



**AGENDA  
BELOIT CITY COUNCIL  
100 State Street, Beloit WI 53511  
City Hall Forum – 7:00 p.m.  
Monday, May 19, 2014**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
  - a. Motion to accept resignation of Councilor Leavy (Spreitzer)
  - b. Presentation of Plaque to **Kevin Leavy** by a grateful community in appreciation for service on the Beloit City Council from April 2003 to April 2014 (Spreitzer)
4. PUBLIC HEARINGS
  - a. Resolution authorizing a **Conditional Use Permit** to allow an Outdoor Seating Area and the outdoor sale, possession, and consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at 1901 Liberty Avenue (Clara Bo and Gatsby Wine Bar) (Christensen)  
Plan Commission recommendation for approval 5-0
5. CITIZENS PARTICIPATION
6. CONSENT AGENDA

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

  - a. Approval of the **Minutes** of the Regular Meeting of May 5, 2014 (Ahrens)
  - b. Resolution approving an **Amendment to the Class “B” Beer and “Class B” Liquor License** for the Hideout, LLC, d/b/a Clara Bo and Gatsby Wine Bar, located at 1901 Liberty Avenue, Scott Murray, Agent, to amend the licensed premises description to include an outdoor seating area (Ahrens) ABLCC recommendation for approval 7-0
  - c. Application for the renewal of a **Class “B” Beer and “Class C” Wine License** for Salvador’s Restaurant, located at 907 Bayliss Avenue, Salvador Sanchez, Owner (Ahrens) Refer to ABLCC
  - d. Resolution awarding **Public Works Contract C14-07**, Street Resurfacing (Boysen)
7. ORDINANCES
  - a. Proposed Ordinance to repeal and recreate Chapter 10 of the Code of General Ordinances of the City of Beloit relating to the **Electrical Code** (Christensen)  
First Reading

- b. Proposed Ordinance to amend sections of the Code of General Ordinances of the City of Beloit pertaining to **Wastewater Pretreatment System** (Simplot) First Reading
- c. Proposed Ordinance to establish **3-hour Parking Time Limit** for entire Angel Museum Parking Lot except handicap accessible and staff designated stalls (Boysen) First Reading, suspend rules for Second Reading  
Traffic Review Committee recommendation for approval 5-0
- d. Proposed Ordinance to establish **No-Parking** on Ironworks Drive and Third Street (Boysen) First Reading, suspend rules for Second Reading  
Traffic Review Committee recommendation for approval 5-0

## 8. APPOINTMENTS

## 9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

## 10. CITY MANAGER'S PRESENTATION

- a. **Parks and Recreation** Presentation on Summer Activities (Ramsey/Waite)
- b. **Code Enforcement** Presentation (Downing)

## 11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Resolution authorizing the Schedule of Fees for Chapter 10 of the Code of General Ordinances for the City of Beloit related to the **Electrical Code** (Christensen)
- b. Resolution approving an attempt to fill a **Vacancy in the Office of City Councilor**, setting a date, time and place for a meeting to review applications and select applicants; and a further meeting to approve applicant questionnaire and interview applicants to fill vacancy (Arft)

## 12. ADJOURNMENT

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

Dated: May 14, 2014  
Jelene J. Ahrens, WCMC  
City of Beloit Deputy City Clerk  
[www.beloitwi.gov](http://www.beloitwi.gov)

You can watch this meeting live on Charter PEG digital channel 992. Meetings are rebroadcast during the week of the Council meeting on Wednesday at 8:30 a.m. and Thursday at 9:00 a.m. and the following Monday at 8:00 p.m.

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**Subject:**

FW: Resignation

-----Original Message-----

From: Leavy, Kevin

Sent: Monday, May 05, 2014 7:15 PM

To: Arft, Larry

Cc: Spreitzer, Mark

Subject: Resignation

Larry,

It is with great sadness that I must announce my resignation from the Beloit City Council. This is not an easy task, I have enjoyed my time on the council and we have accomplished a lot. Continue to work to move the city forward, we have come a long way under your leadership. You have accomplished so much since you have been here stay the course. As you know I started a new career in December and it has huge demands on my time.

I will finish out the month of May, I have truly enjoyed being part of the council and working with city staff. I wish you all well.

Please share this email with other councilors and city staff.

Sincerely,

Kevin D. Leavy

**RESOLUTION**  
**AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW AN OUTDOOR SEATING AREA AND OUTDOOR SALES, POSSESSION, & CONSUMPTION OF ALCOHOL IN A C-2, NEIGHBORHOOD COMMERCIAL DISTRICT, FOR THE PROPERTY LOCATED AT 1901 LIBERTY AVENUE**

**WHEREAS**, the application of Angus Young Associates for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at 1901 Liberty Avenue, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the City Council of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at 1901 Liberty Avenue in the City of Beloit, for the following described premises:

LOT 10 BLOCK 8 OF HARPERS LITTLE FARMS, SITUATED IN THE CITY OF БЕЛОIT, COUNTY OF ROCK, STATE OF WISCONSIN (A/K/A 1901 LIBERTY AVENUE). SAID PARCEL CONTAINS 0.8649 ACRE, MORE OR LESS.

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

1. This Conditional Use Permit authorizes a 10'4" x 52'8" outdoor seating area on the east side of the existing building shown in the application attachments and the extension of the sale, possession, & consumption of alcohol into said area subject to all of the conditions of approval.
2. Prior to establishment of the conditional uses, the applicant shall amend the liquor license for the premises to include the outdoor seating area.
3. The outdoor seating area shall be surrounded by 4-foot fence that must be at least 50% see-through **or whatever design is approved by the Board of Appeals.**
4. Before construction begins, the applicant shall obtain an Architectural Review Certificate, Fence Permit, and a Building Permit.
5. The maximum capacity of the outdoor seating area shall be 26 persons. This maximum capacity shall be posted inside the building and within the outdoor seating area. The door leading to the outdoor seating area shall be marked as an exit and the path of egress shall remain clear at all times.
6. The applicant shall provide a visible and/or audible fire alarm within the outdoor seating area.
7. Music may not be played in the outdoor seating area after 10:00 PM.

8. The property owner shall be responsible for all costs associated with any maintenance or repairs needed for the water and sewer laterals that may be covered by the proposed outdoor seating area.
9. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Planning and Building Services Director may approve minor changes administratively.

Adopted this 19<sup>th</sup> day of May, 2014.

**BELOIT CITY COUNCIL**

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Mark Spreitzer, Council President

ATTEST:

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Jelene J. Ahrens, WCMC, Deputy City Clerk



# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Conditional Use Permit Application for the property located at 1901 Liberty Avenue

**Date:** May 19, 2014

**Presenter(s):** Julie Christensen

**Department:** Community Development

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### Overview/Background Information:

Angus Young Associates has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at 1901 Liberty Avenue.

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### Key Issues (maximum of 5):

- This property was previously the site of the Liberty Inn. It is currently being renovated to become Clara Bo Steak & Seafood Restaurant and Gatsby Wine Lounge. This property recently completed the Site Plan Review process. With that, all parking, loading areas, and landscaping are in agreement with the City's Zoning Ordinance.
- The applicant had originally proposed a 10'2" x 40'6" outdoor seating area on the east side of the building. After a fire inspection, they expanded the north section of the patio to allow for a larger path of egress. The new proposed dimensions are 10'4" x 52'8".
- The applicant has been granted approval from the Board of Appeals to install a privacy fence made of wood, laid herringbone, with a maximum height of 7'4". The design of the proposed fence will mimic the design of the fencing on the west elevation.
- Section 4-704 of the Zoning Ordinance states that outdoor seating areas for restaurants are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.
- The Plan Commission reviewed this item on April 9, 2014 and voted unanimously (5-0) to recommend approval of the Conditional Use Permit, subject to the conditions recommended by the Planning and Building Services Division and with a revision to condition #3, shown on the attached Resolution.

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### 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.

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### 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

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### Action required/Recommendation:

- City Council consideration and action on the proposed Resolution

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**Fiscal Note/Budget Impact:** N/A

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**Attachments:** Resolution and Staff Report to the Plan Commission

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION



**Meeting Date:** April 9, 2014

**Agenda Item:** 3

**File Number:** CU-2014-05

**Applicant:** Angus Young Associates

**Owner:** Scott Murray

**Location:** 1901 Liberty Avenue

**Existing Zoning:** C-2, Neighborhood Commercial District

**Existing Land Use:** Vacant Bar & Restaurant

**Parcel Size:** .8649 Acre

### Request Overview/Background Information:

Angus Young Associates has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at 1901 Liberty Avenue. The attached **Location and Zoning Map** shows the location of the parcel involved in this application. The adjacent zoning and land uses are as follows:

North: R-1A, Single-Family Residential District; Single-Family Residential

South: R-1B, Single-Family Residential District; Single-Family Residential & Rental

East: R-1B, Single-Family Residential District; Single-Family Residential & Rental

West: R-1A, Single-Family Residential District; Single-Family Residential

### Key Issues:

- This property was previously the site of the Liberty Inn. It is currently being renovated to become Clara Bo Steak & Seafood Restaurant and Gatsby Wine Lounge.
- This property recently completed the Site Plan Review process. With that, all parking, loading areas, and landscaping are in agreement with the City's Zoning Ordinance.
- The applicant had originally proposed a 10'2" x 40'6" outdoor seating area on the east side of the building. After a fire inspection, they expanded the north section of the patio to allow for a larger path of egress. The new proposed dimensions are 10'4" x 52'8".
- The applicant is proposing a 6' privacy fence made of wood, laid herringbone, and brick columns. This mimics the approved fencing on the west side of the building. Since the outdoor seating area is in the street-side yard, the fence must be at least 50% see-through and not exceed 4' in height. Once the applicant selects a new design, it will be approved during Architectural Review.
- The proposed outdoor seating area includes creating a platform off of the existing eastern door which will hold one (1) table and the addition of a staircase exiting south to a patio area. This area will include an emergency exit door and approximately six (6) tables.
- Section 4-704 of the Zoning Ordinance states that outdoor seating areas for restaurants are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.
- The City's Review Agents have reviewed this application. Water Resources noted that the water and sewer laterals for the property may be under the proposed patio area. The applicant is currently researching this. A condition of approval has been added to address this. No other comments were received.
- The attached Public Notice was sent to 19 nearby property owners. One property owner came out opposed to the seating area, stating littering as their main concern. Another property owner has concerns about noise and music control, but is supportive of the project overall. A condition of approval concerning noise control is being recommended to address this issue. No other comments were received.
- **Findings of Fact**

Based on Section 2-504 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

- a. *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
  - Subject to certain conditions of approval, the proposed outdoor seating area will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
  - The proposed outdoor seating area is surrounded by residential properties. Subject to certain conditions of approval, specifically the music time limit, these properties will not be affected by the outdoor seating area.
- c. *Whether the conditional use will substantially diminish or impair property values within the*

*neighborhood of the subject property;*

- The proposed uses will not diminish or impair property values within the neighborhood. The renovation of the site, including the addition of the outdoor seating area, is expected to have a positive impact on the neighborhood.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
  - Not Applicable.
- e. *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
  - The proposed architectural design and site layout are compatible with existing properties in the neighborhood.
- f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
  - Adequate facilities and infrastructure are available to serve the conditional use.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
  - The subject property includes adequate off-street parking and the proposed use is not expected to cause traffic congestion.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
  - The conditional uses will comply with all other applicable regulations of the Zoning Ordinance.

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#### **Consistency with Comprehensive Plan and Strategic Plan:**

The City's Comprehensive Plan recommends Neighborhood Commercial for the subject property. Consideration of this request supports City of Beloit Strategic Goal #5.

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#### **Sustainability:**

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

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#### **Staff Recommendation:**

The Planning and Building Services Division recommends **approval** of a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at 1901 Liberty Avenue, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes a 10'4" x 52'8" outdoor seating area on the east side of the existing building shown in the application attachments and the extension of the sale, possession, & consumption of alcohol into said area subject to all of the conditions of approval.
2. Prior to establishment of the conditional uses, the applicant shall amend the liquor license for the premises to include the outdoor seating area.
3. The outdoor seating area shall be surrounded by 4-foot fence that must be at least 50% see-through.
4. Before construction begins, the applicant shall obtain an Architectural Review Certificate, Fence Permit, and a Building Permit.
5. The maximum capacity of the outdoor seating area shall be 26 persons. This maximum capacity shall be posted inside the building and within the outdoor seating area. The door leading to the outdoor seating area shall be marked as an exit and the path of egress shall remain clear at all times.
6. The applicant shall provide a visible and/or audible fire alarm within the outdoor seating area.
7. Music may not be played in the outdoor seating area after 10:00 PM.
8. The property owner shall be responsible for all costs associated with any maintenance or repairs needed for the water and sewer laterals that may be covered by the proposed outdoor seating area.
9. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Planning and Building Services Director may approve minor changes administratively.

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**Fiscal Note/Budget Impact:** N/A

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



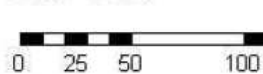
# Location & Zoning Map

1901 Liberty Avenue



CU-2014-05



1 inch = 74 feet



### Legend

-  Foot COB Parcels
-  50 Zoning District

Map prepared by: Stephanie Hummel  
Date: March 2014  
For: City of Beloit Planning & Building Services  
Date of Aerial Photography: March 2011

## PLANNING & BUILDING SERVICES DIVISION





**Proposed Fence Style for Seating Area; Current fencing on west side of building**



**Current View**



# CITY of BELOIT

## Neighborhood Planning 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-2014-05

1. Address of subject property: 1901 Liberty Avenue
2. Legal description: Lot 10, Block 8 of Harper's Little Farms, City of Beloit, Rock County, Wisconsin  
If property has not been subdivided, attach a copy of the complete legal description from deed.  
Property dimensions are: 296.50 feet by 126.75 feet = 37581.38 square feet.  
If more than two acres, give area in acres: 8049 acres.
3. Tax Parcel Number(s): 12750690 C-2
4. Owner of record: Scott Murray Phone: (608) 312-6844  
1517 Parker Court, Janesville, WI 53545  
(Address) (City) (State) (Zip)
5. Applicant's Name: Angus Young Associates - Jeff Davis  
555 S. River Street, Janesville, WI 53548  
(Address) (City) (State) (Zip)  
(608) 756-2326 / jeffd@angusyoung.com  
(Office Phone #) (Cell Phone #) (E-mail Address)
6. All existing use(s) on this property are: \_\_\_\_\_  
Restaurant
7. **THE FOLLOWING ACTION IS REQUESTED:**  
A Conditional Use Permit for: Outdoor patio & alcohol sales  
\_\_\_\_\_ in a(n) C-2 \_\_\_\_\_ Zoning District.
8. All the proposed use(s) for this property will be:  
Principal use: \_\_\_\_\_  
Restaurant  
Secondary use: \_\_\_\_\_  
Accessory use: \_\_\_\_\_



9. Project timetable: Start date: 4/20/2014 Completion date: 7/31/2014

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: Architectural services
- 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.

Scott Murray / Scott Murray / 3-11-14  
 (Signature of Owner) (Print name) (Date)

Jeff Davis / Jeff Davis / 3-11-14  
 (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 Neighborhood Planning Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

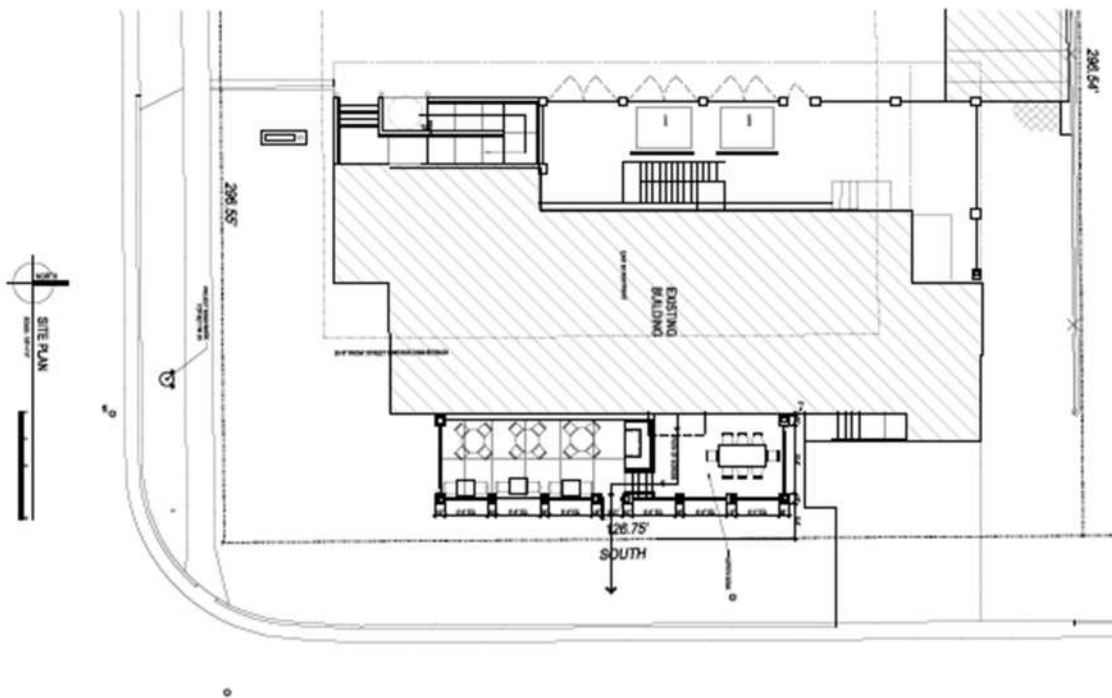
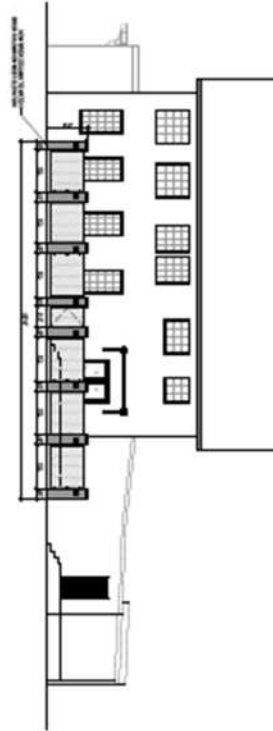
This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice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

**To be completed by Planning Staff**

Filing fee: **\$275.00** Amount paid: 275.00 Meeting date: 4/9/14

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

Application accepted by: [Signature] Date: 3/13/14



C102

PROJECT NUMBER	0004.00-01.01
S&P	0004.00-01.01
APPROVED BY	JPT
REVISED BY	JPT
DATE	02/20/14

LIBERTY INN RENOVATION  
 AND ADDITION  
 HIDEOUT PROPERTIES, LLC  
 BELOIT, WI

**Angus Young** Architecture  
 Engineering  
 Interior Design  
 411 South State Street, Beloit, WI 53510-4101  
 Ph: 608.733.2124 Fax: 608.733.2125  
 www.angusyoung.com

REVISION	DATE
CITY OF BELLOIT RESOLUTION # 000000	
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City of  
**BELOIT, Wisconsin**  
Division of Planning and Building Services

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

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

[www.ci.beloit.wi.us](http://www.ci.beloit.wi.us)

Equal Opportunity Employer

## **NOTICE TO THE PUBLIC**

March 25, 2014

To Whom It May Concern:

Angus Young Associates has filed an application for a Conditional Use Permit to allow outdoor seating area in a C-2, Neighborhood Commercial District, for the property located at:

**1901 Liberty Avenue.**

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

**City Plan Commission:** Wednesday, April 9, 2014, at 7:00 p.m., or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**City Council:** Monday, April 21, 2014, at 7:00 p.m., or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

### **THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.**

**We are interested in your opinion.**

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

*For additional information, please contact Stephanie Hummel in the Planning and Building Services Division at (608) 364-6708 or by email at [hummels@ci.beloit.wi.us](mailto:hummels@ci.beloit.wi.us). Comments will be accepted via telephone, email, and U.S. Mail.*

JOSEPH & JEANETTE HANSEN  
2516 CLIFCORN DR  
BELOIT, WI 535119698

LISA CUMMINGS  
1822 LIBERTY AVE  
BELOIT, WI 53511

NANCY STORY  
1902 LIBERTY AVE  
BELOIT, WI 535114077

MARY KRUMENAUER  
1908 LIBERTY AVE  
BELOIT, WI 53511

SANDRA MANNING BROWN  
1127 RIDGEWAY ST  
BELOIT, WI 535110818

STEVEN DIBBLE  
2543 BOOTMAKER DR  
BELOIT, WI 535110818

DONALD E & MABEL L POPPIE REVOCABLE  
TRUST  
514 S DOE DR  
BELOIT, WI 53511

DOUGLAS CASH  
P O BOX 1317  
BELOIT, WI 535121317

DENNIS P & DARLA L STEARNS  
94 AUTUMNWOOD DR  
ROCKTON, IL 61072

PAUL & DARLENE RAMAGE REV TRST  
1109 TOWNLINE AVE  
BELOIT, WI 535114150

HIDEOUT PROPERTIES LLC  
1517 N PARKER CT  
JANESVILLE, WI 53545

AMANDA UNDERHILL  
941 JOHNSON ST  
BELOIT, WI 53511

MARILYN THOMAS  
14643 HANSBERRY RD  
ROCKTON, IL 61072

JAMES & TAMRA HORNAGOLD  
1118 TOWNLINE AVE  
BELOIT, WI 53511

ROBERT A & MARY ANN SVEOM  
1131 RITSHER ST  
BELOIT, WI 53511

WENDY ANN BELL  
2451 S COUNTRY LANE  
BELOIT, WI 53511

RICHARD & BETTY RHEAD  
14643 HANSBERRY RD  
ROCKTON, IL 61072

PETER E & PAMELA L ROUNDS  
2034 MASTERS ST  
BELOIT, WI 53511

BEL KAY INVESTMENTS INC  
12342 W SPRING VALLEY RD  
JANESVILLE, WI 535484150

AARON & RACHEL L FRERICHS  
1130 TOWNLINE AVE  
BELOIT, WI 535114151

ANGUS YOUNG ASSOCIATES  
555 S RIVER STREET  
JANESVILLE, WI 53548



**PROCEEDINGS OF THE BELOIT CITY COUNCIL**  
**100 State Street, Beloit WI 53511**  
**Monday, May 4, 2014**

Presiding: Mark Spreitzer  
Present: Sheila De Forest, Charles M. Haynes, Ana Kelly, Chuck Kincaid, Kevin Leavy,  
David F. Luebke  
Absent: None

1. The meeting was called to order at 7:00 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
  - a. Community and Housing Services Director Teri Downing, announced the winners of the **Fair Housing Poster Contest** with the theme of "I have a Dream of Fair Housing". First place award certificate will be sent to Olivia Burakowski and the second place award will be sent to Carya Garrett. File 7148
  - b. Vice President Haynes presented a proclamation declaring May 11-17, 2014 as **National Police Week** to Police Chief Norm Jacobs. File 7148
  - c. Vice President Haynes presented a proclamation declaring May 18-24, 2014 as **Emergency Medical Services Week** to Fire Chief Brad Liggett and Deputy Fire Chief Joe Murray. Chief Liggett stated it was important to recognize forty years of Emergency Medical Services and advanced medical care. Deputy Chief Murray distributed commemorative coins recognizing the 40th anniversary to the City Council. Chief Liggett introduced Jay McNeal, Medical Director from Mercy Hospital, who commended the Beloit Paramedic Program. File 7148
  - d. Vice President Haynes presented a proclamation declaring May 18-24, 2014 as **National Public Works Week** to Public Works Director Gregory Boysen. Mr. Boysen stated his department is sponsoring an informational program on May 17<sup>th</sup> at the Farmers Market. File 7148
4. PUBLIC HEARINGS
  - a. Community Development Director Julie Christensen presented a proposed Ordinance amending **Zoning District Map** to change the zoning district classification of a portion of the property located at 312 West Grand Avenue from R-1B, Single-family Residential District, to C-1, Office District. It was noted that the Planning Commission recommended approval 4-0. Council President Spreitzer opened and closed the public hearing without participation. Councilor De Forest made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Haynes seconded, and the motion carried 7-0. Councilor Luebke made a motion to enact the ordinance based on its merits, and Councilor Kincaid seconded. The motion carried 7-0. File 8643 Ordinance 3532
  - b. Ms. Christensen presented a resolution amending the **2014 Community Development Block Grant (CDBG) Action Plan and Budget**. Ms. Christiansen explained that this amendment was necessary because of an increase in the amount of the Grant from the Department of Housing and Urban Development. Ms. Christensen stated the Community Development Authority recommended increasing the amounts approved for public service activities by approximately 20% and allocating the remaining grant funds to the City's Housing Rehab Revolving Loan Fund. Council President Spreitzer opened and closed the public hearing with no participation. Councilor Haynes made a motion to approve the resolution, and Councilor Kelly seconded. Motion carried 7-0. File 8601



## 5. CITIZENS PARTICIPATION

- Dennis Murphy, 1107 Harrison Avenue, expressed his appreciation to the City of Beloit services during the difficult winter, specifically public works for snow plowing, trash & recycling collection, police, fire and emergency medical personnel.

## 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. and 6.b. Councilor Kincaid seconded, and the motion carried that the Consent Agenda, consisting of items 6.a. and 6.b. 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 April 21, 2014 were approved
- b. Applications for **Renewal of Alcohol Beverage Licenses** for License Period July 1, 2014 – June 30, 2015 were referred to Alcohol Beverage License Control Committee. File 8645
- c. Public Works Director, Gregory Boysen, presented a resolution authorizing **Final Payment** of Contract C09-16, Krueger-Haskell Storm Water Ponds. Mr. Boysen stated Iverson Construction, LLC has completed construction of the project and filed all the required paperwork, therefore, final payment should be issued. Councilor De Forest commented this project was completed some time ago and the City was not satisfied with the restoration and asked if the City has changed their specifications for future restoration projects. Mr. Boysen stated the contractor met the specifications of the contract; however, they have discussed using a higher grade of organic top soil in the future. Councilor Leavy made a motion to adopt this resolution, and Councilor Luebke seconded. The Motion carried 7-0. File 8444

## 7. ORDINANCES - None

## 8. APPOINTMENTS - None

## 9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor Luebke stated it was wonderful to see downtown Beloit come alive again with the Farmers Market and the dedication of the Wood Family Bridge.
- Councilor De Forest said that she attended the Arbor Day Activities, Earth Day Festival, El Dia Del Nino, and extended congratulations to Beloit College graduates.
- Councilor Kelly attended the spelling bee at Beloit Public Library, the Downtown Bash, and Beloit Memorial Prom.
- Councilor Spreitzer said that he attended the Arbor Day activities, Dedication of the Wood Family Bridge, Earth Day Festival, and Garden Kaleidoscope.

## 10. CITY MANAGER'S PRESENTATION – none

## 11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Chief Norm Jacobs presented a resolution approving \$5,000 **Seat Belt Enforcement Grant** and \$10,000 **Speed Enforcement Grant** from the Wisconsin Bureau of Transportation Safety. Councilor De Forest asked where the money would be coming from for the 25% match and Chief Jacobs replied the funds will come from In-kind Service and would not be taken from patrol time funding. Councilor Luebke made a motion to adopt the resolution, seconded by Councilor Leavy. The motion carried 7-0. File 7947
- b. Mr. Boysen presented a resolution approving Grants from the Wisconsin Department of Natural Resource for **Big Hill Park Trail Improvements**. Mr. Boysen stated two contracts are included for one grant to allow for faster implementation of the Goose Creek Bridge structure. The two projects will be part of the linkage from Beloit to Janesville and completes the City's portion of this trail system. Councilor De Forest voiced her concern of the matching funds coming from the CIP

Budget for the Parks and Recreation portion of the CIP budget. City Manager Arft stated the 2015 CIP is not completed yet and the amount of the matching grant coming from it will be decided by Council at a later time. Council Luebke made a motion to adopt the resolution, seconded by Councilor Haynes. The motion carried 7-0 File 8587

12. At 7:38 p.m., Councilor De Forest made a motion to adjourn the meeting, and Councilor Kelly seconded. The motion carried 7-0.

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Judith A. Elson  
Deputy City Clerk

[www.beloitwi.gov](http://www.beloitwi.gov)

Date approved by Council:

**RESOLUTION**  
**APPROVING AN AMENDMENT TO THE CLASS “B” BEER AND “CLASS B”**  
**LIQUOR LICENSE FOR THE HIDEOUT, LLC, D/B/A CLARA BO AND GATSBY**  
**WINE BAR, FOR AN OUTDOOR PREMISE EXTENSION**

**WHEREAS**, an application has been received to amend the licensed premise description for The Hideout, LLC, d/b/a Clara Bo and Gatsby Wine Bar, 1901 Liberty Avenue; and

**WHEREAS**, the Alcohol Beverage License Control Committee recommended approval of the amendment for the purpose of adding outdoor seating area to the licensed premise description; and

**WHEREAS**, the City Council has adopted a resolution approving a Conditional Use Permit to allow outdoor seating and the outdoor sales, possession, and consumption of alcohol in a C-2, Neighborhood Commercial District, for this property with appropriate conditions, and the Permit becomes effective once all conditions have been met.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Beloit that the amendment to the licensed premise description is hereby approved and the applicant is authorized to amend the alcohol application currently on file in the City Clerk’s Office to include the area of the outdoor premise extension, per the Conditional Use Permit.

Dated this 19<sup>th</sup> day of May 2014.

\_\_\_\_\_  
Mark Spreitzer, City Council President

Attest:

\_\_\_\_\_  
Jelene J. Ahrens, WCMC, Deputy City Clerk



**ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE  
RECOMMENDATION**

**TO:** Beloit City Council

**FROM:** Alcohol Beverage License Control Committee

**DATE:** April 8, 2014

**SUBJECT: Outside Premises Extension for Hideout LLC, d/b/a Clara Bo  
and Gatsby Wine Bar, 1901 Liberty Avenue**

The Alcohol Beverage License Control Committee recommends the Beloit City Council approve the application for an Outside Premises Extension for hideout LLC, d/b/a Clara Bo and Gatsby Wine Bar, 1901 Liberty Avenue, Scott Murray, Agent/Owner.

Motion carried 7-0

Rebecca Houseman LeMire  
City Clerk



City Clerk  
100 State Street, Beloit, WI 53511  
Ph: 608-364-6680; Fax: 608-364-6649

**APPLICATION FOR AMENDMENT OF "CLASS B" FERMENTED MALT BEVERAGE & INTOXICATING LIQUOR LICENSE  
OUTSIDE PREMISES EXTENSION**

Name of Licensed Premises: CLARA BO AND GATSBY WINE BAR

Address: 1901 LIBERTY AVE, BELOIT, WI

Applicant's Name: SCOTT MORRIS

Phone Numbers - business and personal: CELL 608-312-6844

Purpose for requesting the outside extension:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

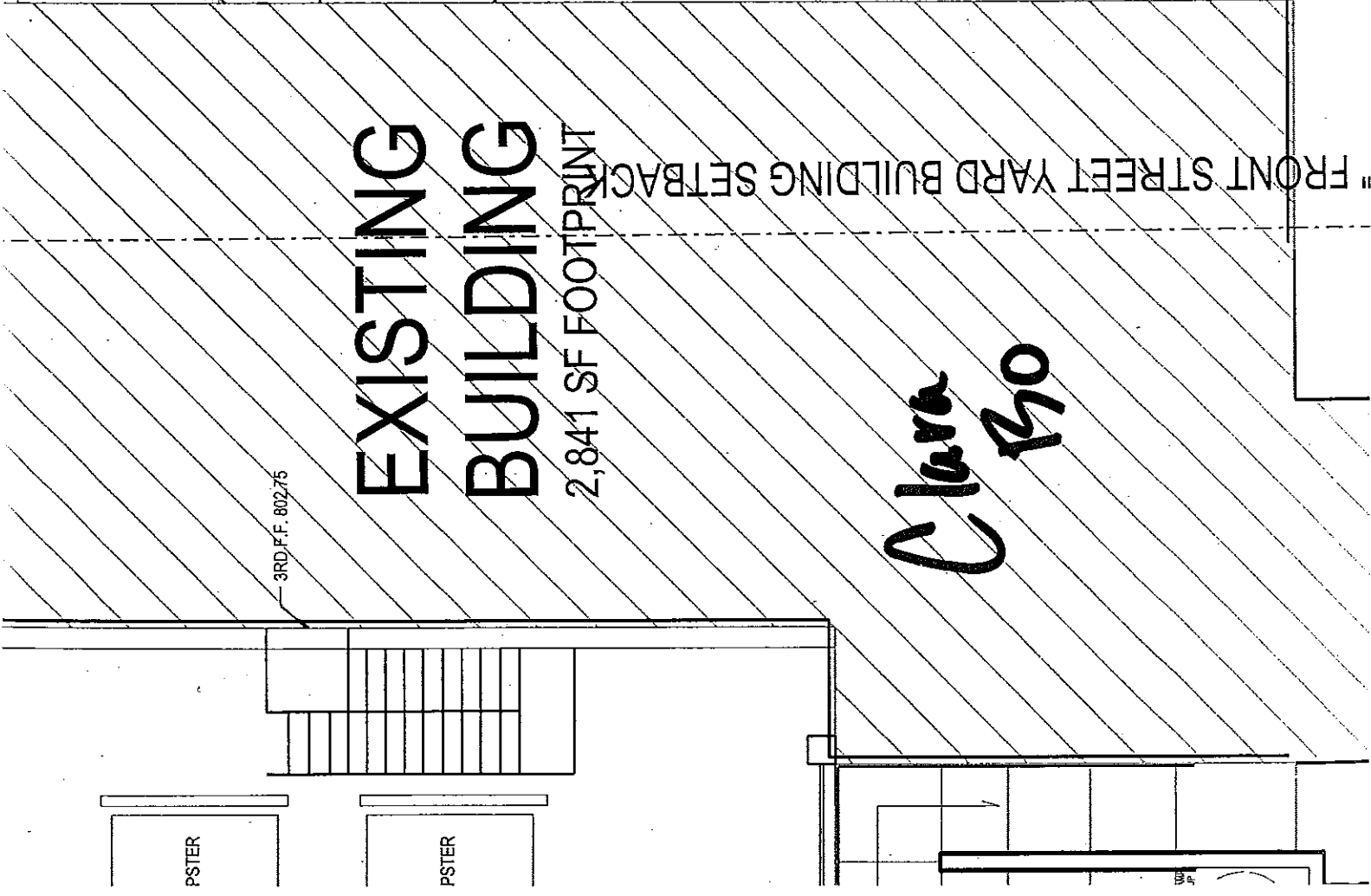
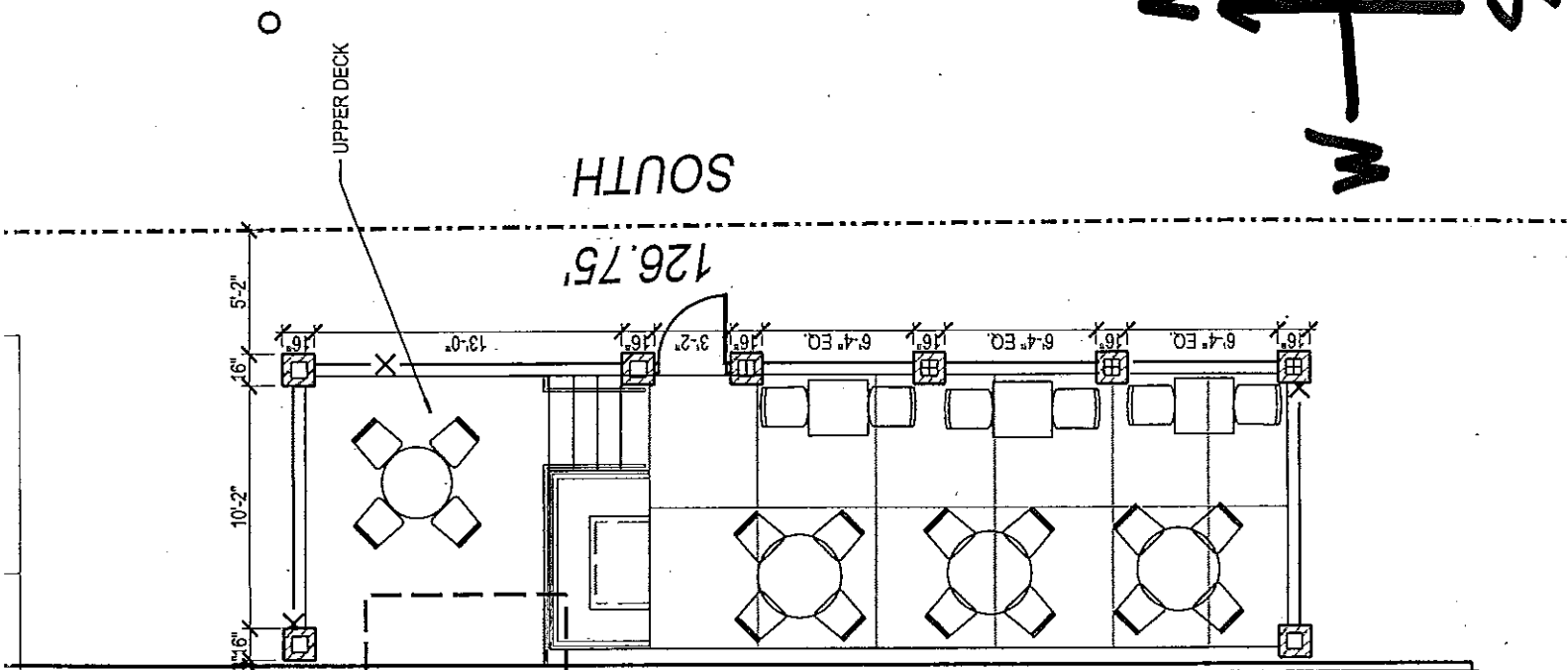
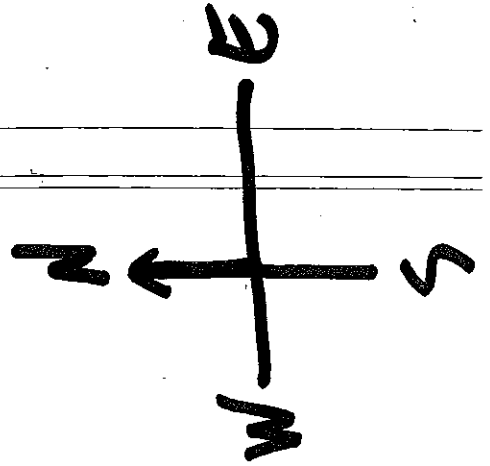
Detailed description of outside extension - include detailed drawing with dimensions:

AN OUTSIDE PATIO TO INCLUDE SEATING  
FOR DINING OR OUTSIDE SMOKING. TO BE COMPLETELY  
ENCLOSED MATCHING EXISTING STRUCTURE

Signature of Applicant: [Signature]

Date of Application: 3-26-14

1. ABLCC meeting date: 4-8-14 Note: Applicant must be present. *Must Attend!*
2. City Council Agenda item for approval. Date: 4-21-14  
(Applicant is encouraged to be present).
3. Applicant amends application at City Clerk's Office after Council approval.  
Date of amendment: \_\_\_\_\_.



**EXISTING BUILDING**  
2,841 SF FOOTPRINT

*Clara Pro*

"FRONT STREET YARD BUILDING SETBACK"

3RD F.F. 802.75

PSTER

PSTER

SOUTH

126.75'

UPPER DECK

10'-2"

5'-2"

13'-0"

6'-4" EQ.

6'-4" EQ.

6'-4" EQ.

6'-4" EQ.

6'-4" EQ.

6'-4" EQ.

3'-2"

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# RENEWAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 7-1-14 ending: 6-30-15  
(MM DD YYYY) (MM DD YYYY)

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

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

CHECK ONE  Individual  Partnership  Limited Liability Company  
 Corporation/Nonprofit Organization

Complete A or B. All must complete C.

**A. Individual or Partnership:**

Full Name(s) (Last, First and Middle Name) Home Address Post Office & Zip Code  
Salvador Sanchez 2112 Roosevelt Av Pelot WI 53511

**B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company**

Address of Corporation/Limited Liability Company (if different from licensed premises)

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

Title	Name (Inc. Middle Name)	Home Address	Post Office & Zip Code
President/Member			
Vice President/Member			
Secretary/Member			
Treasurer/Member			
Agent			
Directors/Managers			

**C. 1. Trade Name** Salvador's Restaurant Business Phone Number \_\_\_\_\_

2. Address of Premises \_\_\_\_\_ Post Office & Zip Code 608-899-0036

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

4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Restaurant entire building

5. Legal description (omit if street address is given above): walkin cooler dining Area Kitchen

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

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

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

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

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

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

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor?  Yes  No

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.)

**SUBSCRIBED AND SWORN TO BEFORE ME**

this 9th day of May, 20 14

Jill J. Parsons  
(Clerk/Notary Public)

My commission expires 10-11-15

Salvador Sanchez  
(Officer of Corporation/Member/Manager of Limited Liability Company /Partner/Individual)

\_\_\_\_\_  
(Officer of Corporation/Member/Manager of Limited Liability Company /Partner)

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

**TO BE COMPLETED BY CLERK**

Date received and filed with municipal clerk <u>5-9-14</u>	Date reported to council/board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

456-0000107439-03

Applicant's Wisconsin Seller's Permit Number:	
Federal Employer Identification Number (FEIN): <u>47-0879882</u>	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$ <u>100.00</u>
<input type="checkbox"/> Class C wine	\$ <u>100.00</u>
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Hotel Publication fee	\$ <u>50.00</u>
<b>TOTAL FEE</b>	\$ <u>250.00</u>

PAID 7-9-14 250.00

**RESOLUTION  
AWARDING PUBLIC WORKS CONTRACT C14-07  
Street Resurfacing**

**WHEREAS**, on May 8, 2014, one competitive bid was received, the low bid being from Rock Road Companies, Inc., and;

**WHEREAS**, This project will overlay rough pavements on 19 blocks of city streets and;

**WHEREAS**, Rock Road Companies, Inc. is a qualified bidder;

**NOW, THEREFORE, BE IT RESOLVED**, by the City of Beloit City Council that Contract C14-07, Street Resurfacing, be, and hereby is, awarded to Rock Road Companies, Inc., Janesville, WI, in the following amounts:

Rock Road Companies, Inc.  
P.O. Box 1779  
Janesville, WI, WI 53547

Base Bid	\$392,956.94
Allowance for Change Orders and/or Extra Work	<u>\$ 58,043.06</u>
<b>TOTAL PROJECT COST</b>	<b>\$451,000.00</b>

**AND IT IS FURTHER RESOLVED**, that the amount of \$451,000.00, be, and hereby is, funded as follows:

P2902187-5514-2014 Street Maintenance	\$421,000.00
P2910450-5511-2014 Park Maintenance	\$ 10,000.00
<u>P2210631-5511-2014 Cemetery Repairs and Improvement</u>	<u>\$ 20,000.00</u>
<b>TOTAL</b>	<b>\$451,000.00</b>

Dated at Beloit, Wisconsin, this 19th day of May, 2014.

**BELOIT CITY COUNCIL**

\_\_\_\_\_  
Mark Spreitzer, President

ATTEST:

\_\_\_\_\_  
Jelene J. Ahrens, WCMC, Deputy City Clerk



# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Award of Contract C14-07, Street Resurfacing

**Date:** May 19, 2014

**Presenter(s):** Greg Boysen, Public Works Director

**Department(s):** Public Works/ Engineering

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**Overview/Background Information:**

This project will overlay rough pavements on 19 blocks of city streets. See attached list.

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**Key Issues (maximum of 5):**

1. One bid was received for this project. The low bid of \$392,956.94 was from Rock Road Companies, Inc. and is 8.3% more than the engineer's estimate of \$362,890.56.
2. Rock Road Companies, Inc. is considered a responsible bidder for this project.
3. The costs for this project are as follows: \$392,956.94 for construction, \$ 58,043.06 for Change Orders or extra work, for a total of \$451,000.00.

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

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**

This project will enhance the quality of life in Beloit by improving the appearance and quality of ride on City Streets while lowering street maintenance costs.

---

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

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

---

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

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**Action required/Recommendation:**

The Engineering Division recommends awarding this Public Works Contract to Rock Road Companies, Inc. in the amount of \$392,956.94.

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**Fiscal Note/Budget Impact:**

Funding is available in the 2014 Capital Improvement Plan.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 10 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT RELATING TO THE ELECTRICAL CODE.**

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

**Section 1.** Chapter 10 of the Code of General Ordinances of the City of Beloit, is hereby repealed and recreated to read as follows:

**“CHAPTER 10 ELECTRICAL CODE**

**10.01 ADOPTION OF STATE ELECTRICAL CODE.** The Wisconsin Administrative Code, Safety and Professional Services (SPS) chapters 305 and 316, and any future amendments thereto, are hereby adopted and incorporated into this chapter by reference in order to secure uniform statewide regulation and enforcement of law relating to electricity. Those portions of the National Electrical Code (NEC) which are adopted by SPS 316, Wis. Admn. Code, and any future amendments thereto, are also adopted and incorporated into this chapter by reference.

**10.02 CITY OF БЕЛОIT ELECTRICAL INSPECTOR.**

- (1) **APPOINTMENT.** The City Manager shall appoint an Electrical Inspector pursuant to section 1.35 of this Municipal Code. The City may hire additional persons, as needed, to assist the Electrical Inspector in the performance of his/her duties.
- (2) **QUALIFICATIONS.** The Electrical Inspector shall meet the following qualifications:
  - (a) Shall be certified by the State of Wisconsin Department of Safety and Professional Services as:
    1. A Commercial Electrical Inspector; and
    2. A Uniform Dwelling Code Electrical Inspector; and
    3. A Master Electrician.
  - (b) Shall have a thorough working knowledge of the provisions of the Wisconsin Statutes, the Wisconsin Administrative Code, the National Electrical Code and the National Electrical Safety Code pertaining to electrical wiring and construction.

(3) DUTIES.

(a) Enforcement. The Electrical Inspector and his/her authorized representative shall enforce the provisions of this chapter, including all rules and regulations adopted by this chapter.

(b) Records. The Electrical Inspector and his/her authorized representative shall keep complete records of all applications received, permits issued, inspections made and other official work performed under the provisions of this chapter.

(4) CONDITIONS OF APPOINTMENT. The Electrical Inspector and his/her authorized representative shall have no financial interest in any concern engaged in electrical business in the City at any time while performing electrical inspection duties for the City of Beloit. Any violation of the provisions of this section shall be sufficient cause for dismissal.

(5) AUTHORITY.

(a) The Electrical Inspector or his/her authorized representative may, during reasonable hours, enter any dwelling, public building or place of employment in the discharge of his/her duties for the purpose of making inspections, re-inspections, or testing of electrical construction.

(b) If the Electrical Inspector or his/her authorized representative determines that any electrical installation or appliance is dangerous or unsafe, he/she may order the discontinuance of electrical service to the dangerous or unsafe electrical installation or appliance until that condition has been corrected. No person shall reconnect any equipment or restore electrical service thus cut off until written permission is given by the person ordering the disconnection of electrical service. The property owner where the dangerous or unsafe condition exists shall be notified of the disconnection of electrical service. Such notice shall be served upon the owner personally or shall be left at the owner's usual place of residence with a person of suitable age and discretion. Alternatively, the notice may be served by certified mail addressed to the owner at his/her last known address with postage prepaid. A copy of the notice shall also be posted in a conspicuous place on the premises where the unsafe or dangerous condition is found to exist.

### 10.03 PERMITS

- (1) PERMIT REQUIRED. No person shall commence electrical work in the City of Beloit until a permit is obtained in accordance with this chapter. Permits shall only be issued to an Electrical Contractor licensed by the State of Wisconsin, a person exempt under the provisions of §101.862(5) or (6), Wis. Stats., or to a homeowner as outlined below.
  - (a) The City shall issue permits for electrical work upon the filing of proper applications, which shall be made on forms furnished by the City and shall describe the nature of the work, as well as such other information as may be required for inspection. In no case shall any electrical work be done unless a permit has been obtained prior to the start of electrical work, unless a permit is not required pursuant to subsection (2) below. The City may require the applicant to furnish plans and specifications covering the work to be done. It shall be the responsibility of the property owner, as well as the electrician, to determine that a proper permit has been issued.
  - (b) A person who performs electrical work in a house which is owned and occupied by that person as a single-family residence may obtain an electrical permit under this section provided that:
    1. The homeowner submits plans and specifications to the Electrical Inspector for approval.
    2. The homeowner satisfies the Electrical Inspector that the homeowner has the ability and qualifications to install electrical wiring.
    3. The homeowner fills out a permit application for the electrical work.
    4. The homeowner executes an affidavit stating that:
      - a. The person owns the home;
      - b. The person will install the work described in the application for the permit; and
      - c. The person will not hire any other person to assist him/her with the electrical installation or perform any electrical work covered by the application.
- (2) EXEMPTIONS.
  - (a) No permit shall be required by the provisions of this chapter for:
    1. The usual operations of the local electrical utility company.
    2. Minor repair work such as repairing cords, switches, replacing fuses or changing lamp sockets.

3. Repairs made necessary for the proper maintenance of an existing installation.
  4. Electrical maintenance work performed by an industrial electrician in the plant of a shop of his/her employer.
- (b) All work performed under the exemptions in subsections shall be performed in full compliance with this chapter.
- (3) **DISPLAY OF PERMIT.** The permit shall be posted in a conspicuous place on the front of the building or structure where the work is being done. Such card shall be placed not more than 15 feet above adjacent grade, shall be unobstructed from public view and shall remain in place during the entire period of the work.
- (4) **WORK TO COMMENCE WITHIN SIX MONTHS.** When any electrical work for which a permit is issued is not started within six months from the date of the issuance of the permit, or if, after starting, there is a cessation of such work for more than six months, the permit shall lapse and be void, and no electrical work shall begin or resume until a new permit is obtained and fees paid. Where work has commenced within six months, the permit shall expire one year from the date the permit was issued. Where the work has been carried on with reasonable diligence, the permit may be renewed upon application for renewal and payment of the required renewal fee, the amount of which is established by City Council resolution.

#### **10.04 FEES**

- (1) Fees for permits for electrical work shall be established by City Council resolution.
- (a) If electrical work has been started before a permit is issued, the total fees for such permit shall be double the regular fee. Payment of any fee required by this subsection shall in no way relieve any person of the penalties that may be imposed for a violation of this chapter.
- (b) No further permits or renewal of permits shall be issued or inspections made to any person until any arrears in fees have been paid and all lawful orders of the Electrical Inspector have been complied with.
- (2) A re-inspection fee may be charged each time a re-inspection is necessary due to the failure to show for a scheduled inspection or the failure to correct faulty, defective or incomplete work identified during a

prior inspection. Re-inspection fees shall be established by City Council resolution.

#### **10.05 ORDERS TO CORRECT VIOLATIONS**

- (1) TIME FOR COMPLIANCE. The Electrical Inspector or his/her authorized representative shall issue orders requiring that electrical code violations be corrected within a specified time. The compliance time shall be not more than 30 days, depending upon the nature of the violation and the hazard involved.
- (2) DURATION OF ORDER. A written order to correct an electrical code violation shall remain in effect for 24 months from the date of issuance. A subsequent violation of an order or a continued failure to correct a violation identified in an order may result in the issuance of a municipal citation to the person to whom the order was issued.
- (3) CONTENT OF ORDERS. Whenever the Electrical Inspector or his/her authorized representative determines that there are reasonable grounds to believe that a violation of any provision of this chapter exists, he/she shall order the person responsible for the violation to correct the violation. The order shall be in writing and shall:
  - (a) Include a description of the real estate sufficient for identification;
  - (b) Specify the violation which exists and the remedial action required;
  - (c) Allow a reasonable time for the performance of any act it requires;
  - (d) Include the disclaimer required by §7.09(2) of this Municipal Code;
  - (e) Include a statement advising the person responsible that he or she may seek review or appeal the order in the manner provided in §1.15 of this Municipal Code.
- (4) SERVICE OF ORDERS.
  - (a) Orders to Correct Violations. Orders to correct electrical violations shall be served upon the owner of record by first class mail at the address listed with the Director of Planning and Building Services or by delivering the order to the owner personally. When the owner of record does not have an address listed with the Director of Planning and Building Services, the order may be served:
    1. By delivering the order to the owner personally; or

2. By first class mail addressed to the owner at the last known address as shown on the most recent property tax bill for the property affected by the order; or
  3. By posting the order in a conspicuous place on the exterior of the structure affected by the order.
- (b) Affidavit of Mailing. If an order is served by first class mail, the person serving the order shall execute an affidavit which should include the following:
1. The date upon which the order was mailed.
  2. An allegation that the envelope was postpaid.
  3. The name of the person to whom the envelope was addressed.
  4. The address on the envelope.
  5. That the order was enclosed within the envelope.
- (c) Notice to Purchasers. An owner shall notify a purchaser, in writing, that an order has been issued concerning a violation of this chapter, whenever the condition of the property giving rise to the order has not been corrected. Any owner who fails to give written notice to a purchaser, prior to acceptance of a written offer to purchase, of an order concerning the property shall be subject to a forfeiture as provided in §10.11 of this chapter. No owner may accept an offer to purchase which was made prior to the disclosure required by this subsection, unless the purchaser acknowledges receipt of a notice of outstanding orders and a willingness to proceed despite such knowledge.
- (5) **EXTENSION OF TIME TO COMPLY WITH ORDERS**. The owner or other responsible person may, prior to the expiration of the compliance time specified in the order, request an extension of compliance time. When the owner or other responsible person demonstrates that he is making a diligent effort to comply with the order, the Electrical Inspector or his/her authorized representative may extend the time for compliance for not more than 30 days.

## **10.06 STOP WORK ORDERS**

- (1) Wherever any work is being done contrary to the provisions of this chapter or before having obtained a permit authorized by the City, the Electrical Inspector or his/her authorized representative may order the work stopped by notice in writing served upon the permittee, or his/her agent, or any contractor engaged in doing the work or causing such work to be done, or by posting such stop order in a conspicuous place on the premises and any person shall stop such work until authorized by the City to proceed with the work.
- (2) No person shall remove a stop order once posted or proceed with work after notice to stop work has been served or posted, and any person who shall remove such notice or continue work after such notice has been posted or served shall be subject to a penalty as provided in §25.04 of this Municipal Code.

#### **10.07 TEMPORARY/EMERGENCY WORK.**

- (1) **TEMPORARY WORK.** On applying for a permit for temporary electrical work, a specified period of time for which such wiring is to remain in service shall be stated. Service shall be cut off at the end of this period, or any time sooner when ordered by the Electrical Inspector, and shall not again be connected without written permission from the Electrical Inspector. All work installed under this section shall be installed, maintained and operated in a safe and workmanlike manner.
- (2) **EMERGENCY WORK.** In emergency work, the person doing or causing work to be done shall report the same to the Electrical Inspector immediately after beginning work, on forms furnished by the Electrical Inspector and such work shall be in accordance with this chapter. The Electrical Inspector may waive the double fee required by section 10.04(1)(a) if the Electrical Inspector is satisfied that an emergency existed insofar that the person doing or causing the work to be done could not obtain a permit prior to performing the work.

**10.08 ELECTRICAL INSPECTION REQUIREMENTS.** Upon completion of the electrical work and before any electrical work is hidden from view, the Electrical Inspector shall be notified that the electrical work is ready for inspection. The Electrical Inspector shall inspect the electrical work within two business days of the time that the Electrical Inspector receives notice that the work is complete. A contractor, employee or homeowner doing his/her own work as permitted by section 10.03(1)(b) shall be present for the final and all required inspections. If the Electrical Inspector finds that the electrical work complies with this chapter, the inspector shall approve the work and authorize concealment of the same. If the Electrical Inspector finds that the electrical work is incomplete or not in compliance with this chapter, the inspector shall issue an order to correct the



work within 10 days. Concealment of electrical work prior to inspection by the Electrical Inspector shall constitute a violation of this section. In addition, failure to comply with an order of an Electrical Inspector to correct a violation of this chapter shall constitute a violation of this section.

#### **10.09 PROHIBITED PRACTICES.**

- (1) **LICENSE REQUIRED.** No person shall perform electrical work within the City without first having obtained an Electrical Contractor's license from the State of Wisconsin. This section does not prohibit those exempt under §101.862(5) and (6), Wis. Stats., or a homeowner from performing electrical work in a house, when the house is owned and occupied by that person as a single-family residence provided a permit is obtained as required in section 10.03.
- (2) **IMPROPER USE OF LICENSE TO OBTAIN PERMIT.** It shall be unlawful for any person licensed by the State of Wisconsin to allow another to use his/her license, directly or indirectly, for the purpose of obtaining local electrical permits for others. It shall be unlawful for a person to use the license of another person licensed by the State of Wisconsin for the purposes of obtaining a permit under this chapter.
- (3) **UNLAWFUL USE.** It shall be unlawful for any person licensed by the State of Wisconsin to obtain a permit for work to be done by any person not connected with the licensee or in the employ of the licensee; or to allow his/her name to be used by any other person for the purpose of performing any work coming under the provisions of this chapter.
- (4) **FALSIFYING INFORMATION.** No person shall knowingly make any false statement in any document which is required by this chapter.

#### **10.10 DEFINITIONS.**

- (1) **ELECTRICAL CONTRACTOR.** Electrical Contractor means a person who has an active Electrical Contractor's license issued by the State of Wisconsin Department of Safety and Professional Services.
- (2) **ELECTRICAL MAINTENANCE.** Electrical maintenance includes only the necessary repairs to provide safe operation of previously installed electrical equipment within a plant, building or other structure.
- (3) **ELECTRICAL WORK.** Electrical work means and includes the installation or superintending of electrical wiring, devices and equipment for the production, modification, utilization or safeguarding of electrical energy as covered by the codes or regulations adopted in section 10.01 of this chapter.

**10.11 PENALTY.** Any person who is convicted of a violation of any provision of this chapter shall be subject to a forfeiture as provided in section 25.04 of this Municipal Code.”

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

Adopted this 19th day of May 2014.

BELOIT CITY COUNCIL

By: \_\_\_\_\_  
Mark Spreitzer, President

ATTEST:

By: \_\_\_\_\_  
Jelene J. Ahrens, WCMC, Deputy City Clerk

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

01-611100-5231- \_\_\_\_\_

tdh/ordinances/10 = ORD 140507 (14-1070)

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Ordinance to Repeal and Recreate the City of Beloit Electrical Code

**Date:** May 19, 2014

**Presenter:** Julie Christensen

**Department:**

Community Development

---

### Overview/Background Information:

The Deputy City Attorney has prepared the attached Ordinance to repeal and recreate Chapter 10 of the Code of General Ordinances of the City of Beloit relating to the Electrical Code. The attached Ordinance includes a number of substantive changes, as well as numerous housekeeping items related to state agency changes, revised implementation procedures, and general organization. A revised Ordinance was prepared because the changes are too numerous to show in redline.

---

### Key Issues (maximum of 5):

- Section 10.01 of the proposed Ordinance moves the adoption of the State Electrical Code to the forefront and replaces references to the Department of Commerce with Safety and Professional Services (SPS).
- Section 10.02 relates to the Electrical Inspector's duties and credentials, and includes only minor clarifications.
- Section 10.03 includes the permit requirements, which remain essentially unchanged, but also includes changes relating to permit display and permit expiration. The most significant change in the proposed Ordinance is the elimination of the City's Electrical License requirement in compliance with a new state law. Electrical contractors are now licensed exclusively by the state, and we will issue permits to contractors with the proper state license.
- Section 10.04 deals with fees and establishes a new re-inspection fee for no-show inspections and continuing violations. As noted in this section, the Electrical Permit fees have been moved to the accompanying Fee Resolution. With the exception of the re-inspection fee, the attached Fee Resolution includes only existing fees.
- Section 10.05 includes a more comprehensive process for issuing orders to correct violations, and includes specific timelines and service procedures.
- Section 10.06 formalizes the Stop Work Order process and aligns the Ordinance with existing practice.
- Section 10.07 relocates the temporary and emergency work provisions to their own section.
- Section 10.08 includes inspection requirements and is relatively unchanged, with the exception of increasing the inspection window between completion and inspection from 24 hours to 2 business days.
- Section 10.09 relocates prohibited practices to the rear of the Ordinance and includes more explicit descriptions.
- Section 10.10 relocates definitions to the rear of the Ordinance and includes revised definitions based upon the state licensing and agency changes.
- Section 10.11 relates to penalties and is unchanged.

---

### Consistency with Strategic Plan:

- 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 1<sup>st</sup> reading of the proposed Ordinance

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**Fiscal Note/Budget Impact:** The City will lose a minor revenue source due to the loss of Electrical License revenue as a result of this state mandate.

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**Attachments:** Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND SECTIONS OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO WASTEWATER PRETREATMENT SYSTEM.**

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

Section 1. Section 29.31(3)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) Any user subject to a pretreatment standard shall submit a semiannual compliance report to the Environmental Staff by July 31 and January 31 of each year, unless required to do so more frequently by the pretreatment standard or by the City. The semiannual report shall be on a form approved by the City and shall include all information required by subsection (2) of this section. The compliance report required to be filed by January 31 shall include a list of all environmental control permits held by the user. These reports shall be signed by the user or the user's authorized representative and shall be certified by a qualified professional.”

Section 2. Section 29.10(2)(u) of the Code of General Ordinances of the City of Beloit is hereby created to read as follows:

“(u) Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which exceeds that allowed by the user's permit.”

Section 3. Section 29.13 of the Code of General Ordinances of the City of Beloit is hereby repealed and recreated to read as follows:

“29.13 SPECIFIC POLLUTANT LIMITATIONS. Unless otherwise allowed by a permit issued under this chapter, or waived pursuant to the provisions of §29.30(9), no person shall discharge wastewater which exceeds any of the following limits expressed as micrograms/Liter:

- (1) Arsenic, 200 µg /L
- (2) Cadmium, 700 µg /L

- (3) Chromium, 6,500 µg /L
- (4) Copper, 10,000 µg /L
- (5) Cyanide, 900 µg /L
- (6) Fats, Oils and Grease, 300,000 µg /L. SIUs may receive a limit expressed in pounds rather than micrograms/Liter.
- (7) Grease or Oil of Mineral Origin, 25,000 µg /L. SIUs may receive a limit expressed in pounds rather than micrograms/Liter.
- (8) Lead, 1,800 µg /L
- (9) Mercury, 25 µg /L. The City may use BMPs in lieu of numerical value or sampling under 40 CFR 403.18 to ensure compliance with the City's WPDES permit.
- (10) Nickel, 3,600 µg /L
- (11) Phosphorus, 8000 µg /L. SIUs may receive a limit expressed in pounds rather than micrograms/Liter.
- (12) Silver, 600 µg /L
- (13) Zinc, 10,000 µg /L"

Section 4. Section 29.30(9) of the Code of General Ordinances of the City of Beloit is hereby created to read as follows:

“(9) MONITORING WAIVER. The City may authorize a monitoring waivers for permittees that conforms to the requirements of Wisconsin Administrative Code NR 211.15(4)(b).”

Section 5. Section 29.30(3g) of the Code of General Ordinances of the City of Beloit is hereby created to read as follows:

“(3g) MONITORING AND ANALYSIS TO DEMONSTRATE CONTINUED COMPLIANCE. If sampling performed by a SIU indicates a violation of the user’s permit or this Chapter, the SIU shall notify the City within 24 hours of becoming aware of the violation. The SIU shall repeat the sampling and analysis and submit the results of the repeat analysis to the City within 30 days after becoming aware of the violation. This provision does not apply to SIUs that monitor multiple days each month nor does it supersede the requirement for SIUs to immediately report accidental discharges of high strength waste or large amounts of grease or as otherwise required by the user’s permit.”

Section 6. This ordinance shall be in force and take effect upon passage and publication.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

BELOIT CITY COUNCIL

By: \_\_\_\_\_  
Mark Spreitzer, President

ATTEST:

By: \_\_\_\_\_  
Jelene J. Ahrens, WCMC, Deputy City Clerk

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

01-611100-5231- \_\_\_\_\_

tdh/ordinances/29.10, 29.13, 29.30, 29.31 = ORD 140507 (14-1062)

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Amendments to Chapter 29, Sewer Use Ordinance

**Date:** May 19, 2014

**Presenter(s):** Cheryl Simplot

**Department(s):** Water Resources

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### **Overview/Background Information:**

On March 27 and 28, 2014, the City's Industrial Pretreatment Program was audited by the Wisconsin Department of Natural Resources (WDNR). The WDNR noted that the City does very well in implementing its approved pretreatment program and is requiring only a few minor changes to the City's Sewer Use Ordinance as a result. Specifically, the City is required to address the following issues:

1. Require that Significant Industrial Users (SIUs) in the City to list all environmental permits in their annual report.
  2. Expressly provide that SIUs can exceed general specific pollutant limitations if it is allowed by their permit (ex. Frito Lay, Hormel). Larger industries have a pound limit instead of an ug/L (microgram/liter) limit for pollutants.
  3. Expressly provide that the City can utilize best management practices to reduce the mercury limit to allow the City to meet permit limitations. Change measurements in § 29.13 from milligrams per liter to micrograms per liter.
  4. Expressly provide that the City may authorize a monitoring waiver for SIUs that comply with federal and state regulations.
  5. Expressly provide that SIUs are required to notify the city within 24 hours of becoming aware of a violation and provide for retesting with the results being submitted to the City unless the SIU monitors monthly and sends the city a monthly report as required by permit (ex. Frito Lay, Hormel).
- 

**Key Issues (maximum of 5):** See above. The changes requested in the draft ordinance are required by WDNR audit.

---

**Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):** The proposed ordinance will conform with the stated purpose of Goal #1 in furthering the responsible use of our resources and protecting the natural resources to the best of our abilities. It would further conform with the stated purpose of Goal #3 by promoting a safe and health community and protecting property and resources.

---

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

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

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

---

### **Action required/Recommendation:**

The proposed ordinance has been reviewed by City Staff and it is recommended to Council for approval.

---

### **Fiscal Note/Budget Impact:**

No additional impact on city budget.

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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO ESTABLISH 3-HOUR PARKING TIME LIMIT  
FOR ENTIRE ANGEL MUSEUM PARKING LOT  
EXCEPT HANDICAP ACCESSIBLE AND STAFF DESIGNATED STALLS**

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

**Section 1:** Section 13.02 of the Code of General Ordinances of the City of Beloit, Rock County, Wisconsin, is hereby amended by removing from Section I, Index of Special Locations, Downtown Parking Time Limits, the following:

Angel Museum Parking Lot – Entire Lot (except handicap accessible stalls)

**Section 2:** Section 13.02 of the Code of General Ordinances of the City of Beloit, Rock County, Wisconsin, is hereby amended by adding to Section I, Index of Special Locations, Downtown Parking Time Limits, the following:

Angel Museum Parking Lot – Entire Lot (except handicap accessible and staff designated stalls)

**Section 3:** This ordinance shall take effect and be in force upon its passage and publication.

Adopted this 19th day of May 2014.

**BELOIT CITY COUNCIL:**

**By:** \_\_\_\_\_  
Mark Spreitzer, Council President

**ATTEST:**

\_\_\_\_\_  
**Jelene J. Ahrens, WCMC, Deputy City Clerk**

Published this \_\_\_\_\_ day of \_\_\_\_\_, 2014

Effective this \_\_\_\_\_ day of \_\_\_\_\_, 2014

01-611100-5231-\_\_\_\_\_



# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Ordinance to exclude staff parking stalls from the 3-hour parking restriction in the Angel Museum Lot.

**Date:** May 19, 2014

**Presenter(s):** Greg Boysen

**Department(s):** Public Works/Engineering

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**Overview/Background Information:**

The ordinance is an administrative change to better reflect the signage in the Angel Museum Parking Lot.

---

**Key Issues (maximum of 5):**

1. The Traffic Review Committee reviewed this request during the April 28, 2014 meeting. The Committee voted (5-0) in favor of excluding the staff stalls from the 3-hour parking time limit.
2. Currently, the entire Angel Museum Parking Lot is designated with a 3-hour time limit with only the handicap accessible stalls being excluded.
3. Two stall in the southeast corner of the lot have been designated as employee parking only.
4. The new ordinance will exempt the staff parking stalls from the 3-hour time limit, allowing employees to park all day.

---

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

1. Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.

---

**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.

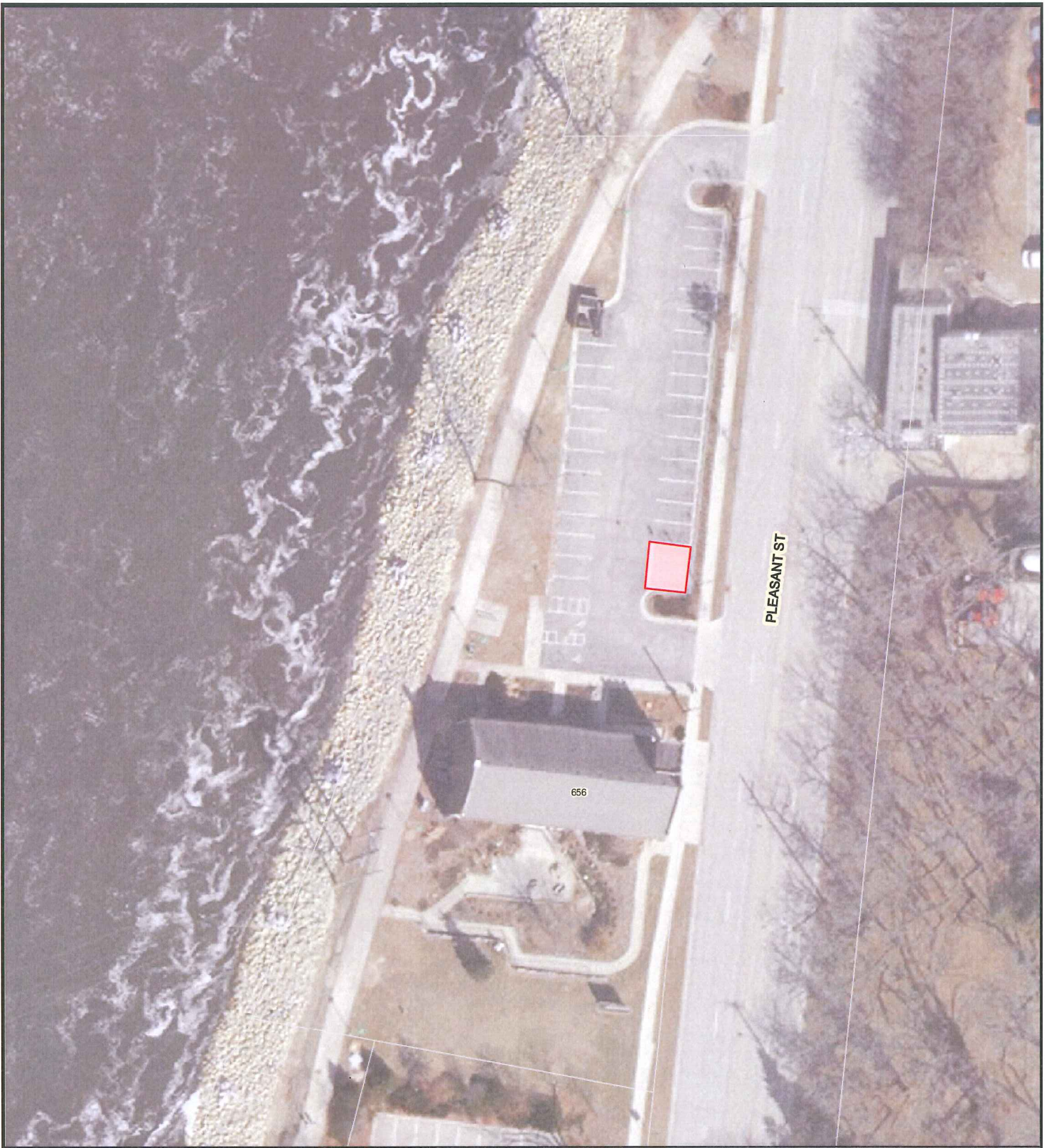
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**Action required/Recommendation:**

The Engineering Division recommends establishing a 3-hour parking time limit in for the entire Angel Museum Parking Lot except handicap accessible and staff designated parking stalls.

---

**Fiscal Note/Budget Impact:**



Angel Museum Parking Lot-Staff Parking



City of  
**BELOIT, Wisconsin**



LOCATION: 656 Pleasant Street

CITY OF BELOIT, WISCONSIN

SCALE: None

DRAWN BY: JRD (2014)

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO ESTABLISH NO-PARKING  
ON IRONWORKS DRIVE AND THIRD STREET**

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

**Section 1:** Section 13.02 of the Code of General Ordinances of the City of Beloit, Rock County, Wisconsin, is hereby amended by adding to Section II, Index of Special Locations, Parking Prohibited At All Times, the following:

Ironworks Drive – From Fourth Street to Third Street – BOTH SIDES

Third Street – from Ironworks Drive to entrance of Ironworks Facility (approx. 180') – BOTH SIDES

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

Adopted this 19th day of May 2014.

**BELOIT CITY COUNCIL:**

**By:** \_\_\_\_\_  
**Mark Spreitzer, Council President**

**ATTEST:**

\_\_\_\_\_  
**Jelene J. Ahrens, WCMC, Deputy City Clerk**

Published this \_\_\_\_\_ day of \_\_\_\_\_, 2014

Effective this \_\_\_\_\_ day of \_\_\_\_\_, 2014

01-611100-5231-\_\_\_\_\_

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

---



**Topic:** Ordinance to establish No-Parking regulations on Third Street.

**Date:** May 19, 2014

**Presenter(s):** Greg Boysen

**Department(s):** Public Works/Engineering

---

**Overview/Background Information:**

A request was made by R.H. Batterman on behalf of their client Universal to remove parking on both sides of the street.

---

**Key Issues (maximum of 5):**

1. The Traffic Review Committee reviewed this request during the April 28, 2014 meeting. The Committee voted (5-0) in favor of establishing No-Parking regulations along Third Street.
  2. Currently, Parking is restricted along the west side of the roadway (south of the driveway) and for approximately 100' near the driveway of the east side of the roadway
  3. An off-street public parking lot (Ironworks North) was constructed 2006 with over 100 available stalls. Plans are in development by the owner to increase parking within the Ironworks Complex and move Universal's parking from the public lot, which will free up additional public parking spaces.
  4. Universal is experiencing conflicts with cars parked along the roadway when semi-trailers and long-haul trucks are entering/leaving the site.
  5. On-street parking should not be needed in the requested area as adequate off-street parking facilities are provided. Plans are in development by the owner to increase parking within the Ironworks Complex and move Universal's parking from the public lot, which will free up additional public parking spaces.
- 

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

1. Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.
- 

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

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

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

---

**Action required/Recommendation:**

The Engineering Division recommends establishing No-Parking regulations along Ironworks Drive/Third Street between Fourth Street to approximately 440' east/south to the driveway entrance of the Ironworks facility – BOTH SIDES

---

**Fiscal Note/Budget Impact:**





**PROPOSED NO PARKING AREA**

**SAINT LAWRENCE AV**

**FOURTH ST**

**Beloit Iron Works**

**THIRD ST**

**W GRAND AV**

**BROAD ST**



May 19, 2014

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

The undersigned Mark Spreitzer, duly elected President of the Beloit City Council, subject to confirmation by the Beloit City Council, does hereby appoint the following citizen members to the vacancies and terms indicated below, said appointments being pursuant to nominations made and approved by the Appointment Review Committee at the regular meeting held May 12, 2014:

---

Mark Spreitzer, President  
Beloit City Council

**Appointments**

**Appointment Review Committee**

**Mardell Jacobsen**, 1442 Grant St. (replacing Doris Forbes) for a term ending December 31, 2016

**Board of Appeals**

Incumbent **Randall Fiore** for a term ending May 31, 2017

**Business Improvement District (Downtown Beloit Association)**

**Meghan Moss**, Blackhawk Bank, 2200 Cranston Road (replacing Ramiro Vargas as Owner Occupant) for a term ending December 31, 2016

**PLEASE ANNOUNCE THE FOLLOWING VACANCIES**

Alcohol Beverage License Control Committee (1 vacancy for resident)  
Appointment Review Committee (1 vacancy for resident)  
Board of Appeals (2 vacancies [Alternate] for residents)  
Board of Ethics (1 vacancy for former City Councilor, 2 vacancies for residents)  
Board of Review (2 vacancies [Alternate] for residents)  
Community Development Authority (2 vacancies for residents)  
Equal Opportunities Commission (1 vacancy for resident)  
Municipal Golf Committee (1 vacancy for resident)  
Plan Commission (2 vacancies for residents)  
Traffic Review Committee (2 vacancies for residents)

**RESOLUTION AUTHORIZING THE SCHEDULE OF FEES FOR  
CHAPTER 10 OF THE CODE OF GENERAL ORDINANCES  
FOR THE CITY OF BELOIT RELATED TO THE ELECTRICAL CODE**

**WHEREAS**, the City of Beloit has the authority to establish reasonable fees for services provided or costs incurred in the administration of government; and

**WHEREAS**, the Chapter 10 of the Municipal Code makes reference that various fees shall be established by City Council resolution; and

**WHEREAS**, the City Council has determined that all of the fees, charges and rates set forth hereinafter are reasonable, equitable and necessary; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council adopts the fees as outlined hereinafter.

<u>Description</u>	<u>Amount</u>	<u>Unit</u>
Application Filing Fee	\$50.00	Each
Fixtures Switch Receptacle Outlets / Track Lighting Fixture	\$0.75	Each
Lighting Fixtures Incandescent / Fluorescent	\$0.75	Each
Ranges or 50 Amp Receptacle, Dryers or 30 Amp Receptacle	\$4.00	Each
Garbage Disposal / Dishwasher	\$4.00	Each
Electric Water Heater	\$7.50	Each
Electric Space Heating	\$2.00	Each
Heat Pump Per Unit, Gas, Oil or Furnace per unit, Central Air	\$9.00	Each
Generators/Transformers/Rectifiers	\$0.25	KW
Motors per H.P. or fraction per H.P. .50 Per ¼ HP	\$0.30	Each
Electrically Lighted Signs	\$20.00	Each
Wading & Above Ground Swimming Pools	\$15.00	Each
In Ground Pools/Hot Tubs/Spas	\$35.00	Each
Flood Lights/Spot Lights/Yard Lights	\$1.00	Each
Flood Light Poles & Bases	\$15.00	Each
Feeders #4 A.W.G. or Larger	\$10.00	Each
Wireways, Busway, Under floor Raceways, Auxiliary Gutter	\$0.20	Each
Elevators, escalators /per floor/unit	\$5.00	Each
Fuel Dispensing Pumps	\$6.00	Each
Arc Fault	\$5.00	Each
Fans – Vent/Hood/Paddle	\$1.00	Each
Power Outlets 240+/Ground Fault Circuit Interrupter	\$5.00	Each
Electrical Services 100 Amp	\$15.00	Each
Each Additional Services 100 to 1,000 Amps	\$10.00	Each
Each Additional Services 1,000 over 1,000 Amps	\$20.00	Each

Additional Meters	\$5.00	Each
Re-Inspection Fee	\$15.00	Each
Permit – Temporary Service	\$30.00	Each

Dated at Beloit, Wisconsin this 19th day of May 2014.

By \_\_\_\_\_  
Mark Spreitzer, Council President

Attest:

\_\_\_\_\_  
Jelene J. Ahrens, WCMC, Deputy City Clerk

tdh\resolution\Chapter 10 Fee Resolution=res=140509



**RESOLUTION APPROVING AN ATTEMPT  
TO FILL A VACANCY IN THE OFFICE OF CITY COUNCILOR;  
SETTING DATE, TIME AND PLACE FOR A MEETING  
TO REVIEW APPLICATIONS AND SELECT APPLICANTS; AND  
A FURTHER MEETING TO APPROVE APPLICANT QUESTIONNAIRE  
AND INTERVIEW APPLICANTS TO FILL THE VACANCY**

**WHEREAS**, Councilor Kevin Leavy resigned effective May 31, 2014 which will create a vacancy in the Office of City Councilor as of June 1, 2014; and

**WHEREAS**, Councilor Leavy's term of office expires April 21, 2015; and

**WHEREAS**, section 1.06(2)(c) of the city ordinances provides that if a vacancy occurs more than six (6) months prior to the next April election, the City Council shall attempt to fill the vacancy as provided in section 1.06(2)(e) through (l); and

**WHEREAS**, section 1.06(2)(f) of the city ordinances requires the City Council president to prepare a written application form to be used by interested applicants and said application form shall be approved by the City Council; and

**WHEREAS**, section 1.06(2)(h) of the city ordinances requires council approval of a written questionnaire to be used to interview selected applicants; and

**WHEREAS**, section 1.06(2)(e) of the city ordinances requires the City Council to publish a Class I notice at least fifteen (15) days prior to filling the vacancy; and

**WHEREAS**, section 1.06(2)(h) requires the City Council to hold a single meeting to conduct interviews of applicants to fill the vacancy.

**NOW, THEREFORE**, the City Council of the City of Beloit hereby resolves to attempt to fill the vacancy in the Office of City Councilor by appointment.

**BE IT FURTHER RESOLVED** that a Class I notice containing the information required by section 1.06(e) of the city ordinances be published in the Beloit Daily News at least fifteen (15) days before the date of the meeting.

**BE IT FURTHER RESOLVED** that the written application attached hereto is hereby approved and shall be completed, signed by each applicant, and filed with the City Clerk no later than 5:00 p.m. on June 4, 2014.

**BE IT FURTHER RESOLVED** that the City Council shall meet on **June 5, 2014 at 6:00 p.m.** for the purpose of reviewing applications and selecting finalists, if any, or in the alternative, moving to select no finalists and proceeding to fill the vacancy by election in accordance with §17.23, Wis. Stats.

**BE IT FURTHER RESOLVED** that the single meeting to review and approve the written questionnaire to be used for interviewing selected applicants and to further conduct public interviews of applicants be held on **June 9, 2014 at 6:00 p.m.** in the Forum at Beloit City Hall, 100 State Street, Beloit, Wisconsin.

Adopted this 19th day of May, 2014.

**BELOIT CITY COUNCIL**

---

**Mark Spreitzer, President**

**Attest:**

---

**Jelene J. Ahrens, WCMC, Deputy City Clerk**  
tdh/res/council vacancy=res=140514 1109 (cln)

**CITY OF BELOIT NOTICE TO THE PUBLIC**

**PROCESS TO APPLY FOR VACANCY**  
**ON BELOIT CITY COUNCIL**

**On June 1, 2014 a vacancy will exist on the Beloit City Council for the balance of a term which expires April 21, 2015. If you meet the following qualifications, you are eligible to apply to be appointed to fill that vacancy:**

- **Resident of the City of Beloit**
- **At least 18 years of age**

**Applications are available in the office of the City Clerk, 2<sup>nd</sup> floor of City Hall, 100 State Street, Beloit, WI.**

**Applications are due in the City Clerk's office by 5:00 p.m. on Wednesday, June 4, 2014. Applications must be fully completed and contain your original signature.**

**Applications will be reviewed at a City Council meeting on Thursday, June 5, 2014 at 6:00 p.m. and interviews for selected finalists will be held at a City Council meeting on Monday, June 9, 2014 at 6:00 p.m. Both meetings will be held in the City Hall Forum.**

**Any questions may be directed to the Beloit City Clerk's Office at 364-6680.**

Notice Published: \_\_\_\_\_ in the Beloit Daily News  
Notice Posted: \_\_\_\_\_ at the Beloit City Hall  
Notice Posted: \_\_\_\_\_ on the City of Beloit website [www.beloitwi.gov](http://www.beloitwi.gov)

Rebecca Houseman LeMire  
City of Beloit City Clerk – May 7, 2014  
140508 1420 (cln)



DRAFT

## APPLICATION FOR APPOINTMENT TO BELOIT CITY COUNCIL

The appointment is for the balance of a term which expires April 21, 2015 when the newly elected Councilors are seated at the annual organizational meeting.

Applications will be reviewed by the current City Council on Thursday, June 5, 2014 and two or more applicants will be selected for interviews.

A special meeting of the City Council will be held on Monday, June 9, 2014 to interview selected applicants and vote to select an appointee. The Council is under no obligation to select an appointee from the field of candidates.

Applications are available at the City Clerk's Office and on-line at [www.beloitwi.gov](http://www.beloitwi.gov). Applications must be submitted, with original signature, to the City Clerk no later than 5:00 p.m. on Wednesday, June 4, 2014. The City Clerk's office is located on the 2<sup>nd</sup> floor of City Hall, 100 State Street, Beloit, WI 53511.

Please attach a resume and a cover letter explaining your interest in serving on the Beloit City Council. Feel free to attach additional sheets or other documents you believe contain information relevant to your qualifications.

**Name (Please Print):** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone: (home/cell):** \_\_\_\_\_ **(work):** \_\_\_\_\_

**Occupation:** \_\_\_\_\_

**Employer:** \_\_\_\_\_

**Number of years as City of Beloit resident:** \_\_\_\_\_

**Education:** \_\_\_\_\_

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**Previous committee experience or affiliations, i.e. city, school, church, social clubs, etc. Include dates and a brief description of each. Attach separate sheet if necessary.**

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**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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# **CITY OF BELOIT**

## **City Attorney's Report to Council**

### **Filling Council Vacancy**

**May 13, 2014**

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This document will outline the legal procedures governing filling of a council vacancy. It is necessary to implement these procedures due to Councilor Kevin Leavy's May 5, 2014 email in which he announces his resignation and further states he will "finish out the month of May."

I would first of all state my opinion that Councilor Leavy's email does constitute a proper resignation effective at the end of any council business on May 31, 2014.

The procedures which govern filling the vacancy that will exist May 31, 2014 are found in Section 1.06 of the City Ordinances and Wis. Stats. 17.23(1)(a). For convenience and reference, I have attached copies of both the relevant ordinance and state statute.

Section 1.06(2)(c) provides that when a vacancy occurs by a resignation six months or more before the next April election, that "the City Council shall attempt to fill the vacancy by appointment as provided in subsections (e) through (l)" of Section 1.06(2). Given that the vacancy will exist May 31, 2014, which is more than six months before the next April election, the Council's duty to attempt to fill the vacancy by following those procedures is triggered.

In order to properly follow the procedures outlined in the ordinance, the following process should be implemented:

1. At least 15 days prior to filling such a vacancy by Council appointment, the Council is required to solicit applications by publishing a Class 1 notice in the Beloit Daily News. A Class 1 notice requires a single publication. That notice is to contain the four specific items highlighted on the attached copy of Section 1.06(2)(e).
2. The Council president is to prepare a written application form which form shall be approved by the City Council. That form is to be completed and signed by each applicant. We should also designate a specific deadline for filing the completed application with the City Clerk.

3. The Council is then to review all of the application forms properly submitted and select at least two or more finalists by majority vote of the Councilors present. Note that when the last vacancy occurred in early 2006, Council selected all ten of the applicants.
4. After the meeting accepting the finalists, the Council is to hold another single meeting to conduct public interviews of all of the selected finalists. Finalists must attend that meeting and participate in the interview process or they become ineligible. Each finalist is to be given an opportunity to make a short opening statement with the interviews to be based upon a questionnaire approved by the Council. The approved questions shall be asked by the City Councilors in rotation with Councilors being permitted to ask follow up questions restricted to the written questions approved by the Council. No member of the public may speak for or against any finalist nor question any finalist. At the conclusion of each interview, each finalist shall be permitted to make a short closing statement.
5. The Council is required to vote on the finalists at the meeting during which the interviews are conducted and is to appoint the finalist who receives the highest number of votes to fill the Council vacancy. I would note that the ordinance does not specifically outline the manner of the initial vote after finalist interviews, but does require a written ballot for voting in the case of a tie on that initial vote. I would therefore conclude that the initial vote should be also conducted by written ballot signed by each Councilor. In the case of a tie between two or more finalists, each Councilor shall again vote by written ballot signed by each Councilor for one of the two finalists. If that vote fails to break the tie, the vacancy shall be filled by election in accord with Wis. Stats. 17.23. Furthermore, no Councilor may move to reconsider, amend or rescind a tie vote.

/tdh  
encs.