. Site Plan Review will be done upon approval of this permit.
- Vehicle repair is a conditional use in a C-3 district. The application and site sketch 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 February 5, 2014 meeting
- This item will most likely return to the City Council for a public hearing and possible action on February 17, 2014.

Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Application, and Site Sketch

Location & Zoning Map

1420 Division Street

CU-2014-02



1 inch = 97 feet



Legend

- COB Parcels
- Zoning District

Map prepared by: Stephanie Hummel
Date: January 2014
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-2014-02

1. Address of subject property: 1420 Division St.
2. Legal description: L4 Blk 3 Harpers Little Farms, Beloit, WI

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

Property dimensions are: 190.12 feet by 298.5 feet = 56,751 square feet.

If more than two acres, give area in acres: .8088 acres.

3. Tax Parcel Number(s): 20612760510 20612760505 (.4324)
4. Owner of record: William + Michelle Eggers Phone: 608-289-3699
1017 Division St. Beloit WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: William Eggers

SAA

(Address)

(City)

(State)

(Zip)

(Office Phone #)

(Cell Phone #)

(E-mail Address)

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

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

A Conditional Use Permit for: auto repair

in a(n) C3

Zoning District.

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

Principal use: Auto + tire repair/service

Secondary use: _____

Accessory use: _____

9. Project timetable: Start date: 2/1/14 Completion date: 9/1/14

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.

[Signature] / William Eggers / 1-4-14
(Signature of Owner) (Print name) (Date)

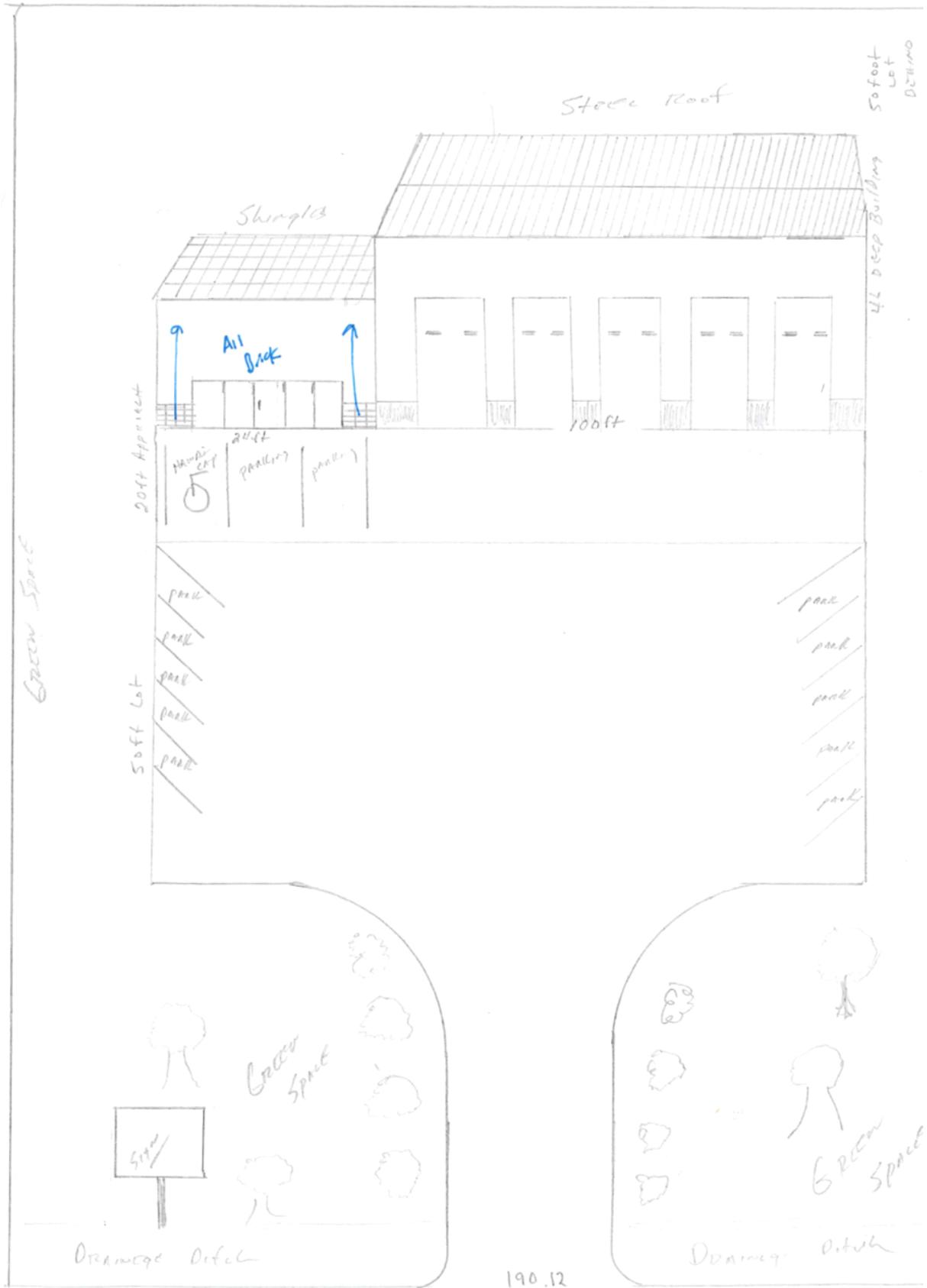
_____/_____/_____
(Signature of Applicant, if different) (Print name) (Date)

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: 275⁰⁰ Meeting date: 2/5/2014
No. of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: [Signature] Date: 1/6/14



CITY OF БЕЛОIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Zoning Map Amendment Application for the property located at 2508 Milwaukee Road – Council Referral to the Plan Commission

Date: February 3, 2014

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

The School District of Beloit has submitted an application for a Zoning Map Amendment to change the zoning district classification from C-1, Office District to PLI, Public Lands & Institutions District, for the property located at 2508 Milwaukee Road.

Key Issues (maximum of 5):

- The applicant recently acquired the subject property with the intent of constructing a new intermediate school, along with parking lots, athletic fields, and related facilities. In December 2013, three neighboring properties were rezoned to PLI and the Future Land Use Map was amended to reflect this intent.
 - The Comprehensive Plan's Future Land Use Map recommends Institutional & Community Service uses for the subject property.
 - The PLI district is a special purpose district that is intended to accommodate major public and quasi-public uses.
 - If the request to rezone the subject property is approved by the City Council, the applicant will need to submit detailed site & architectural plans for Planning staff review and approval.
 - This application is being considered in accordance with the Zoning Map Amendment procedures contained in Section 2-300 of the Zoning Ordinance.
-

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 February 5, 2014 meeting
 - This item will most likely return to the City Council for a public hearing and possible action on February 17, 2014
-

Fiscal Note/Budget Impact: N/A

Attachments: Application

CITY of BELOIT

PLANNING & BUILDING SERVICES DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2014-01

1. Address of subject property: 2508 Milwaukee Rd, Beloit, WI 53511

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

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

If more than two acres, give area in acres: 1.7421 acres.

See Attached

3. Tax Parcel Number(s): 23021500

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

5. Applicant's Name: School District of Beloit
1633 Keeler Ave Beloit WI 53511
(Address) (City) (State) (Zip)
608-361-4015 / _____
(Office Phone #) (Cell Phone #) _____
_____ (E-mail Address) ymarotz@sdb.k12.wi.us

6. **THE FOLLOWING ACTION IS REQUESTED:**
Change zoning district classification from Residential WPO to: PLI

All existing uses on this property are: _____

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

Secondary use(s): _____

Accessory use(s): _____

106814 511 255000 999

City of Beloit Zoning Map Amendment Application Form (continued)

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

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

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

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

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

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

Janelle Marotz (Signature of Owner) Janelle Marotz (Print name) 1-9-14 (Date)
(Signature of Applicant, if different) (Print name) (Date)

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

To be completed by Planning Staff
Filing Fee: \$275.00 Amount Paid: \$275.00 Meeting Date: Feb 5, 2014
Number of notices: x mailing cost (\$0.50) = cost of mailing notices: \$
Application accepted by: [Signature] Date: 1/10/14
Date Notice Published: Date Notice Mailed:

RESOLUTION
SETTING A DATE FOR A PUBLIC HEARING FOR THE
VACATION OF EXCESS S. TURTLE TOWNHALL ROAD RIGHT-OF-WAY
IN THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN

IT IS RESOLVED THAT a public hearing on the proposed Resolution to discontinue and vacate part of South Turtle Townhall Road situated in part of the N.E. ¼ of Section 21 and part of the N.W. ¼ of Section 22 being all a part of T. 1 N., R. 13 E. of the 4th P.M., now City of Beloit, Rock County, Wisconsin, shall be held at the regular **City Council Meeting on Monday, March 17, 2014**, and the City Clerk is authorized and directed to give notices required under Section 66.1003, Wisconsin Statutes.

Adopted this 3rd day of February, 2014.

City Council of the City of Beloit

Charles M. Haynes, Council President

Attest:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Petition for Vacation of Excess S. Turtle Townhall Road Right-of-Way

- Resolution Setting a Public Hearing Date
- Council Referral to the Plan Commission

Date: February 3, 2014

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

The Planning & Building Services Division has received a petition to vacate excess S. Turtle Townhall Road right-of-way east of the intersection with Gateway Boulevard.

Key Issues (maximum of 5):

- The right-of-way in question is no longer needed following the realignment of this intersection, and will be returned to the adjacent properties located at 9817 & 9949 S. Turtle Townhall Road. These properties were recently attached to the City of Beloit, and Corporate Contractors Inc. has proposed the construction of an office building on the subject properties and the excess right-of-way.
- The attached Plat of Vacation shows the excess right-of-way to be vacated.

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, which states that a Public Hearing on this matter shall be held at the regular City Council meeting on March 17, 2014
- Referral to the Plan Commission for the March 5, 2014 meeting

Fiscal Note/Budget Impact: N/A

Attachments: Resolution Setting a Public Hearing Date, Petition for Vacation, and Plat of Vacation.

PETITION FOR VACATION OF A PUBLIC RIGHT-OF-WAY

We, the undersigned hereby petition the City of Beloit to vacate the following portion(s) of the public right-of-way know as: South Turtle Towhhal Road

The portion of the right-of-way proposed to be vacated is further described on the attached *Plat of Vacation* prepared by Registered Land Surveyor:

Print NAME and ADDRESS of PETITIONER:	SIGNATURE: (If jointly owned, both owners should sign petition.)	DATE SIGNED:
Name: Corporate Contractors Inc Address: 655 3rd St. Suite 300 Beloit WI 53511		1-6-14
Name: Address:		

Contact person responsible for circulating this petition: Brad Austin

Address of contact person: 655 3rd St. Suite 300, Beloit WI 53511

Phone number of contact person: 362-2912

Signature of contact person: 

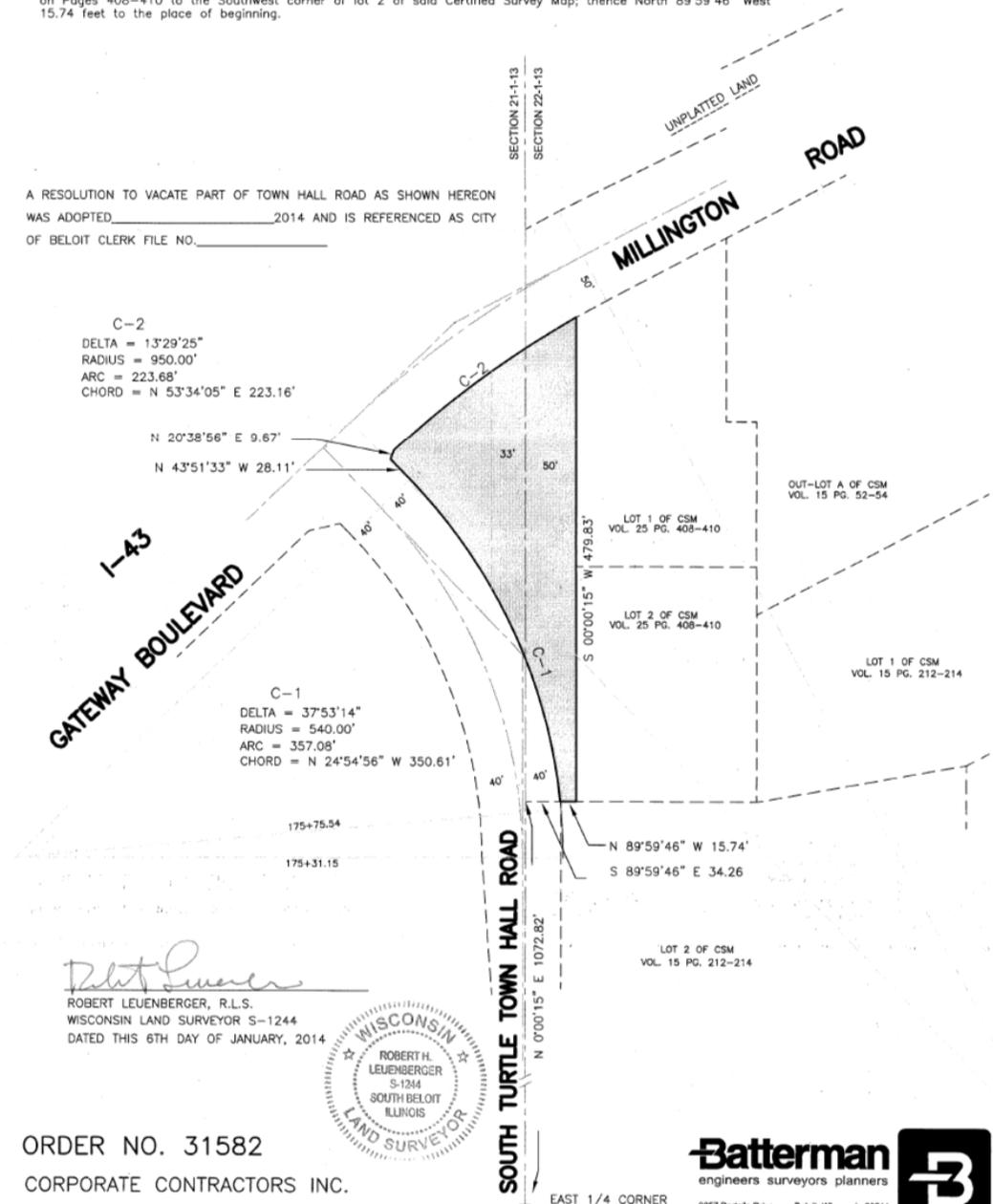
To be completed by Planning Staff	
Filing fee: \$75.00 Amount paid: <u>\$75.00</u>	Meeting date: <u>March 5, 2014</u> <u>Feb 5, 2014</u>
Application accepted by: <u>Don Panington</u>	Date: <u>1/7/14</u>

PLAT OF VACATION

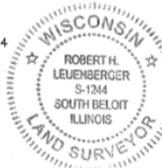
OF PART OF SOUTH TURTLE TOWN HALL ROAD SITUATED
 IN PART OF THE N.E. 1/4 OF SECTION 21 AND
 PART OF THE N.W. 1/4 OF SECTION 22 BEING ALL
 A PART OF T. 1 N., R. 13 E. OF THE 4TH P.M.,
 NOW CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS:
 Commencing at a cast iron monument marking the East 1/4 corner of Section 21, aforesaid;
 thence North 0°00'15" East 1072.82 feet along the East line of the N.E. 1/4 of said Section 21;
 thence South 89°59'46" East 34.26 feet to the place of beginning; thence along a curve to the left
 357.08 feet, having a radius of 540.00 feet and the chord being North 24°54'56" West 350.61 feet;
 thence North 43°51'33" West 28.11 feet; thence North 20°38'56" East 9.67 feet; thence along a curve
 to the right 223.68 feet, having a radius of 950.00 feet and the chord being North 53°34'05" East 223.16 feet;
 thence South 0°00'15" West 479.83 feet along the West line of a Certified Survey Map as recorded in Volume 25
 on Pages 408-410 to the Southwest corner of lot 2 of said Certified Survey Map; thence North 89°59'46" West
 15.74 feet to the place of beginning.

A RESOLUTION TO VACATE PART OF TOWN HALL ROAD AS SHOWN HEREON
 WAS ADOPTED _____ 2014 AND IS REFERENCED AS CITY
 OF БЕЛОIT CLERK FILE NO. _____



Robert Leuenberger
 ROBERT LEUENBERGER, R.L.S.
 WISCONSIN LAND SURVEYOR S-1244
 DATED THIS 6TH DAY OF JANUARY, 2014



ORDER NO. 31582
 CORPORATE CONTRACTORS INC.

File Name: J:\31551-31599\31582-CCI\31582-VACATION.DWG



**NOTICE OF PENDENCY
FOR THE VACATION OF EXCESS S. TURTLE TOWNHALL ROAD
RIGHT-OF-WAY IN THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN**

TO WHOM IT MAY CONCERN:

There will be a Resolution introduced and filed with the City Council of the City of Beloit, Rock County, Wisconsin on February 3, 2014 providing for the vacation of excess S. Turtle Townhall Road right-of-way in the City of Beloit, Rock County, Wisconsin, described as follows:

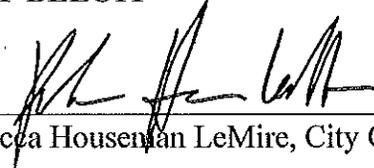
Part of South Turtle Townhall Road situated in part of the N.E. ¼ of Section 21 and part of the N.W. ¼ of Section 22 being all a part of T. 1 N., R. 13 E. of the 4th P.M., now City of Beloit, Rock County, Wisconsin.

A Plat of Vacation showing that portion of the right-of-way to be vacated is attached hereto and incorporated herein by reference. The City of Beloit may reserve and continue all easements for public utilities in the vacated area, including but not limited to sanitary and storm sewer, water, natural gas, and electric utility easements.

Proceedings after the introduction of the Resolution will be in accordance with the provisions of Section 66.1003 of the Wisconsin Statutes.

Dated this 27th day of January, 2014.

CITY OF БЕЛОIT

By: 
Rebecca Housenman LeMire, City Clerk

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 15.06(4)(b)1 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT RELATING TO ALCOHOL CONSUMPTION AND POSSESSION ON STREETS AND OTHER PUBLIC PLACES

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

Section 1. Section 15.06(4)(b)1 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) Exceptions.

1. Special annual events. Fermented malt beverages and wine may be sold and consumed and open containers of fermented malt beverages and wine may be possessed ~~on Riverside Drive between Henry Avenue and Portland Avenue or on Water Street from Mill Street to Shirland Avenue during "Riverfest";~~ in the 300 block of State Street, the 400 block of East Grand Avenue, or the municipal parking lot between Third and Fourth Streets at Grand Avenue during "Celebrate Downtown" weekend; during the City celebration of St. Patrick's Day on a day(s) in March; during the "Downtown Oktoberfest Celebration" on one weekend day in September or October; during the "Artwalk" on one weekend in May, Thursday through Sunday; for three separate annual single day events at the Beloit Public Library with all sale and consumption of fermented malt beverages and wine allowed only within the library building, each such event to be sponsored only by the Friends at Beloit Library (FABL) or the Beloit Public Library Foundation, Inc.; ~~and~~ during a Crimestoppers, Inc.; fundraiser on one weekend day in September; and in the 400 block of State Street and the 400 block of Public Avenue between East Grand Avenue and Pleasant Street for the MDA Tub Run fundraiser on one weekend day annually. Each of these annual events shall comply with the conditions specified in subparagraphs a. and b. below:
 - a. Duties of Sponsoring Organization. The sponsor of an authorized event shall do the following:
 - i. Obtain a permit from the City Manager to use the public property for the event.

- ii. Place a fence or barricade around the portion of the public property where fermented malt beverages or wine will be sold, consumed or possessed.
 - iii. Obtain a temporary Class "B" fermented malt beverage license and a "Class B" temporary wine license pursuant to §31.01 of this Municipal Code and Ch. 125, Wis. Stats.
 - iv. Provide adequate security or police protection to ensure public order and safety.
 - v. Provide a certificate of general liability insurance, including liquor liability coverage, and automobile liability insurance in an amount acceptable to the City's Risk Manager.
- b. Restriction on Possession and Consumption of Fermented Malt Beverages or Wine. Fermented malt beverages and wine purchased from the licensed sponsor may be possessed and consumed on the public street at an authorized event:
- i. Within the barricaded or fenced portion of the public property;
 - ii. During the hours that the event is open to the public; and
 - iii. By persons who are 21 years of age or older.”

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

Adopted this 3rd day of February, 2014.

BELOIT CITY COUNCIL

By: _____
Charles M. Haynes, President

ATTEST:

By: _____
Rebecca Houseman LeMire, City Clerk

PUBLISHED: _____

EFFECTIVE DATE: _____

01-611100-5231-_____

tdh/ord/15 06(4)(b)1=ord=140116 1534 (rdln) (13-1283)

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: An ordinance to amend Section 15.06(4)(b)1 relating to alcohol consumption and possession on streets and other public places

Date: February 3, 2014

Presenter(s): Thomas R. Casper

Department(s): Library

Overview/Background Information:

The Beloit Public Library enjoys substantial support from the Beloit Public Library Foundation, Inc. and the Friends at Beloit Library (FABL). At its regular meeting on January 15, 2014, the Library Board of Trustees considered and approved a resolution approving the request for amendment of the city ordinance regarding special annual events and the possession and consumption of alcohol in public places. A copy of said resolution is attached hereto.

Key Issues (maximum of 5):

1. This amendment would allow up to three separate annual single day events where the possession, sale and consumption of fermented malted beverages and wine would be allowed within the library building.
2. Each of the events would be required to have sponsorship by either the Friends at Beloit Library or the Beloit Public Library Foundation, Inc.
3. The events would be all limited to the interior of the building and alcohol would not be allowed on the exterior grounds surrounding the building.
4. Approval of this request would help promote community support for the library and enhance fundraising opportunities.

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

This resolution is consistent with the City Council's strategic initiatives.

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:

Consideration and approval of ordinance amendment.

Fiscal Note/Budget Impact:

It is believed that approval will enhance fundraising opportunities for the library.

**BELOIT PUBLIC LIBRARY
BOARD OF TRUSTEES**

**RESOLUTION ON
2014 MUNICIPAL ORDINANCE CHANGE REQUEST
SECTION 15.06(4)(b)1**

WHEREAS, the **Beloit Public Library Board of Trustees** administers the municipal public library, organized and existing under and by virtue of Wisconsin State Statute 43.52, and

WHEREAS, the **Beloit Public Library** receives financial support from the Beloit Public Library Foundation, Inc. and Friends at Beloit Library (FABL), and

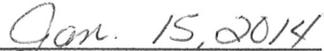
WHEREAS, the **Beloit Public Library** supports the fundraising efforts of the aforementioned groups,

NOW THEREFORE BE IT RESOLVED that the Beloit Public Library Board of Trustees approves the recommended language in the municipal ordinance change request and authorizes the Interim Library Directors to present this request to the City Council for and on behalf of the Beloit Public Library.

DULY ADOPTED by the Board of Trustees of the Beloit Public Library at its regularly scheduled meeting held on the 15th day of January, 2014, at which meeting a quorum was present.



Doreen Dalman, Library Board President



Date

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND RECREATE SECTION 15.07(5) OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO BOW AND ARROW USE IN THE CITY OF БЕЛОIT.

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

Section 1. Section 15.07(5) of the Code of General Ordinances of the City of Beloit is hereby repealed and recreated to read as follows:

“(5) BOW AND ARROW.

- (a) Except as provided in sub. (b), it shall be unlawful for a person to discharge a bow and arrow or crossbow within a distance of one hundred (100) yards from a building located on another person’s land. This restriction shall not apply if the person who owns the land on which the building is located allows and gives written permission to the person to use or discharge an arrow or bolt with a bow and arrow or crossbow within the specified distance of the building. Any person who discharges a bow and arrow or crossbow shall discharge the arrow or bolt toward the ground. The term “building” shall be as defined in section 29.038, Wis. Stats.
- (b) It shall be unlawful for a person to use or discharge a bow and arrow or crossbow on or across any portion of land owned or leased by the City. This section shall not apply to practice or match shoots of regular clubs or other persons upon prior notification of and written permission by the Police Department.
- (c) It shall be unlawful for a person to use or discharge a bow and arrow or crossbow where the arrow or bolt may endanger the life, limb or property of another or will traverse any part of any street, alley, public grounds or parks.”

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

Adopted this ____ day of _____, 2014.

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: An ordinance to repeal and recreate section 15.07(5) of the code of general ordinances of the City of Beloit pertaining to bow and arrow use in the City of Beloit

Date: February 3, 2014

Presenter(s): Jacobs

Department(s): Police

Overview/Background Information:

2013 Wisconsin Act 71 removes local government restrictions imposed for bow or crossbow hunting unless the restriction is to further public health or safety.

Key Issues (maximum of 5):

Act 71 allows a local government unit to place restrictions on local bow hunting only if they are related to health or safety.

Generally prohibiting bow hunting is not allowed.

Allowable restrictions are related to the hunting distance near buildings and discharging of the projectile toward the ground.

The ordinance will not generally allow bow hunting on or across any street, alley, public grounds or park.

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

Proactively promote a safe and healthy community, minimize personal injury, prevent loss of life and protect property.

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

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

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

Action required/Recommendation:

Recommend approval of the ordinance.

Fiscal Note/Budget Impact: N/A

**RESOLUTION DECLARING OFFICIAL INTENT
TO REIMBURSE EXPENDITURES
FROM PROCEEDS OF BORROWING**

WHEREAS, the City of Beloit, Rock County, Wisconsin (the "Issuer") plans to undertake capital projects approved by the City Council in the 2014 Capital Improvements Budget, as follows:

Project Title	Total Bonds	Total Project Cost
TERRACE TREE PLANTING	\$ 75,000	\$ 75,000
SIDEWALK IMPROVEMENTS	20,000	115,000
BIG HILL PARK PEDESTRIAN BRIDGE-BIKE TRAIL	36,000	90,000
STREET MAINTENANCE	1,634,242	1,634,242
KEN HENDRICKS/HENRY AVE BRIDGE REPLACEMENT	200,000	200,000
BAYLISS AVE. REHAB: GLEN - PARK	87,020	225,000
FOURTH STREET BRIDGE OVER LENNIGAN CREEK	30,000	150,000
PROPERTY ACQUISITION & CODE ENFORCEMENT DEMOLITION	205,000	205,000
PARK FACILITIES & AMENITIES ENHANCEMENT	198,000	198,000
RECREATION FACILITY ENHANCEMENTS	40,000	40,000
GOLF COURSE REPAIRS	15,000	15,000
CEMETERIES REPAIRS	60,000	60,000
TRANSIT COMPUTER EQUIPMENT REPLACEMENT	1,620	8,100
TRANSIT EQUIPMENT MAINTENANCE	3,200	16,000
TRANSIT GARAGE FACILITY MAINTENANCE	22,000	110,000
SELF CONTAINED BREATHING APPARATUS	200,000	200,000
MOBILE DATA COMPUTER REPLACEMENT	150,000	150,000
BRINE PRODUCTION & BLENDING UNIT	150,000	150,000
TELESCOPIC AERIAL TRUCK	75,000	75,000
TRANSIT BUSES	165,000	825,000
ATTENUATOR TRAILER	16,000	16,000
NEW AMBULANCE COTS (to pay-off 2013 lease/purchase)	111,216	151,216
Estimated Issuance Costs	50,000	50,000
Total	\$ 3,544,298	\$ 4,758,558

(the "Projects"), and;

WHEREAS, the Issuer expects to finance the Projects on a long-term basis by issuing tax-exempt bonds or other tax-exempt obligations (collectively, the "Bonds"), and;

WHEREAS, because the Bonds may not be issued prior to commencement of the Projects, the Issuer must provide interim financing to cover costs of the Projects incurred prior to receipt of the proceeds of the Bonds, and;

WHEREAS, the City Council (the "Governing Body") of the Issuer deems it to be necessary, desirable, and in the best interests of the Issuer to advance moneys from its funds on hand on an interim basis to pay the costs of the Projects until the Bonds are issued.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Issuer that:

Section 1. Expenditure of Funds. The Issuer shall make expenditures as needed from its funds on hand to pay the cost of the Projects until proceeds of the Bonds become available.

Section 2. Declaration of Official Intent. The Issuer hereby officially declares its intent under Treas. Reg. Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed \$3,544,298, including estimated cost of issuance.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Projects from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Issuer pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. The Resolution shall be made available for public inspection at the office of the Issuer's Clerk within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including Subchapter II of Chapter 19, and shall remain available for public inspection until the Bonds are issued.

Section 5. Effective Date. This Resolution shall be effective upon its adoption and approval.

Dated at Beloit, Wisconsin this 3rd day of February 2014.

BELOIT CITY COUNCIL

Charles M. Haynes, President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Resolution Declaring Intent to Reimburse Expenditures from Bond Proceeds

Date: February 3, 2014

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

Department(s): Finance and Administrative Services

Overview/Background Information: Each year as part of the city's budget and capital project planning process, staff evaluates scheduled capital improvement projects included in the Capital Budget and CIP to determine those that are eligible and require debt financing as a funding source for project completion. For those projects included in the adopted 2014 Capital Budget, the plan was to issue approximately \$3.5 million in General Obligation debt. A list of the capital projects scheduled for 2014 bond financing is included in the Declaration of Intent Resolution. U. S. Treasury Regulations Section 1.150-2 requires the city to declare its official intent to reimburse any advanced payments of project expenditures from the bond proceeds. The Council must make this declaration by resolution.

Key Issues (maximum of 5):

1. As part of the approved 2014 Capital Budget and CIP debt financing is required to fund scheduled capital improvement projects.
2. To reimburse project expenditures incurred prior to completion of the bond financing requires a formal declaration of intent to reimburse as required by U. S. Treas. Regs. 1.150-2.

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

The 2014 bond financings will satisfy four of the five key goals contained in the city's Strategic Plan.

1. As an eco-municipality, focus on the sustainable stewardship of City resources, services and infrastructure; to protect both our built and natural environment and enhance the quality of life for current and future generations.
2. Proactively partner with individuals and businesses to promote a safe and healthy community, minimize personal injury, prevent loss of life and protect property and natural resources.
3. Communicate and partner with other jurisdictions and organizations to coordinate effective and efficient service delivery and stimulate regional prosperity.
4. Apply sound, sustainable practices to promote a high quality community through historic preservation, community revitalization and new development.

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

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

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 adoption of the Resolution in order to comply with U.S. Treasury Regulations related to the issuance of tax exempt debt.

Fiscal Note/Budget Impact:

There is no fiscal impact associated with this action. This resolution does not obligate the city to issue debt or proceed with the sale of any debt instruments.

**A RESOLUTION
AMENDING THE 2014 CAPITAL BUDGET FOR THE
ACQUISITION OF THE HEXTER-LONG PARCELS IN TAX
INCREMENT DISTRICT #10**

WHEREAS, the City adopted the 2014 Capital Budget on November 4, 2013; and,

WHEREAS, on January 6, 2014, the City Council approved the acquisition of property in Tax Increment District #10 commonly known as the Hexter-Long Farm; and

WHEREAS, in order to complete the purchase of the property, the 2014 Capital Budget must be amended and an appropriation in the amount of \$1,195,000 be approved by the City Council.

NOW, THEREFORE, BE IT RESOLVED the 2014 Capital Budget of the City of Beloit is hereby amended to include the acquisition of property in Tax Increment District #10, commonly known as the Hexter-Long Farm as follows.

FUNDING SOURCES:

FUNDING:

P5021600-4999-2014 - Fund Balance	<u>(\$1,195,000)</u>
Total	<u>(\$1,195,000)</u>

EXPENDITURES:

	<u>Original</u>	<u>Amended</u>	<u>Difference</u>
P5021600-5510-2014 - Land Acquisition	\$0	\$1,180,000	<u>\$ 1,195,000</u>
Total			<u>\$1,195,000</u>

Dated at Beloit, Wisconsin, this 3rd day of February 2014.

Charles M. Haynes, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: 2014 capital budget amendment and appropriation of funds for acquisition of the Hexter-Long property in Tax Increment District #10.

Date: February 3, 2014

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

Overview/Background Information: On January 6, 2014, the City Council authorized the acquisition of the Hexter-Long Farm property located in Tax Increment District #10. The \$1,180,000 acquisition includes approximately 108 acres of which 97 is considered developable land. Other costs associated with the acquisition include a survey, phase one environmental study and closing costs totaling an estimated \$15,000. The 2014 capital budget did not include this acquisition so a budget amendment and appropriation needs to be approved by City Council in the amount of \$1,195,000 for the cost of the acquisition. TID #10 has adequate resources available to fund this purchase.

Key Issues (maximum of 5):

1. The 2014 capital budget must be amended and an appropriation in the amount of \$1,195,000 be approved to complete the purchase of the Hexter-Long Farm property.
2. Adequate resources are available in TID #10 to complete the purchase.

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

N/A

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

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

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

Action required/Recommendation: Staff recommends Council approval of the budget amendment and appropriation.

Fiscal Note/Budget Impact: Sufficient funds are available in TID #10.