



**AGENDA  
BELOIT CITY COUNCIL  
100 State Street, Beloit WI 53511  
City Hall Forum – 7:00 p.m.  
Monday, August 18, 2014**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
  - a. Presentation of new **Beloit Bicycle Route Book** (Rick Barder and Monica Krysztopa)
4. PUBLIC HEARINGS
  - a. Resolution approving the **Vacation** of a portion of the the Milwaukee Road Frontage Road for Fran Fruzen Intermediate School (Christensen)  
Plan Commission recommendation for approval 4-0
  - b. Proposed Ordinance amending the future land use map of the City of Beloit **Comprehensive Plan** to change the future land use designation of the property located at 1715 Elmwood Avenue from Planned Neighborhood to Mixed Residential (Christensen) Plan Commission recommendation for denial 5-0
  - c. Proposed Ordinance approving a **Zoning Map Amendment** to change the zoning district classification of the property located at 1715 Elmwood Avenue from R-2, Two-family Residential District, to R-3, Low Density Multi-family Residential District (Christensen) Plan Commission recommendation for denial 5-0
5. CITIZENS PARTICIPATION
6. CONSENT AGENDA

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

- a. Approval of the **Minutes** of the Regular and Special Meetings of August 4, 2014 (LeMire)
- b. Application for a **Conditional Use Permit** to allow Alcohol Sales in a PLI, Public Lands and Institutions District, for the property located at 2222 Shopiere Road (Our Lady of Assumption Church) (Christensen) Refer to Plan Commission
- c. Resolution approving a **Class "B" Beer and "Class B" Liquor License** for JD Second Time Inc., d/b/a The Grand Avenue Pub, located at 132 West Grand Avenue, Gayle Schliem, Agent (LeMire) ABLCC recommendation for approval 7-0

- d. Resolution awarding **Public Works Contract C14-04**, Gateway Sewer and Water Extension (Boysen)

## 7. ORDINANCES

- a. Proposed Ordinance to amend section 1.88 of the Code of General Ordinances of the City of Beloit pertaining to the **Police and Fire Commission** (Krueger)  
First reading, suspend the rules for second reading  
Police and Fire Commission recommendation for approval
- b. **Substitute Amendment #1**: proposed ordinance to amend sections 25.04(1)(d), 31.30(1) and 15.30 and to create section 31.30(1m) of the Code of General Ordinances of the City of Beloit pertaining to **Forfeitures for Juvenile matters** in Municipal Court (Krueger) Second reading

## 8. APPOINTMENTS

## 9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

## 10. CITY MANAGER'S PRESENTATION

## 11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Resolution authorizing City Manager to apply for Wisconsin Historic Preservation Fund **Subgrants for Certified Local Governments** (Christensen)

## 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: August 13, 2014  
Rebecca Houseman LeMire  
City of Beloit 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.

**RESOLUTION**  
**APPROVING THE VACATION OF THE MILWAUKEE ROAD FRONTAGE ROAD**  
**IN THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN**

**WHEREAS**, the City Council of the City of Beloit, Rock County, Wisconsin has considered whether to discontinue and vacate the Milwaukee Road Frontage Road in the City of Beloit, Rock County, Wisconsin; and

**WHEREAS**, the City Council of the City of Beloit deems such proposal to be in the public interest and a proper matter for consideration by the City Council, as provided by Wisconsin Statutes; and

**WHEREAS**, easements for public utilities on, over, under, and through the entire vacated area are hereby reserved and continued to allow the continued operation, installation, repair, inspection, replacement, relocation, maintenance, and removal of existing and future utility facilities; and

**WHEREAS**, notice of public hearing has been given as provided by law, and proof of publication is now on file herein.

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN:**

1. That the public interest requires the vacation of the Milwaukee Road Frontage Road in the City of Beloit, Rock County, Wisconsin, described as follows:

Part of Lot 5 of Morgan Farm Subdivision as situated in part of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of Section 29 and being also a part of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 30, being all a part of Town 1, North, Range 13, East, now City of Beloit, Rock County, Wisconsin.

2. That said road, afore described be, and hereby is, vacated as a public right-of-way.
3. That the City Clerk shall file a certified copy of this Resolution, along with the Plat of Vacation, with the Register of Deeds of Rock County, Wisconsin.

Adopted this 18<sup>th</sup> day of August, 2014.

**BELOIT CITY COUNCIL**

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Mark Spreitzer, Council President

ATTEST:

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Rebecca Houseman LeMire, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Petition for Vacation of Milwaukee Road Frontage Road

**Date:** August 18, 2014

**Presenter(s):** Julie Christensen

**Department:** Community Development

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**Overview/Background Information:**

The Planning & Building Services Division has received a petition to vacate the Milwaukee Road Frontage Road.

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

- This section of roadway will be vacated as a public street at the request of the School District of Beloit. A school bus loading area will be constructed in the vacated area. The attached Plat of Vacation shows portion of roadway to be vacated.
- There is an existing easement south of the frontage road to ensure access to the church property from the frontage road. An extended easement would be required to maintain access to Milwaukee Road from this existing easement.
- All required Public Notices have been distributed and published and the Notice of Pendency was recorded with the Rock County Register of Deeds on June 20, 2014.
- The City's Review Agents did not submit any comments or concerns.
- The Plan Commission reviewed this item on July 23, 2014 and laid it over to the August 6, 2014 where they voted unanimously (4-0) to recommend approval of this vacation, subject to the condition recommended by the Planning & Building Services Division.

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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, Staff Report to the Plan Commission, and Site Plan



# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** July 23, 2014

**Agenda Item:** 4

**File Number:** VA-2014-02

**Applicant:** School District of Beloit

**Adjacent Zoning:** PLI, Public Lands  
and Institutions

**Adjacent Land Use:** School

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

The Planning & Building Services Division has received a petition to vacate the Milwaukee Road Frontage Road.

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### **Key Issues:**

- This section of roadway will be removed by the owner, the School District of Beloit. A school bus loading area will be constructed in the vacated area.
  - There is an existing easement on the south portion of this frontage road to ensure access to the southern property from Milwaukee Road.
  - The attached Plat of Vacation shows portion of roadway to be vacated.
  - All required Public Notices have been distributed and published and the Notice of Pendency was recorded with the Rock County Register of Deeds on June 20, 2014.
  - The City's Review Agents did not submit any comments or concerns.
- 

### **Consistency with Strategic Plan:**

- Consideration of this request supports City of Beloit 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
- 

### **Staff Recommendation:**

The Planning & Building Services Division recommends **approval** of the request to vacate the Milwaukee Road Frontage Road, as described in the attached Plat of Vacation, returning the entire right-of-way to the adjacent property owner.

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

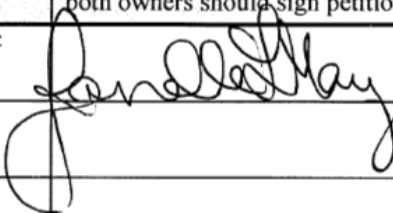
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**Attachments:** Vacation Petition, Plat of Vacation, Location & Zoning Map, Resolution Setting Public Hearing Date, & Public Notice.

**PETITION FOR VACATION OF A PUBLIC RIGHT-OF-WAY**

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

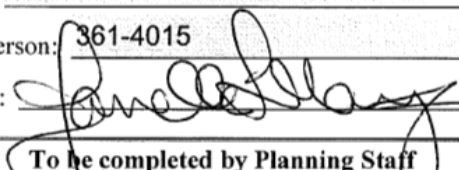
The portion of the right-of-way proposed to be vacated is further described on the attached *Plat of Vacation* prepared by Registered Land Surveyor:

Print NAME and ADDRESS of PETITIONER:	SIGNATURE: (If jointly owned, both owners should sign petition.)	DATE SIGNED:
Name: School District of Beloit Address: 2600 Milwaukee Road		5/12/14
Name: Address:		
Name: Address:		
Name: Address:		
Name: Address:		
Name: Address:		
Name: Address:		
Name: Address:		
Name: Address:		
Name: Address:		
Name: Address:		

Contact person responsible for circulating this petition: School District of Beloit - Janell Marotz

Address of contact person: 1633 Keeler Avenue Beloit WI 53511

Phone number of contact person: 361-4015

Signature of contact person: 

<b>To be completed by Planning Staff</b>	
Filing fee: <b>\$75.00</b> Amount paid: <u>\$75.<sup>00</sup></u> Meeting date: <u>June 18, 2014</u>	
Application accepted by: <u>Don Perington</u> Date: <u>5/15/14</u>	

# PLAT OF VACATION

OF PART OF MILWAUKEE ROAD BEING A PART OF LOT 5 OF MORGAN FARM  
SUBDIVISION AS SITUATED IN PART OF THE S.W. 1/4 OF THE N.W. 1/4 OF  
SECTION 29 AND BEING ALSO A PART OF THE S.E. 1/4 OF THE N.E. 1/4 OF  
SECTION 30, BEING ALL A PART OF T. 1 N., R. 13 E., OF THE 4TH P.M., NOW  
CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.



**DESCRIBED AS FOLLOWS:**

Beginning at the Northwest corner of Lot 1 of Certified Survey Map Doc. No. 1974092 as recorded in volume 35 on pages 262-264 of Certified Survey Maps; thence South 0°36'50" East 79.08 feet along the West line of said lot; thence South 61°39'19" West 681.26 feet along the Southerly right of way line of Milwaukee Road; thence North 28°29'30" West 60.02 feet; thence North 60°51'32" East 718.28 feet to the place of beginning.

C.S.M. Doc. #1974092  
Vol. 35 P. 262-264

C.S.M. Doc. #2002489  
Vol. 36 P. 132-133



*Robert Leuenberger*

ROBERT LEUENBERGER, R.L.S.  
WISCONSIN LAND SURVEYOR S-1244  
DATED THIS 22ND DAY OF APRIL, 2014.



ORDER NO. 31768  
FOR THE EXCLUSIVE USE OF:  
SCHOOL DISTRICT OF БЕЛОIT

File Name: J:\31751-31768\31768 Beloit School District CSM\VACATION.dwg

A RESOLUTION TO VACATE A PART OF MILWAUKEE ROAD AS SHOWN HEREON  
WAS ADOPTED \_\_\_\_\_ 2014 AND IS REFERENCED AS CITY  
OF БЕЛОIT CLERK FILE NO. \_\_\_\_\_

**Batterman**  
engineers surveyors planners

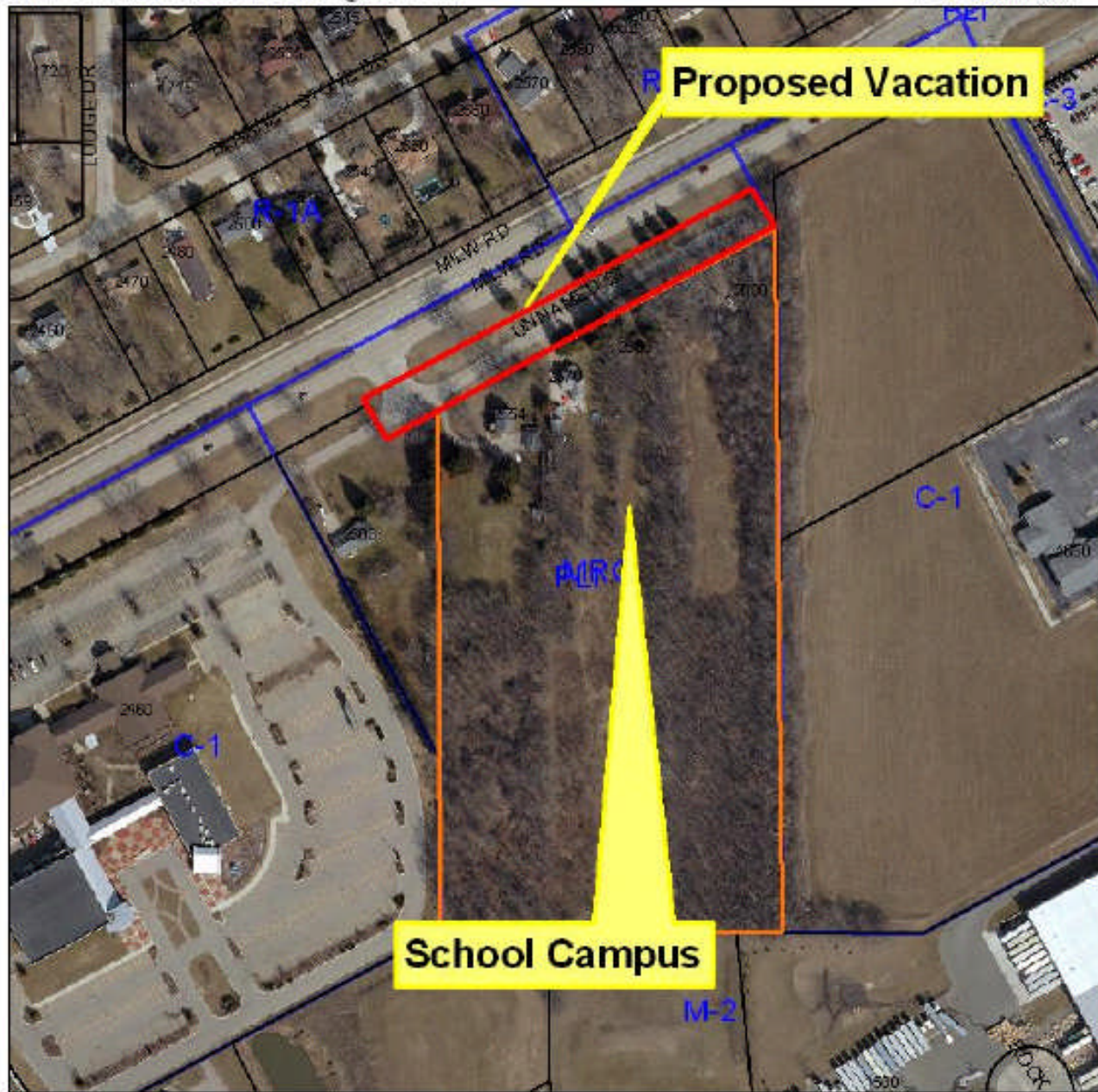


2857 Barabes Drive Beloit, Wisconsin 53511  
608.365.4464 www.batterman.com

# Location & Zoning Map

Milwaukee Road Frontage Road

VA-2014-02



1 inch = 219 feet.

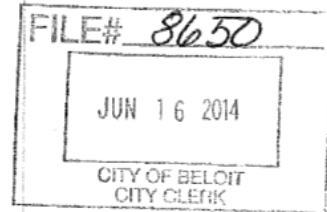
0 55 110 220 330 Feet

### Legend

- COB Parcels
- Zoning District

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

## PLANNING & BUILDING SERVICES DIVISION




**RESOLUTION  
SETTING A DATE FOR A PUBLIC HEARING FOR THE  
VACATION OF MILWAUKEE ROAD FRONTAGE  
IN THE CITY OF БЕЛОИТ, ROCK COUNTY, WISCONSIN**

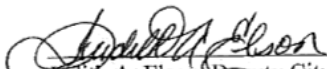
**IT IS RESOLVED THAT** a public hearing on the proposed Resolution to discontinue and vacate part of Milwaukee Road being a part of Lot 5 of Morgan Farm Subdivision as situated in part of the southwest ¼ of the northwest ¼ of Section 29 and being also a part of the southeast ¼ of the northeast ¼ of Section 30, being all a part of Town 1, North, Range 13, East, now City of Beloit, Rock County, Wisconsin, shall be held at the regular **City Council Meeting on Monday, August 4, 2014**, and the City Clerk is authorized and directed to give notices required under Section 66.1003, Wisconsin Statutes.

Adopted this 16<sup>th</sup> of June, 2014.

**City Council of the City of Beloit**

  
Mark Spreitzer, Council President

**Attest:**

  
Judith A. Elson, Deputy City Clerk





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

June 27, 2014

To Whom It May Concern:

The City of Beloit has received a petition requesting the vacation of the Frontage Road to Milwaukee Road. This section of roadway will be removed by the owner, the School District of Beloit. A school bus loading area will be constructed in the vacated area.

This proposed vacation will be considered during the following meetings:

**City Plan Commission**: Wednesday, July 23, 2014, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**City Council (Public Hearing)**: Monday, August 4, 2014, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

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

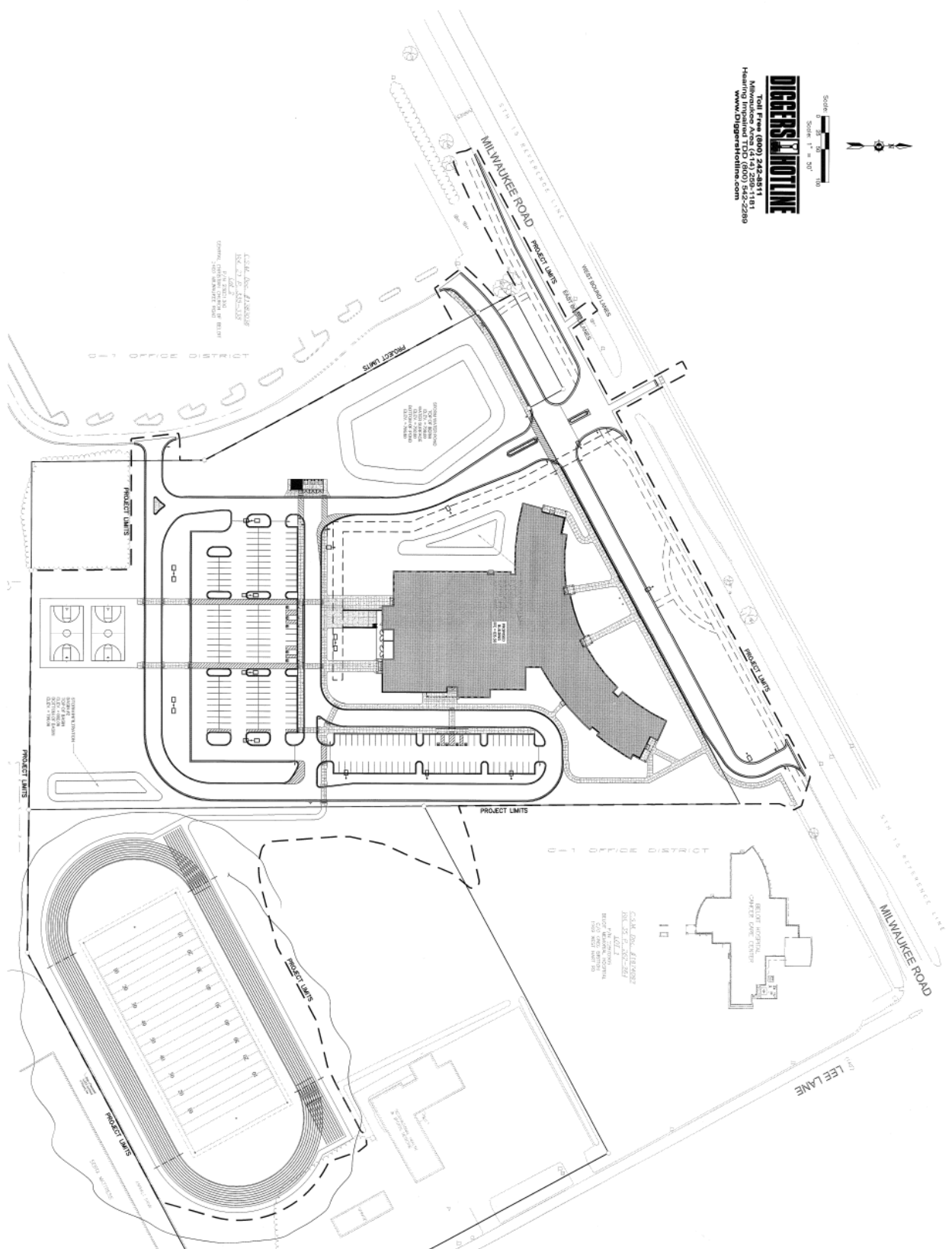
**We are interested in your opinion.**

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 & Building Services Division at (608) 364-6708 or [hummels@beloitwi.gov](mailto:hummels@beloitwi.gov). Comments will be accepted via telephone, email, and U.S. Mail.*

**DIGERSON MOTLINE**  
 Total Frame (600) 242-4814  
 Milwaukee Area (414) 258-1181  
 Hearing Impaired TDD (609) 546-2289  
 Fax (609) 546-2289

Scale: 0" = 20' 0"  
 1" = 30' 0"



**CAROL ANN JENSEN**  
 S.C.E., P.E.  
 LICENSED PROFESSIONAL ENGINEER  
 STATE OF WISCONSIN  
 No. 101,233

**CAROL ANN JENSEN**  
 S.C.E., P.E.  
 LICENSED PROFESSIONAL ENGINEER  
 STATE OF WISCONSIN  
 No. 101,233

DATE: 08/10/2010  
 SHEET: C1.0

**OVERALL SITE PLAN**

Project No: 3064  
 School: Fran Fuzzen Intermediate School  
 Location: Milwaukee Road, Beloit, Wisconsin

Project Title:  
 School District of Beloit  
 Fran Fuzzen Intermediate School  
 Milwaukee Road  
 Beloit, Wisconsin

**KAPUR & ASSOCIATES, INC.**  
 CONSULTING ENGINEERS  
 1711 W. 10TH STREET  
 MILWAUKEE, WISCONSIN 53233  
 PHONE: 414.381.8800 FAX: 414.381.1177  
 WWW.KAPURENGINEERS.COM

**BRAY ARCHITECTS**  
 1000 N. MILWAUKEE AVENUE  
 MILWAUKEE, WI 53233  
 PHONE: 414.258.1181 FAX: 414.258.1181  
 WWW.BRAYARCHITECTS.COM



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

**AN ORDINANCE AMENDING THE  
CITY OF БЕЛОIT COMPREHENSIVE PLAN**

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

**Section 1.** The Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan, adopted in §12.015 of the Code of General Ordinances of the City of Beloit, is hereby amended as follows:

The future land use category of the following described land is hereby changed from Planned Neighborhood to Mixed Residential:

Unplatted land bordered on the north by southeast ¼ of Section 13 – on the east by Northgate Middle Addition – on the south by Elmwood Avenue – on the west by railroad right-of-way, located in the City of Beloit, County of Rock, State of Wisconsin (also known as 1715 Elmwood Avenue, parcel number 11340600). Said parcel contains 14.4 acres, more or less.

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

Adopted this 18<sup>th</sup> day of August, 2014.

**City Council of the City of Beloit**

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

Attest:

\_\_\_\_\_  
Rebecca Houseman LeMire, 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:** Comprehensive Plan Amendment

**Date:** August 18, 2014

**Presenter(s):** Julie Christensen

**Department(s):** Community Development

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### Overview/Background Information:

Jack Meyers has submitted an application requesting an amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan. The history of the City's Comprehensive Plan, along with information on Wisconsin's Comprehensive Planning law, can be found in the attached Staff Report to the Plan Commission.

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### Key Issues (maximum of 5):

- The applicant is requesting the following amendment to the Future Land Use Map (Map 10) of the City's Comprehensive Plan:
  - 1715 Elmwood Avenue– From Planned Neighborhood to Parks and Mixed Residential
- The following table describes the status of the subject properties:

Property	Current Land Use	Zoning Class	Future Land Use	Proposed Future Land Use
1715 Elmwood Avenue	Vacant	R-2, Two-Family Residential	Planned Neighborhood	Mixed Residential

- The applicant is also congruently proposing to rezone the subject property to R-3, Low-Density Multi-Family Residential. This amendment must be approved to allow this rezoning.
- The Plan Commission held a public hearing to consider the requested amendments on July 9, 2014, and voted unanimously (5-0) to recommend denial of the requested amendment to the Comprehensive Plan.

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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 #4*.

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### Sustainability:

- **Reduce dependence upon fossil fuels** – The proposed amendments may reduce dependence upon fossil fuels by increasing the likelihood of retail sales & service uses in close proximity to relatively dense housing and existing transportation routes.
- **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 1<sup>st</sup> and 2<sup>nd</sup> reading of the proposed Ordinance

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

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**Attachments:** Ordinance, Public Notice, and Staff Report to the Plan Commission.



## **NOTICE TO THE PUBLIC**

July 10, 2014

To Whom It May Concern:

The City of Beloit Plan Commission has recommended denial of the following amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1. 1715 Elmwood Avenue– From Planned Neighborhood to Parks and Mixed Residential

Information regarding the location, zoning, and land use of these properties is available for public review in the Planning & Building Services Division on the third floor of City Hall, 100 State Street.

The Plan Commission's recommendation will be reviewed by the City Council, which will hold the following public hearing regarding the proposed amendments:

**City Council (Public Hearing):** Monday, August 18, 2014, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

## **THE PUBLIC IS INVITED TO ATTEND THIS HEARING.**

### **We are interested in your opinion.**

Anyone bringing handouts to the meeting must bring ten (10) copies and submit them to the City Clerk 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 & Building Services Division at (608) 364-6708 or [hummels@beloitwi.gov](mailto:hummels@beloitwi.gov). Comments will be accepted via telephone, email, and U.S. Mail.*

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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Meeting Date: July 9, 2014

Agenda Item: 3

File Number: RPB-2014-07

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### Request Overview/Background Information:

Jack Meyers has submitted an application requesting an amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan.

Wisconsin's Comprehensive Planning Law, §66.1001 of the Wisconsin Statutes, was signed into law in 1999. This legislation is commonly known as Wisconsin's "smart growth" law, although the law does not prescribe or require a particular type of development pattern. The Comprehensive Planning law requires all cities, towns, and villages that regulate land use through land use ordinances (e.g. zoning) to adopt a Comprehensive Plan. Comprehensive Plans are intended to guide development and redevelopment over a 20-year timeframe. The law also requires that land use decisions be consistent with the adopted plan, a requirement that became effective in 2010.

The Beloit City Council approved the City's Comprehensive Plan in March 2008 after an extensive public participation program. All land use decisions made by the City of Beloit, including any actions regarding official mapping, local subdivision regulation, and zoning regulations, must be consistent with the plan. The Beloit City Council established a process for amendments (minor changes) to the Comprehensive Plan on February 1, 2010. The state law requires that the Plan be updated at least once every ten years. As opposed to an amendment, an update is often a substantial re-write of the entire document and maps.

This public meeting of the Plan Commission serves as the second step in the process to amend the Comprehensive Plan. If the Plan Commission votes to recommend approval of the proposed amendment, the attached Resolution will be forwarded to the City Council for consideration during the regularly scheduled meeting on August 18, 2014.

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### Key Issues:

- The applicant is proposing the following amendment to the Future Land Use Map (Map 10) of the City's Comprehensive Plan:
  - 1715 Elmwood Avenue – From Planned Neighborhood to Mixed Residential.
- The Plan Commission approved the attached Preliminary Subdivision Plat on October 9, 2013. Since this approval, the property owner has decided to pursue a low-density, multi-family development. A revised Plat will be needed for this development if the proposed amendment is approved.
- The section of the 14-acre development from Kadlec Drive to the east will be developed as single- and two-family dwellings, while the rest of the development will be a mix of multi-family dwellings.
- This property is currently vacant land. The lands surrounding the properties are:
  - North: R-1A, Single-family Residential District: Vacant Residential Land
  - South: R-1A, Single-family Residential District: Single-family Dwellings
  - East: R-3, Low-density Multi-family Residential District: Single-family Dwellings, Two-family Dwellings, and Low-rise Apartment Buildings
  - West: B3, General Business District; and I1, Light Industrial District (Town of Beloit Zoning): Business and Industrial uses
- The applicant is also congruently proposing to rezone the subject property to R-3, Low-Density Multi-Family Residential. This amendment must be approved to allow this rezoning.
- Close proximity to the railroad and industry make this an ideal location for a mixed residential development. The eastern-most section of the development will act as a transition from multi-family dwellings to the established two- and single-family neighborhood.
- A Location/Land Use/Zoning Map and the Future Land Use Map are attached to this report.

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### Consistency with Comprehensive Plan and Strategic Plan:

- The City's compliance with the Comprehensive Planning law's consistency requirement is the impetus for this request.
- 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** – The development of this parcel will connect existing roadways and infrastructure, meeting the present needs of the neighborhood. Additionally, future needs of the community will be met by offering diverse housing opportunities and increasing the municipal tax base.

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**Staff Recommendation:**

The Planning & Building Services Division recommends **approval** of the following proposed amendment to the Future Land Use Map (Map 10) of the City's Comprehensive Plan:

1. 1715 Elmwood Avenue – From Planned Neighborhood to Mixed Residential.

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

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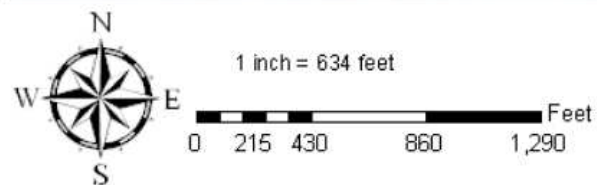
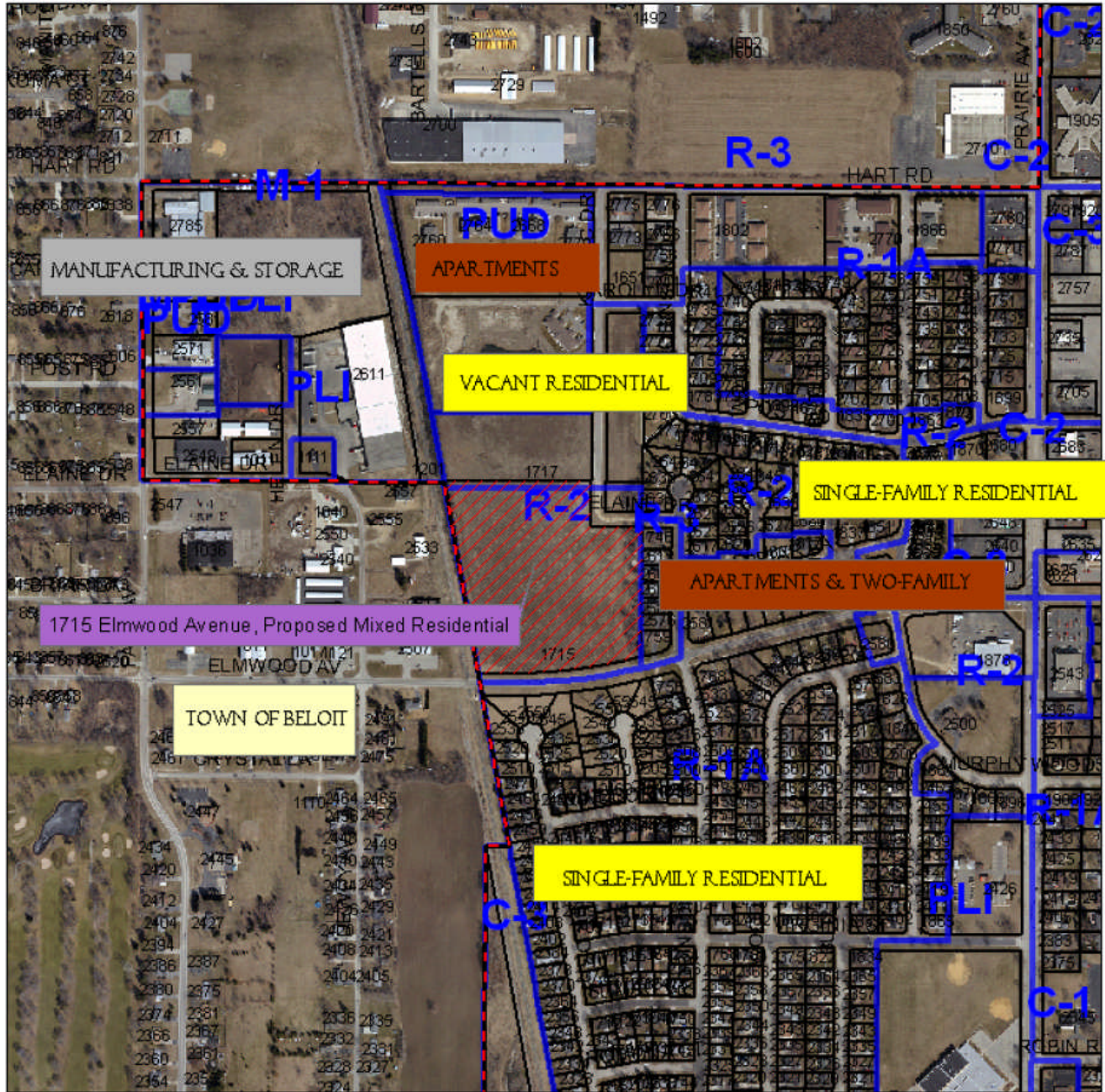
**Attachments:** Location/Land Use/Zoning Map, Future Land Use Map, Preliminary Plat, Public Notice, Mailing List, and Resolution.



# Location, Land Use, & Zoning Map

1715 Elmwood Avenue

RPB-2014-07



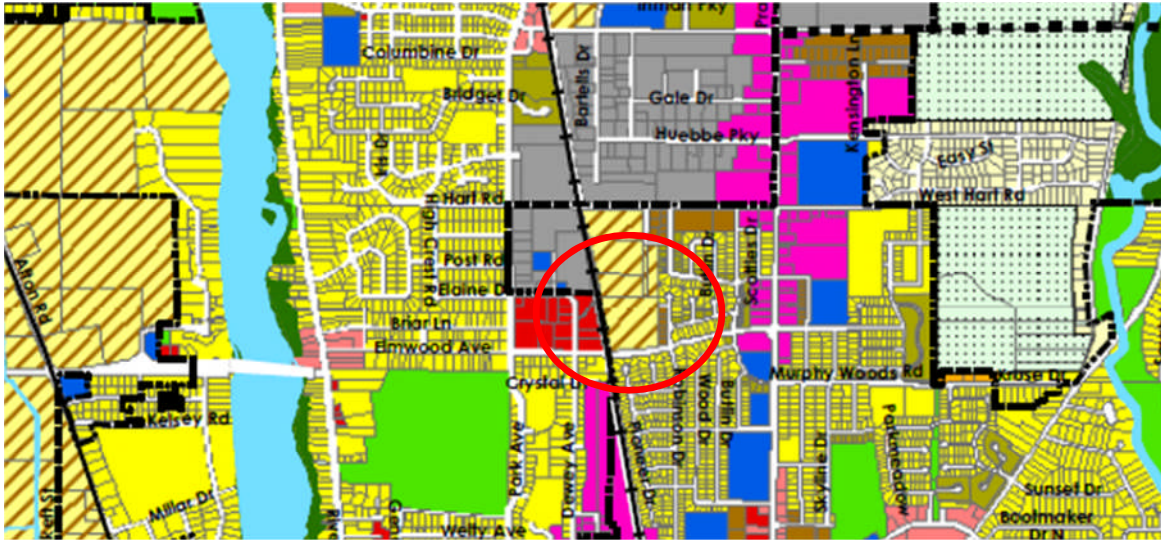
Legend	
	Zoning District
	City Limits
	COB Parcels

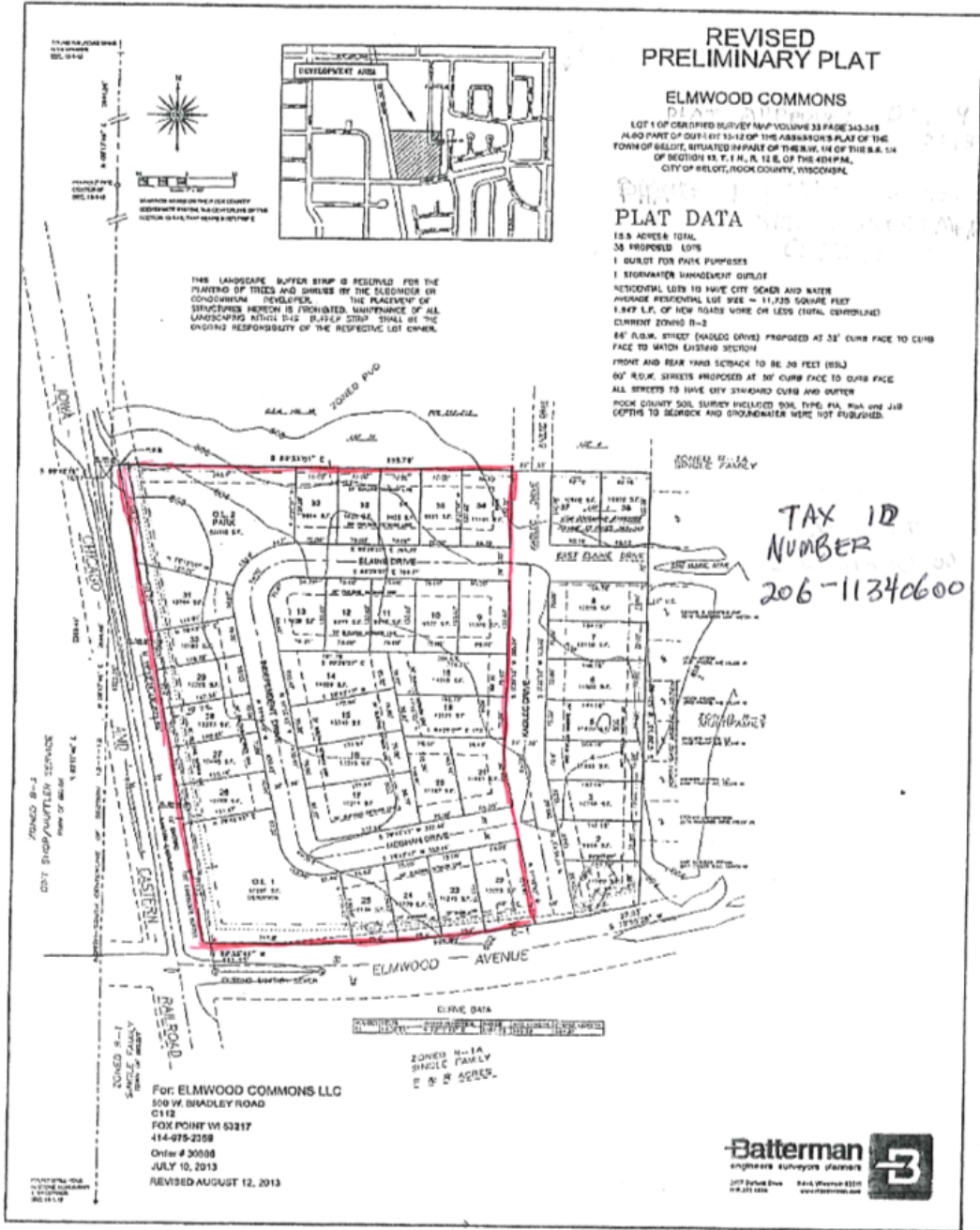
Map prepared by: Stephanie Hummel  
 Date: June 2014  
 For: City of Beloit Planning & Building Services  
 Date of Aerial Photography: March 2011

**PLANNING & BUILDING SERVICES DIVISION**



# Map 10, Future Land Use (Narrowed to Subject Property)







## **NOTICE TO THE PUBLIC**

June 27, 2014

To Whom It May Concern:

Jack Meyers has submitted an application requesting the following amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1. 1715 Elmwood Avenue – From Planned Neighborhood to Mixed Residential

Information regarding the location, zoning, and land use of this property is available for public review in the Planning & Building Services Division on the third floor of City Hall, 100 State Street.

The following public meetings will be held regarding the proposed amendments:

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

**City Council (Public Hearing):** Monday, August 18, 2014, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

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

### **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 & Building Services Division at (608) 364-6708 or [hummels@beloitwi.gov](mailto:hummels@beloitwi.gov). Comments will be accepted via telephone, email, and U.S. Mail.*



Karry DeVault, Clerk  
Town of Beloit  
2871 S. Afton Rd.,  
Beloit 53511

Frank Management Inc.  
2501 Morse Street  
Janesville, WI 53545

Janelle Marotz  
School District of Beloit  
1633 Keeler Avenue  
Beloit, WI 53511

Deb Bennett, Clerk  
Town of Turtle  
6916 S. County Rd. J.  
Beloit, WI 53511

Rock County Planning Director  
Rock County Courthouse, Room 266  
51 South Main Street,  
Janesville, WI 53545

Dr. Dennis McCarthy  
Beloit-Turner School District  
1237 Inman Parkway  
Beloit, WI 53511

City Clerk  
City of South Beloit  
519 Blackhawk Blvd. Suite 2  
South Beloit, IL 61080

Dr. Pamela Kiefert, Superintendent  
Clinton Community School District  
112 Milwaukee Road  
Clinton, WI 53525

Beloit Public Library Director  
605 Eclipse Boulevard  
Beloit, WI 53511  
Via I/O Mail

Peter Herreid, Grant Administrator  
Department of Administration  
101 E. Wilson Street, 10th Floor  
Madison, WI 53702-0001

Brad Austin  
Corporate Contractors Inc.  
655 3<sup>rd</sup> Street, Suite 101  
Beloit, WI 53511

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

**AN ORDINANCE AMENDING THE  
ZONING DISTRICT MAP OF THE CITY OF БЕЛОIT**

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

**Section 1.** The Zoning District Map of the City of Beloit, mentioned in the Zoning Code, Chapter 19 of the Code of General Ordinances of the City of Beloit, is amended as follows:

The following described land, also known as 1715 Elmwood Avenue, is hereby changed from R-2, Two-Family Residential District, to R-3, Low-Density Multi-Family Residential District:

Unplatted land bordered on the north by southeast ¼ of Section 13 – on the east by Northgate Middle Addition – on the south by Elmwood Avenue – on the west by railroad right-of-way, located in the City of Beloit, County of Rock, State of Wisconsin (also known as 1715 Elmwood Avenue, parcel number 11340600). Said parcel contains 14.4 acres, more or less.

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

Adopted this 18<sup>th</sup> day of August, 2014.

**City Council of the City of Beloit**

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

Attest:

\_\_\_\_\_  
Rebecca Houseman LeMire, 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:** Zoning Map Amendment Application for the property located at 1715 Elmwood Avenue

**Date:** August 18, 2014

**Presenter(s):** Julie Christensen

**Department:** Community Development

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

Jack Meyers has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-2, Two-Family Residential District, to R-3, Low-Density Multi-Family Residential District, for the property located at 1715 Elmwood Avenue.

---

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

- The Plan Commission approved a Preliminary Subdivision Plat for the subject property on October 9, 2013. Since this approval, the property owner has decided to pursue a low-density, multi-family development. A revised Plat will be needed for this development if the proposed zoning change is approved.
  - The section of the development from Kadlec Drive to the East will be developed as single- and two-family dwellings, while the rest of the development will be a mix of multi-family dwellings.
  - This property is currently vacant land. It is approximately 14.4 acres. It was zoned for multi-family housing until the late 1990's when the neighborhood proposed down-zoning to single-family residential. This was approved and has been the zoning classification since.
  - This application is being processed congruently with the application to amend the Comprehensive Plan's Future Land Use Map to recommend Mixed Residential for the subject property.
  - The Plan Commission reviewed this item July 9, 2014 and voted unanimously (5-0) to recommend denial of this Zoning Map Amendment.
- 

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

The Comprehensive Plan currently recommends Planned Neighborhood for the subject property. Upon approval from City Council, the Comprehensive Plan will recommend Mixed Residential for the subject property. This proposed Zoning Map Amendment is consistent with the Comprehensive Plan, as required by Section 66.1001(3) of Wisconsin Statutes.

Consideration of this request supports City of Beloit 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** – The development of this parcel will connect existing roadways and infrastructure, meeting the present needs of the neighborhood. Additionally, future needs of the community will be met by offering diverse housing opportunities and increasing the municipal tax base.
- 

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

- City Council consideration and 1<sup>st</sup> and 2<sup>nd</sup> readings of the proposed Ordinance
- 

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

---

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

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION



**Meeting Date:** July 9, 2014

**Agenda Item:** 4

**File Number:** ZMA-2014-08

**Applicant:** Jack Meyers

**Owner:** Jack Meyers, Elmwood Commons LLC

**Location:** 1715 Elmwood Avenue

**Current Zoning:** R-2, Two-Family Residential District

**Existing Land Use:** Vacant Land

**Parcel Size:** 14.4 Acres

**Proposed Zoning:** R-3, Low-Density, Multi-Family Residential District

---

### Request Overview/Background Information:

Jack Meyers has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-2, Two-Family Residential District, to R-3, Low-Density Multi-Family Residential District, for the property located at 1715 Elmwood Avenue.

The attached **Location & Zoning Map** shows the location of the subject properties and the zoning of the surrounding area. The adjacent zoning and land uses are as follows:

- o North: R-1A, Single-family Residential District: Vacant Residential Land
- o South: R-1A, Single-family Residential District: Single-family Dwellings
- o East: R-3, Low-density Multi-family Residential District: Single-family Dwelling, Two-family Dwellings, and Low-rise Apartment Buildings
- o West: B3, General Business District; and I1, Light Industrial District (Town of Beloit Zoning): Business and Industrial uses

The Zoning Ordinance directs the Plan Commission to hold a hearing and make a recommendation regarding a Zoning Map Amendment when the specific site and context are suitable for the uses permitted in the proposed zoning district.

---

### Key Issues:

- The Plan Commission approved a Preliminary Subdivision Plat for the subject property on October 9, 2013. Since this approval, the property owner has decided to pursue a low-density, multi-family development. A revised Plat will be needed for this development if the proposed zoning change is approved.
- The section of the development from Kadlec Drive to the East will be developed as single- and two-family dwellings, while the rest of the development will be a mix of multi-family dwellings.
- This property is currently vacant land. It is approximately 14.4 acres. It was zoned for multi-family housing until the late 1990's when the neighborhood proposed down-zoning to single-family residential. This was approved and has been the zoning classification since.
- In 2009, the property directly north of the subject property (2500 Kadlec Drive) filed an application for rezoning to PUD. This application was withdrawn. The property north of that (2660 Kadlec Drive) also filed to add five 12-unit condominium buildings as part of their existing PUD. This was denied.
- This application is being processed congruently with the application to amend the Comprehensive Plan's Future Land Use Map to recommend Mixed Residential for the subject property.
- Planning staff mailed the attached Public Notice to the owners of nearby properties. As of this writing, staff has not received any comments.
- This application is being considered in accordance with the Zoning Map Amendment procedures contained in Section 2-300 of the Zoning Ordinance.
- **Findings of Fact** - Based on Section 2-304 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:
  - a. *The existing use of property within the general area of the subject property;*
    - The subject property is located near a variety of housing types, including low-density apartments, two-family duplexes, and single-family homes. There is also vacant residential land to the north of this property. The R-3 classification is compatible with existing and planned uses within the general area.

- b. *The zoning classification of property within the general area of the subject property;*
  - The subject property is adjacent to residential (R-1A and R-3) districts. It is also adjacent to a Business and Industrial district in the Town of Beloit, separated by railroad tracks. The R-3 zoning will allow for both multi-family, two-family, and single-family development.
- c. *The suitability of the subject property for the uses permitted under the existing zoning classification; and*
  - The subject property is suitable for the uses permitted in the R-2 district, but the applicant intends to integrate multi-family dwellings into this development. This is not allowed in the R-2 zoning district.
- d. *The trend of development and zoning map amendments in the general area of the subject property.*
  - This neighborhood is an established residential area. Its close proximity to major commercial uses along Prairie Avenue makes it ideal for mixed residential development.
  - A proposed PUD to allow a multi-family development of 66 units at 2660 Kadlex Drive was denied in 2009.

---

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

The Comprehensive Plan currently recommends Planned Neighborhood for the subject property. Upon approval from City Council, the Comprehensive Plan will recommend Mixed Residential for the subject property. This proposed Zoning Map Amendment is consistent with the Comprehensive Plan, as required by Section 66.1001(3) of Wisconsin Statutes.

Consideration of this request supports City of Beloit 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** – The development of this parcel will connect existing roadways and infrastructure, meeting the present needs of the neighborhood. Additionally, future needs of the community will be met by offering diverse housing opportunities and increasing the municipal tax base.

---

**Staff Recommendation:**

Based upon the above Findings of Fact and the City's Comprehensive Plan, the Planning & Building Services Division recommends **approval** of a Zoning Map Amendment to change the zoning district classification from R-2, Two-Family Residential District, to R-3, Low-Density Multi-Family Residential District, for the property located at 1715 Elmwood Avenue.

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

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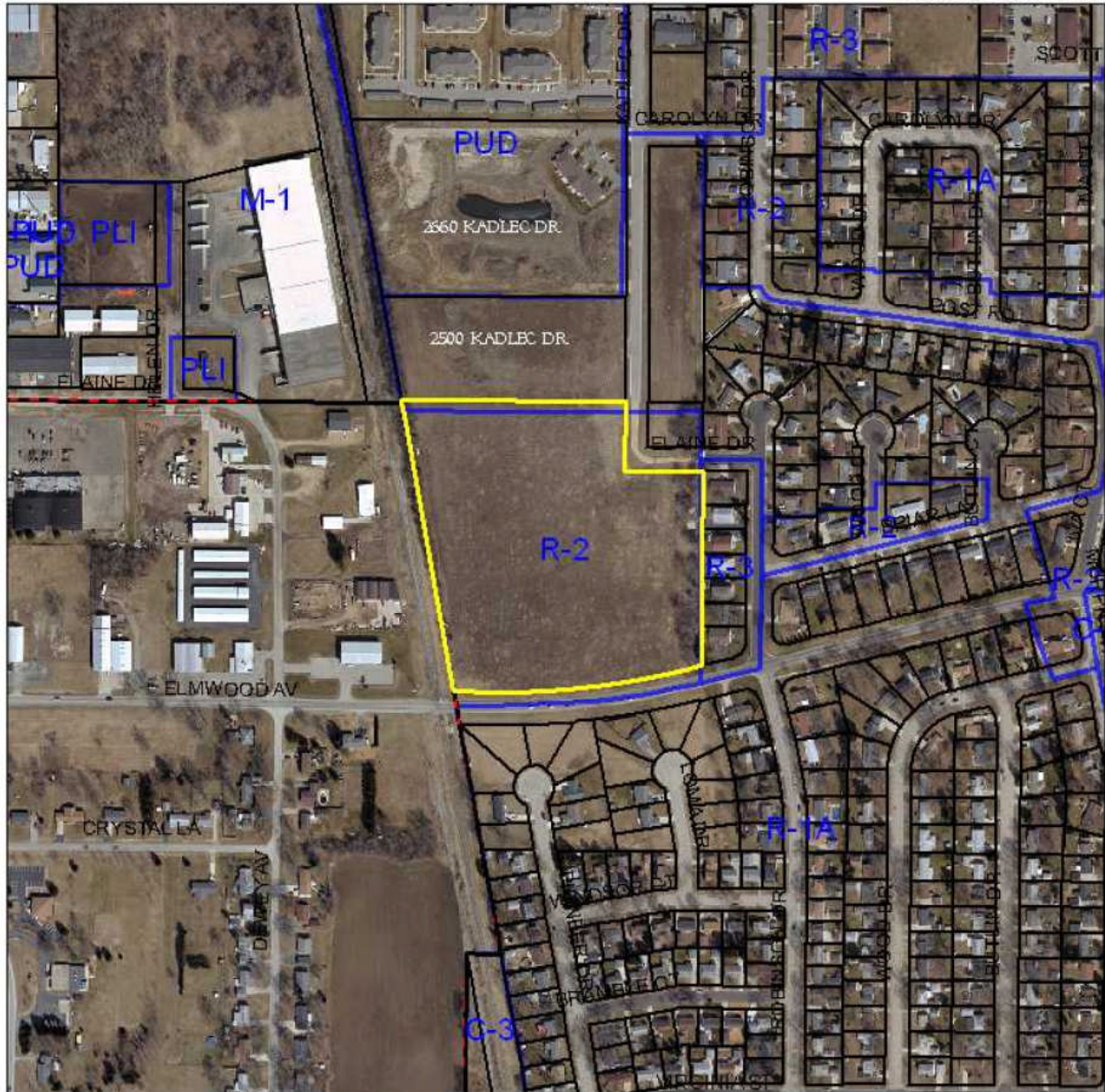
**Attachments:** Location & Zoning Map, Application, Preliminary Plat, Public Notice, and Mailing List.



# Location & Zoning Map

1715 Elmwood Avenue

ZMA-2014-08



1 inch = 420 feet  
0 105 210 420 630 Feet

### Legend

-  COB Parcels
-  Zoning District

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

## PLANNING & BUILDING SERVICES DIVISION

# CITY of BELOIT

## PLANNING & BUILDING SERVICES DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

### Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2014-08

1. Address of subject property: 1715 Elmwood Ave.

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

Property dimensions are:      feet by      feet =      square feet.

If more than two acres, give area in acres: 12.5 acres.

3. Tax Parcel Number(s): 206-11340600

4. Owner of record: Elmwood Commons LLC Phone: 414-975-2359

500 W. Bradley Rd #C112 Fox Point, Wisconsin 53217  
(Address) (City) (State) (Zip)

5. Applicant's Name: Elmwood Commons LLC (Jack E. Meyers)

500 W. Bradley Rd #C112 Fox Point, Wisconsin 53217  
(Address) (City) (State) (Zip)

414-975-2359 /  
(Office Phone #) (Cell Phone #) (E-mail Address)

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

Change zoning district classification from: R-2 to: R-3

All existing uses on this property are: R-2, revised preliminary plat  
Elmwood Commons, approved October 9, 2013

7. All the proposed uses for this property are:

Principal use(s): portion of development west of Kadlec Drive to  
be rezoned from R-2 to R-3. Lots 1-8, 37, 38 will remain R-2

Secondary use(s):     

Accessory use(s):

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

- Owner
- Leasehold, Length of lease: \_\_\_\_\_
- Contractual, Nature of contract: \_\_\_\_\_
- Other, explain: \_\_\_\_\_

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

Name(s): Jack E. Meyers                      Phone: 414-975-2359  
500 W. Bradley Rd. #C112 Fox Point, Wisconsin 53217  
(Address)    (City)    (State)    (Zip)

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

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

Jack E. Meyers / Jack E. Meyers / 6/4/2014  
(Signature of Owner)    (Print name)    (Date)

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

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

To be completed by Planning Staff		
Filing Fee: <b>\$275.00</b>	Amount Paid: <u>275.00</u>	Meeting Date: <u>7/9/14</u>
Number of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____		
Application accepted by: <u>STNJR</u>		Date: <u>6/5/14</u>
Date Notice Published: _____	Date Notice Mailed: _____	



# REVISED PRELIMINARY PLAT

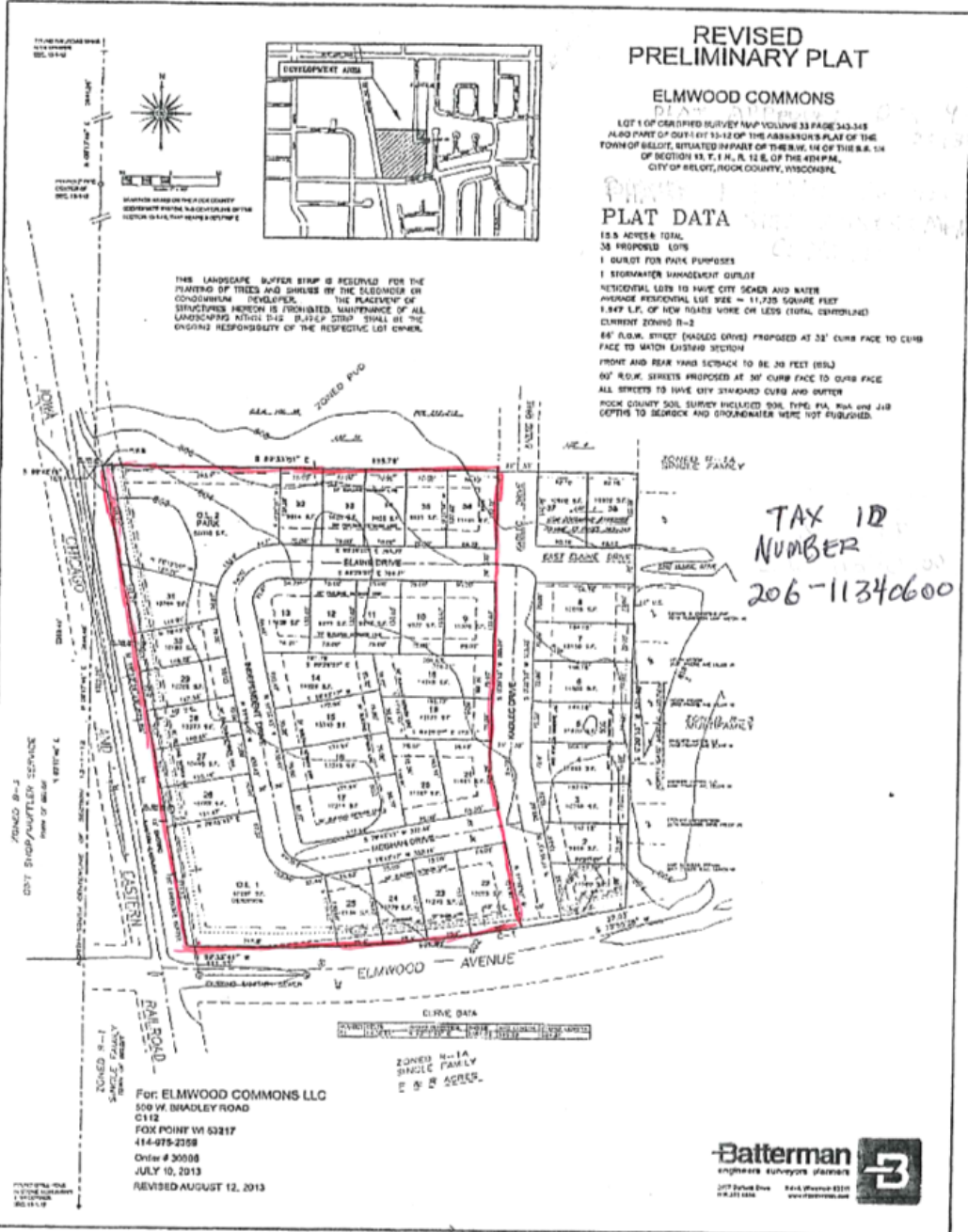
## ELMWOOD COMMONS

LOT 1 OF CERTIFIED SURVEY MAP VOLUME 33 PAGE 343-345  
 ALSO PART OF SURVEY 13-12 OF THE ABRAHAM'S PLAT OF THE  
 TOWN OF BELoit, SITUATED IN PART OF THE N.W. 1/4 OF THE S.W. 1/4  
 OF SECTION 13, T. 1 N., R. 12 E., OF THE 4TH P.M.,  
 CITY OF BELoit, ROCK COUNTY, WISCONSIN.

### PLAT DATA

- 15.5 ACRES TOTAL
- 38 PROPOSED LOTS
- 1 BUILT FOR PARK PURPOSES
- 1 STORMWATER MANAGEMENT OUTLET
- RESIDENTIAL LOTS TO HAVE CITY SEWER AND WATER
- PROPOSED RESIDENTIAL LOT SIZE = 11,725 SQUARE FEET
- 1.847 L.F. OF NEW ROAD WORK ON LESS (TOTAL CENTERLINE)
- CURRENT ZONING R-2
- 84' P.A.W. STREET (HARLES DRIVE) PROPOSED AT 33' CURB FACE TO CURB FACE TO MATCH EXISTING SECTION
- FRONT AND REAR YARDS SETBACK TO BE 30 FEET (80')
- 80' R.O.W. SIDINGS PROPOSED AT 30' CURB FACE TO CURB FACE
- ALL STREETS TO HAVE CITY STANDARD CURBS AND DUTCH
- ROCK COUNTY SOIL SURVEY ILLUSTRATED 100% TYPE PAW AND JIB
- DEPTH TO BEDROCK AND GROUNDWATER WERE NOT DETERMINED

THIS LANDSCAPE BUFFER STRIP IS RESERVED FOR THE  
 PLANTING OF TREES AND SHRUBS BY THE SUBSEDER OR  
 CONDOMINIUM DEVELOPER. THE PLACEMENT OF  
 STRUCTURES HEREON IS PROHIBITED. MAINTENANCE OF ALL  
 LANDSCAPING UNTIL THIS BUFFER STRIP SHALL BE THE  
 ONGOING RESPONSIBILITY OF THE RESPECTIVE LOT OWNER.



TAX ID  
 NUMBER  
 206-11340600

For: **ELMWOOD COMMONS LLC**  
 500 W. MADLEY ROAD  
 C112  
 FOX POINT WI 53217  
 414-979-2358  
 Order # 30008  
 JULY 10, 2013  
 REVISED AUGUST 12, 2013





## **NOTICE TO THE PUBLIC**

June 27, 2014

To Whom It May Concern:

Jack Meyers has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-2, Two-Family Residential District, to R-3, Low-Density Multi-Family District, for the property located at:

**1715 Elmwood Avenue.**

The applicant is planning a low-density, multi-family development. The section of the development from Kadlec Drive to the east will be developed as single- or two-family dwellings, while the rest of the development will be a mix of multi-family dwellings.

The following public hearings will be held regarding this application:

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

**City Council:** Monday, August 18, 2014, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

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**We are interested in your opinion.**

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LEWIS C & MARY I WASHINGTON  
2520 PIONEER DR  
BELOIT, WI 53511

JEROME S & BONNIE E KNOLL  
2530 LOMA DR  
BELOIT, WI 53511

CLIFFORD GRICE  
2535 PIONEER DR  
BELOIT, WI 53511

MARCOS ACEVES  
2524 ROBINSON DR  
BELOIT, WI 535112222

MOHAMED FAROUK GANI  
504 N BROCKWAY  
PALATINE, IL 60067

JAMES MARTIN  
2532 ROBINSON DR  
BELOIT, WI 535112222

REBECCA HENNING  
2550 LOMA DR  
BELOIT, WI 53511

ALBERT PEGESEE  
2533 ROBINSON DR  
BELOIT, WI 535112221

MARY TRUMPY  
1756 ELMWOOD AVE  
BELOIT, WI 535112211

STEPHEN & TINA ANDREWS  
1768 ELMWOOD AVE  
BELOIT, WI 535112264

GARY & SUSAN BEEMAN  
3647 O'RILEY RD  
DARIEN, WI 53114

STEPHEN ENGBRETSON  
2576 ROBINSON DR  
BELOIT, WI 53511

KATHRYN HOUGH  
2581 ROBINSON DR  
BELOIT, WI 535112260

FRANK & PAULA PHILLIPS  
5408 YERBA BUENA RD  
SANTA ROSA, CA 95409

BROCKER-KIESOW LLC  
2680 PRAIRIE AVE  
BELOIT, WI 53511

HELEN KIESOW  
2680 PRAIRIE AVE  
BELOIT, WI 53511

CHRISTINE L & EDWARD M JR ZHE  
4512 PLANTATION LN  
MILTON, WI 53563

HELEN KIESOW  
2680 PRAIRIE AVE  
BELOIT, WI 53511

CAROLINA DEAQUINO  
2617 ROBINSON DR  
BELOIT, WI 53511

EDWARD & CHRISTINE ZHE  
4512 PLANTATION LN  
MILTON, WI 53563

DAWN SADEWATER  
2623 ROBINSON DR  
BELOIT, WI 53511

LAWRENCE & TERRY BROWN  
2629 ROBINSON DR  
BELOIT, WI 535112223

JUAN PEREZ-LAVARIEGA  
2632 ROBINSON DR  
BELOIT, WI 53511

THOMAS G & DEBORAH L VAIL  
2009 KELMSCOTT ST  
THE VILLAGES, FL 32162

JACK E MEYERS ELMWOOD COMMONS  
LLC  
500 W BRADLEY RD #C112  
FOX POINT, WI 53217

ARTHUR & KAREN JAMES  
2641 ROBINSON DR  
BELOIT, WI 535112223

DOROTHY DOWLING  
2647 ROBINSON DR  
BELOIT, WI 535113032

SANDRA TESS  
2638 ROBINSON DR  
BELOIT, WI 535119473

JERALD SWANSON  
2644 ROBINSON DR  
BELOIT, WI 53511

MICHAEL & LINDA STAPLEFORD  
1774 POST RD  
BELOIT, WI 53511

NIEL DEVOE  
2700 N ROBINSON DR  
BELOIT, WI 535112249

TYCORE BUILT LLC  
2170 VELD AVE STE 106  
GREEN BAY, WI 54303

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

MURRAY BELOIT PROPERTY LLC  
1011 FLORAL LN  
DAVENPORT, IA 52802



**PROCEEDINGS OF THE BELOIT CITY COUNCIL**

**Special Meeting**

**100 State Street, Beloit, WI 53511**

**Monday, August 4, 2014**

Presiding: Mark Spreitzer

Present: Sheila De Forest, Regina Hendrix, Ana Kelly, Chuck Kincaid (arrived at 5:38 p.m.), and David F. Luebke

Absent: Charles M. Haynes,

1. President Spreitzer called the meeting to order at 5:35 p.m. in the 4<sup>th</sup> Floor City Manager's Conference Room at City Hall.
2. Councilor Luebke made a motion to adjourn into closed session pursuant to Wis. Stat. 19.85(1)(e) to discuss **collective bargaining** strategies. Councilor De Forest seconded. The motion carried, and the Council adjourned into closed session at 5:35 p.m.
3. At 6:20 p.m., Councilor Luebke made a motion to adjourn the closed session meeting and reconvene in open session. Councilor Hendrix seconded, and the motion carried.
4. At 6:20 p.m., Councilor Kincaid made a motion to adjourn the meeting. Councilor Luebke seconded, and the motion carried.

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Rebecca Houseman LeMire, City Clerk

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

Date Approved by Council:



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

Presiding: Mark Spreitzer  
Present: Sheila De Forest, Charles M. Haynes, Regina Hendrix, Ana Kelly, Chuck Kincaid, and 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. Vice President Haynes presented a proclamation declaring August 5, 2014 as **National Night Out** to Beloit Police Chief Norm Jacobs. Chief Jacobs thanked the Council for the proclamation, and he thanked the block captains and all the others who are participating in the event including the Fire Department and Crime Stoppers. File 7148
4. PUBLIC HEARINGS – none
5. CITIZENS PARTICIPATION
  - Brian Fitzgerald, 3906 Capella Drive, Janesville, said that he is a Janesville City Councilman and is running for State Senate in District 15. He said that bringing jobs to the area is the focus of his campaign.
  - Jason Dowd, 523 Moore Street, said that he represents Beloit on the Rock County Board of Supervisors. He asked for the City Council's support of a Resolution he is proposing to the County Board asking the Governor and State Legislature to accept Medicare funds. He said that over 3,000 people in Rock County would be served by these funds and said that he would like to see a referendum on the November ballot.
  - Richard Harris, 141 N. Oak Street, Whitewater, spoke out against the recent violence in Beloit. He said that he interned at Rock County and met with young people in the area who did not have any hope for the future. He said that he has faith that Beloit's leadership will do something to stop the violence.
  - Daniel Barolsky, 1301 Chapin Street, said that the current juvenile truancy ordinances fail to meet the goals and the revocation of the current ordinances is a starting point to fixing the problem.
  - Steve Howland, 1617 Emerson Street, said that he would like to see the truancy fines reduced to \$25.00. He said fines are not effective deterrents and that the support structure for these kids needs to be greater. He requested that a committee be formed to look at the problem.
  - Mike Fallon, 1232 Elm Street, said that the truancy ordinances are not effective and would like to see the community get involved in finding a solution.
  - Heather McCoy, 935 Gerald Avenue, said that she would like to bridge the gap between City officials and community members with the hopes on stopping the violence in Beloit.
  - Lakeidric McCoy, 935 Gerald Avenue, said that everyone needs to step up to the plate to stop the recent violence.

6. CONSENT AGENDA

Councilor Spreitzer 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., and Councilor

Hendrix seconded. The motion carried that the Consent Agenda be accepted, approved, adopted, or referred and acted upon as required by state and local codes by a vote of 7-0.

- a. The **Minutes** of the Regular Meeting of July 21, 2014, and the Special Meeting of July 28, 2014, were approved.
- b. The application for **Class "B" Beer and "Class B" Liquor License** for JD Second Time Inc., d/b/a The Grand Avenue Pub, located at 132 West Grand Avenue, Gayle Schliem, Agent, was referred to the ABLCC. File 8645
- c. City Engineer Mike Flesch presented a resolution rejecting all bids for **Public Works Contract C14-10, Third Street Pier**. Mr. Flesch said that the bids received were significantly higher than the Engineer's estimate. Councilor De Forest asked how the City is planning to proceed. Mr. Flesch said that, if the bids are rejected, he will meet with the bidders to see why the bids were so out of line with the estimate. Councilor Haynes made a motion to adopt the resolution, and Councilor Kelly seconded. The motion carried 7-0. File 8654

## 7. ORDINANCES

- a. Deputy City Attorney presented the second reading of a proposed ordinance to amend sections 25.04(1)(d), 31.30(1) and 15.30 and to create section 31.30(1m) of the Code of General Ordinances of the City of Beloit pertaining to **Forfeitures for Juvenile matters** in Municipal Court. Councilor De Forest asked about the status of setting up a meeting with the school district, and City Manager Larry Arft said that they are scheduling a joint School Board/City Council meeting in mid-September. Councilor De Forest made a motion to enact the ordinance, and Councilor Kincaid seconded. Councilor De Forest made a motion to amend the ordinance to reduce the citation for first offence habitual truancy from \$100.00 to \$50.00. Councilor Spreitzer seconded. Councilor Luebke said that he may agree but that he would like to meet with the community in a committee setting first. Councilor De Forest said that she is excited for the possible changes that the committee could come up with but that she would like to see the citation cost decreased now. Councilor Spreitzer said that there is no objection by the School District to reducing the fines and that the committee will look at the larger truancy issue. Councilor Haynes said that the Municipal Judge would have to review any amendments to the ordinance so it would have to be laid over tonight. Councilor Luebke asked Fred Atlas from the Beloit School District to speak regarding this issue. Mr. Atlas said that the District stands by the current procedures for dealing with truancy. He said that the cost of the citations is out of the realm of the District and that his job is to ensure that young people get an education. The motion to amend the ordinance carried 5-2 with Councilors Haynes and Luebke voting in opposition. Councilor Haynes made a motion to lay this item over until the August 18<sup>th</sup> meeting, and Councilor Hendrix seconded. The motion carried 7-0. File 7774/4906

## 8. APPOINTMENTS – none

## 9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor Luebke said that it was nice to see so many people at the Street Dance and the Beloit and Beyond bicycling event the next day.
- Councilor De Forest said that she volunteered at the Street Dance and attended the Hands of Faith corn boil. She said that she is looking forward to National Night Out and thanked those hosting block parties. She announced that there would be local transportation construction training that will train people for the jobs associated with the I-90/39 construction project. She also expressed condolences to the family of the young man who was shot and encouraged people to step up and contact the police.
- Councilor Hendrix said that she is looking forward to National Night Out and attending some of the Stop the Violence events in Beloit. She said that the community has to come together to solve the problem. She encouraged people to attend the Beloit Strong event on August 13<sup>th</sup> at Summit Park from 2-6 p.m.
- Councilor Kelly said that she is looking forward to meeting regarding the reconstruction of I-39/90 and National Night Out on August 5<sup>th</sup>.
- Councilor Spreitzer said that he is looking forward to attending as many National Night Out block parties as he can and will attend the I-39/90 construction meeting as well. He said that he



attended the Hands of Faith corn boil and that Saturday was Craig Knutson Day in honor years of service as the Rock County Administrator.

10. CITY MANAGER'S PRESENTATION

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Fire Chief Brad Liggett presented a resolution amending the **2014 Capital Improvements Budget** for a Fire Department Utility Terrain Vehicle Equipment Purchase. Chief Liggett explained that the UTV will be used for all-terrain rescues. He indicated that this equipment will be funded through savings from a past ambulance purchase. Councilor De Forest said that the funding is from the capital budget which cannot be used for personnel, and she asked if any cost-sharing opportunities were researched. Chief Liggett said that he did not look into sharing the cost with other municipalities because the funds were available and it is advantageous to have the equipment housed with the City. Councilor Luebke said that this equipment may be used during mutual aid responses. Councilor Luebke made a motion to adopt the resolution, and Councilor Haynes seconded. The motion carried 7-0. File 8574

12. At 8:04 p.m., Councilor Hendrix made a motion to adjourn the meeting, and Councilor Kelly seconded. The motion carried 7-0.

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Rebecca Houseman LeMire, City Clerk

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

Date approved by Council:



# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Conditional Use Permit Application for the property located at 2222 Shopiere Road – Council Referral to the Plan Commission

**Date:** August 18, 2014

**Presenter(s):** Julie Christensen

**Department:** Community Development

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### Overview/Background Information:

Randy Gracyalny, on behalf of Our Lady of the Assumption, has filed an application for a Conditional Use Permit to allow alcohol sales in a PLI, Public Lands and Institutions District, for the property located at 2222 Shopiere Road.

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### Key Issues (maximum of 5):

- Our Lady of the Assumption is primarily used for religious services, child care and education, and their administrative offices. These uses will remain.
- The applicant is seeking a Conditional Use Permit for alcohol sales, which are intended to occur during special events only.
- Alcohol sales are a conditional use in the PLI District.

---

### 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:

- Referral to the Plan Commission for the August 20, 2014 meeting.
- This item will return to the City Council for a public hearing and possible action on September 2, 2014.

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

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**Attachments:** Location & Zoning Map and Application

# Location & Zoning Map

2222 Shopiere Road

CU-2014-06



1 inch = 215 feet



### Legend

- Feet COB Parcels
- 450 Zoning District

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

## PLANNING & BUILDING SERVICES DIVISION

# CITY of BELOIT

## Planning and Building Services Division

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

### Conditional Use Permit Application

(Please Type or Print)

File Number: CU-2014-00

1. Address of subject property: 2222 Shopiere Road, Beloit, WI 53511

2. Legal description: see attached 21950205 PLI

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

Property dimensions are: \_\_\_\_\_ feet by \_\_\_\_\_ feet = \_\_\_\_\_ square feet.

If more than two acres, give area in acres: 12.55 acres.

3. Tax Parcel Number(s): 2195 - 0205

4. Owner of record: Our Lady of the Assumption Phone: 608-362-9066  
2222 Shopiere Road, Beloit, WI 53511  
(Address) (City) (State) (Zip)

5. Applicant's Name: Randy Gracyalny  
2222 Shopiere Road, Beloit WI 53511  
(Address) (City) (State) (Zip)

608-362-9066 / 608-676-5110 / randyg@olabeloit.com  
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: church, school, child care,  
Administrative Offices and related activities

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

A Conditional Use Permit for: Alcohol (wine + beer) sale and use  
in a(n) PLI Zoning District.

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

Principal use: Religious services and activities, educational (3K-8)  
and early childhood education and care.

Secondary use: \_\_\_\_\_

Accessory use: \_\_\_\_\_



9. Project timetable: Start date: \_\_\_\_\_ Completion date: \_\_\_\_\_

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

- ( ) Owner  
 ( ) Leasehold, length of lease: \_\_\_\_\_  
 ( ) Contractual, nature of contract: \_\_\_\_\_  
 (X) Other, explain: PASTOR

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.

Paul Ugo Arino | PAUL UGO ARINO | 7/10/2014  
 (Signature of Owner) (Print name) (Date)

Randal Gracynay | Randal Gracynay | 7/10/14  
 (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 Planning and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

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

**To be completed by Planning Staff**

Filing fee: \$275.00 Amount paid: 275 Meeting date: 8/20/2014  
 No. of notices: \_\_\_\_\_ x mailing cost (\$0.50) = cost of mailing notices: \$ \_\_\_\_\_  
 Application accepted by: S. Hummel Date: 7/17/14

**RESOLUTION APPROVING A CLASS “B” BEER  
AND “CLASS B” LIQUOR LICENSE**

**WHEREAS**, an application has been received for a Class “B” Beer and “Class B” Liquor License from JD Second Time Inc., d/b/a The Grand Avenue Pub, located at 132 West Grand Avenue;

**WHEREAS**, the Alcohol Beverage License Control Committee recommended approval of this Class “B” Beer and “Class B” Liquor License for the 2014-2015 license year.

**NOW, THEREFORE, BE IT RESOLVED** that the Class “B” Beer and “Class B” Liquor License for JD Second Time In., d/b/a The Grand Avenue Pub, located at 132 West Grand Avenue is hereby approved.

Dated this 18th day of August 2014.

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

ATTEST:

\_\_\_\_\_  
Rebecca Houseman Le Mire, City Clerk





**ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE RECOMMENDATION**

**TO:** Beloit City Council  
**FROM:** Alcohol Beverage License Control Committee  
**DATE:** August 12, 2014  
**SUBJECT:** **Class "B" Beer and "Class B" Liquor License**  
**The Grand Avenue Pub**

The Alcohol Beverage License Control Committee recommends approval to the City Council, of the Class "B" Beer and "Class B" Liquor License of JD Second Time Inc., d/b/a The Grand Avenue Pub, Gayle Schliem, Agent, 132 West Grand Avenue.

Motion carried 7-0.

Rebecca Houseman LeMire  
City Clerk

**ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION**

Submit to municipal clerk.

Application or Seller's Permit No. (FFB) Number: 456-1028555746-0247-1404415

For the license period beginning \_\_\_\_\_ 20\_\_\_\_; ending June 30 2014

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

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

LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>100</u>
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input checked="" type="checkbox"/> Class B liquor	\$ <u>57.00</u>
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>50.00</u>
<b>TOTAL FEE</b>	<b>\$ <u>650</u></b>

PAID 7-25-14

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

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

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Jeffrey J. Dopp  
JD Second Time Inc.

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

Title	Name	Home Address	Post Office & Zip Code
President/Member	President Jeffrey J. Dopp	14940 Hodges Lane	South Beloit, IL 61080
Vice President/Member			
Secretary/Member			
Treasurer/Member			
Agent	Gayle Schliem	2965 Grove St.	Beloit, WI 53511
Directors/Managers			

3. Trade Name The Grand Avenue Pub Business Phone Number \_\_\_\_\_  
 4. Address of Premises 132 West Grand Ave. Post Office & Zip Code Beloit WI 53511

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

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 132 Grand Ave. Beloit WI. Moving into existing bar.

10. Legal description (omit if street address is given above): \_\_\_\_\_  
 11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
 (b) If yes, under what name was license issued? Club Impulse  
 12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No  
 13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776]  Yes  No  
 14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs?  Yes  No

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

**SUBSCRIBED AND SWORN TO BEFORE ME**  
 this 14 day of July, 2014  
[Signature]  
 (Clerk/Notary Public)

[Signature]  
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)  
[Signature]  
 (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>7-25-14</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Schliem</u>		(first name) <u>Caule</u>		(middle name) <u>M</u>	
Home Address (street/route) <u>2905 Howe St</u>		Post Office	City <u>Beloit</u>	State <u>WI</u>	Zip Code <u>53511</u>
Home Phone Number <u>608 436-4130</u>		Age	Date of Birth	Place of Birth <u>Beloit, WI</u>	

The above named individual provides the following information as a person who is (check one):

Applying for an alcohol beverage license as an individual.

A member of a partnership which is making application for an alcohol beverage license.

Caule Schliem of JD SECOND TIME INC.  
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 18 yrs

2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)

3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
If yes, describe status of charges pending.

4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name, Location and Type of License/Permit)

5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name of Wholesale Licensee, or Permittee) (Address By City and County)

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

Employer's Name <u>Carplus LCA</u>	Employer's Address <u>15455 W. Blumhard Rd</u>	Employed From <u>10/04</u>	To <u>Present</u>
Employer's Name <u>Don Heath Care</u>	Employer's Address <u>Regent St Madison, WI</u>	Employed From <u>9/03</u>	To <u>10/04</u>

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

Subscribed and sworn to before me

this 10th day of July, 2014  
[Signature]  
(Clerk/Notary Public)

[Signature]  
(Signature of Named Individual)

My commission expires 10-20-17



Printed on Recycled Paper

Wisconsin Department of Revenue

**AUXILIARY QUESTIONNAIRE  
ALCOHOL BEVERAGE LICENSE APPLICATION**

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Dopp		Jeffrey		John	
Home Address (street/route)		Post Office	City	State	Zip Code
14940 Hodges Lane		S. Beloit	S. Beloit	IL	61080
Home Phone Number	Age	Date of Birth	Place of Birth		
815-389-8671			Beloit, WI		

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- President of JD Second Time Inc.  
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? live in IL
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name of Wholesale Licensee, or Permittee) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Automation BT	1939 Palomar Oaks Way, Carbondale CA	4-2010	9-2011
Automation Solutions & America	1390 Gateway Blvd Beloit	9-2011	Current

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

Subscribed and sworn to before me

this 25th day of July, 2014  
John J. Abrams  
(Clerk/Notary Public)

[Signature]  
(Signature of Named Individual)

My commission expires 10-11-15



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# SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of:  Town  Village  City of Beloit County of Rock

The undersigned duly authorized officer(s)/members/managers of JD SECOND TIME INC.  
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as THE GRAND AVENUE PUB  
(trade name)

located at 132 GRAND AVE., Beloit WI 53511

appoints Gayle Schliem  
(name of appointed agent)

2965 GROVE ST. Beloit WI 53511  
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes  No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course?  Yes  No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 10 yrs

Place of residence last year 2965 Grove St

For: JD SECOND TIME INC.  
(name of corporation/organization/limited liability company)

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

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

### ACCEPTANCE BY AGENT

Gayle Schliem, hereby accept this appointment as agent for the  
(print/type agent's name)

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

[Signature] 7-24-14 Agent's age      
(signature of agent) (date)

2965 Grove St Date of birth      
(home address of agent)

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

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

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



**RESOLUTION  
AWARDING PUBLIC WORKS CONTRACT C14-04  
Gateway Sewer and Water Extension**

**WHEREAS**, on August 7, 2014, four competitive bid was received, the low bid being from L. T. L. Enterprises, Inc, and;

**WHEREAS**, this project will extend sanitary sewer and potable water mains to Townhall Road to serve the new CCI office building. and;

**WHEREAS**, L. T. L. Enterprises, Inc is a qualified bidder;

**NOW, THEREFORE, BE IT RESOLVED**, by the City of Beloit City Council that Contract C14-04, Gateway Sewer and Water Extension, be, and hereby is, awarded to L. T. L. Enterprises, Inc, East Lansing, MI, in the following amounts:

L. T. L. Enterprises, Inc  
1602 S. Shore Dr. #D2  
East Lansing, MI 48823

Base Bid	\$532,245.00
Allowance for Change Orders and/or Extra Work	<u>\$ 79,755.00</u>
<b>TOTAL PROJECT COST</b>	<b><u>\$612,000.00</u></b>

**AND IT IS FURTHER RESOLVED**, that the amount of \$612,000.00, be, and hereby is, funded as follows:

P5008388-5523-2013 Gateway Sanitary Sewer Extension	\$275,000.00
P5008388-5525-2013 Gateway Water Extension	<u>\$337,000.00</u>
<b>TOTAL</b>	<b><u>\$612,000.00</u></b>

Dated at Beloit, Wisconsin, this 18th day of August, 2014.

**BELOIT CITY COUNCIL**

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

ATTEST:

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

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Award of Contract C14-04, Gateway Sewer and Water Extension

**Date:** August 18, 2014

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

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

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**Overview/Background Information:**

This project will extend sanitary sewer and potable water mains to Townhall Road to serve the new CCI office building.

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

1. Four bids were received for this project. The low bid of \$532,245.00 was from L. T. L. Enterprises, Inc and is 91.5% of the engineer's estimate of \$581,486.00.
2. L. T. L. Enterprises, Inc is considered a responsible bidder for this project.
3. The costs for this project are as follows: \$532,245.00 for construction, \$ 79,755.00 for Change Orders or extra work, for a total of \$612,000.00.
4. The low bid for this project was inadvertently sent by the contractor to city hall the day before the bid opening, and stamped by the City Clerk. Its existence was not known to Engineering staff until after the official bid opening. The City Attorney has been briefed of this issue, and is comfortable with awarding the bid despite this inconsistency.

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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. **As an eco-municipality, focus on the sustainable stewardship of City resources, services and infrastructure; to protect both our built and natural environment and enhance the quality of life for current and future generations.**

This project will provide sewer and water services to the new CCI office building in a manner that accommodates this goal.

2. **Continue competitive and sustainable economic development focused on workforce development, as well as business retention and recruitment to fully serve the business and entrepreneurial community resulting in private investment and job creation.**

With providing water and sewer services to the CCI office building, the city is encouraging new development in both the Gateway business park, as well as the Ironworks campus, due to the desire to fill the vacated office space due to this move.

3. **Proactively partner with individuals and business to promote a safe and healthy community, minimize personal injury, prevent loss of life and protect property and natural resources.**

By providing sewer service to remove human feces, and by providing water that is able to properly feed an automated fire sprinkler system, this goal is being addressed.

5. **Apply sound, sustainable practices to promote a high quality community through historic preservation, community revitalization and development.**

By extending potable water and sewer services to new business developments, we are supporting this goal.

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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**  
The utility service extensions meets the present and future human needs by providing for potable water and removal of contaminated water in a manner that is acceptable to be the most efficient manner based on the geographical location of the site.

**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 L. T. L. Enterprises, Inc in the amount of \$532,245.00.

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**Fiscal Note/Budget Impact:**

There is funding is available in the 2013 Capital Improvement Plan.

## Gateway Sewer & Water Extension

**BID DATE: 8/7/2014**

ITEM NO.	BID ITEMS DESCRIPTION	Contract		L. T. L. Ent Inc.		MZ Construction, Inc		Corporate Contractors, Inc		E&N Hughes Co, Inc.	
				Unit Cost	Line Item Cost	Unit Cost	Line Item Cost	Unit Cost	Line Item Cost	Unit Cost	Line Item Cost
		Qty	Units								
1	Contractor Staking	1	LS	\$12,500.00	\$12,500.00	\$6,400.00	\$6,400.00	\$5,100.00	\$5,100.00	\$22,888.00	\$22,888.00
2	Borrow Material (around MH 1-5)	461	CY	\$30.00	\$13,830.00	\$2.00	\$922.00	\$6.00	\$2,766.00	\$16.00	\$7,376.00
3	Rock Excavation	2121	LF	\$20.00	\$42,420.00	\$0.01	\$21.21	\$32.50	\$68,932.50	\$37.95	\$80,491.95
4	Removing Concrete Pavement	208	SY	\$10.00	\$2,080.00	\$4.00	\$832.00	\$21.00	\$4,368.00	\$3.85	\$800.80
5	Removing Curb & Gutter	96	LF	\$10.00	\$960.00	\$5.00	\$480.00	\$10.00	\$960.00	\$3.00	\$288.00
6	Concrete Curb and Gutter, 30-inch, Types A	96	LF	\$25.00	\$2,400.00	\$33.00	\$3,168.00	\$36.00	\$3,456.00	\$47.00	\$4,512.00
7	Concrete Pavement, 8-1/2" Inch Doweled, Complete	208	SY	\$75.00	\$15,600.00	\$100.00	\$20,800.00	\$68.00	\$14,144.00	\$117.00	\$24,336.00
8	HMA Access Driveway (4" HMA)	15	TONS	\$100.00	\$1,500.00	\$250.00	\$3,750.00	\$275.00	\$4,125.00	\$280.00	\$4,200.00
9	HMA Pavement, Recreation Path (2.5" HMA)	34	TONS	\$100.00	\$3,400.00	\$150.00	\$5,100.00	\$165.00	\$5,610.00	\$168.00	\$5,712.00
10	Base Aggregate, Dense, 1 1/4-inch,	121	TONS	\$50.00	\$6,050.00	\$12.00	\$1,452.00	\$14.00	\$1,694.00	\$14.50	\$1,754.50
11	Base Aggregate, Dense, 3-inch,	161	TONS	\$50.00	\$8,050.00	\$12.00	\$1,932.00	\$13.00	\$2,093.00	\$9.30	\$1,497.30
12	Storm Sewer Pipe CMP, 21" x 15" HEP	38	LF	\$60.00	\$2,280.00	\$40.00	\$1,520.00	\$107.00	\$4,066.00	\$55.00	\$2,090.00
13	Apron End Wall, Steel, 21" x 15" HEP	2	EA	\$1,000.00	\$2,000.00	\$150.00	\$300.00	\$860.00	\$1,720.00	\$170.00	\$340.00
14	Restoration: Open Field	2.5	AC	\$1,500.00	\$3,750.00	\$3,000.00	\$7,500.00	\$3,820.00	\$9,550.00	\$11,690.00	\$29,225.00
15	Restoration: Seed Fertilizer & Mulch	2.2	AC	\$500.00	\$1,100.00	\$3,100.00	\$6,820.00	\$3,820.00	\$8,404.00	\$9,400.00	\$20,680.00
16	Erosion Control, Complete	1	LS	\$12,500.00	\$12,500.00	\$18,000.00	\$18,000.00	\$10,000.00	\$10,000.00	\$12,757.00	\$12,757.00
17	Sawcut Concrete, Full Depth	40	LF	\$1.00	\$40.00	\$4.00	\$160.00	\$6.00	\$240.00	\$3.50	\$140.00
18	Sawcut Asphalt, Full Depth	185	LF	\$3.00	\$555.00	\$9.00	\$1,665.00	\$3.25	\$601.25	\$4.90	\$906.50
19	Traffic Control	1	LS	\$1,000.00	\$1,000.00	\$9,500.00	\$9,500.00	\$91,700.00	\$91,700.00	\$5,970.00	\$5,970.00
20	15" Diameter PVC - Main	2940	LF	\$52.00	\$152,880.00	\$104.00	\$305,760.00	\$66.00	\$194,040.00	\$72.50	\$213,150.00
21	4' Diameter Manhole, Type A w/ Casting	11	EA	\$2,500.00	\$27,500.00	\$4,000.00	\$44,000.00	\$3,100.00	\$34,100.00	\$2,560.00	\$28,160.00
22	4" Sanitary Wye, Complete	3	EA	\$100.00	\$300.00	\$75.00	\$225.00	\$2,835.00	\$8,505.00	\$405.00	\$1,215.00
23	4" PVC, Sch. 40, Service Lateral, Complete	90	LF	\$30.00	\$2,700.00	\$35.00	\$3,150.00	\$96.00	\$8,640.00	\$54.60	\$4,914.00
24	Sanatary Tap Into Existing Manhole	1	EA	\$13,500.00	\$13,500.00	\$2,500.00	\$2,500.00	\$15,240.00	\$15,240.00	\$14,176.00	\$14,176.00

## Gateway Sewer & Water Extension

**BID DATE: 8/7/2014**

ITEM NO.	BID ITEMS DESCRIPTION	Contract		L. T. L. Ent Inc.		MZ Construction, Inc		Corporate Contractors, Inc		E&N Hughes Co, Inc.	
		Qty	Units	Unit Cost	Line Item Cost	Unit Cost	Line Item Cost	Unit Cost	Line Item Cost	Unit Cost	Line Item Cost
25	12" Diameter PVC C-900 Water Main	816	LF	\$45.00	\$36,720.00	\$99.00	\$80,784.00	\$111.00	\$90,576.00	\$106.30	\$86,740.80
26	16" Diameter PVC C-900 Water Main	2268	LF	\$40.00	\$90,720.00	\$71.00	\$161,028.00	\$58.00	\$131,544.00	\$71.80	\$162,842.40
27	8" Diameter PVC C-900 Water Main	1017	LF	\$30.00	\$30,510.00	\$72.00	\$73,224.00	\$40.00	\$40,680.00	\$62.80	\$63,867.60
28	1" Type K Copper Lateral, Complete	90	LF	\$20.00	\$1,800.00	\$61.00	\$5,490.00	\$54.00	\$4,860.00	\$65.00	\$5,850.00
29	1" Brass Sets & Curb Stops, Complete	3	EA	\$200.00	\$600.00	\$60.00	\$180.00	\$1,570.00	\$4,710.00	\$523.00	\$1,569.00
30	Hydrant, Complete with 6" Lead	8	EA	\$3,000.00	\$24,000.00	\$4,600.00	\$36,800.00	\$5,600.00	\$44,800.00	\$5,420.00	\$43,360.00
31	16" Butterfly Valve	3	EA	\$2,000.00	\$6,000.00	\$2,475.00	\$7,425.00	\$3,400.00	\$10,200.00	\$2,729.00	\$8,187.00
32	12" Butterfly Valve	4	EA	\$1,500.00	\$6,000.00	\$1,400.00	\$5,600.00	\$2,075.00	\$8,300.00	\$1,900.00	\$7,600.00
33	8" Gate Valve	3	EA	\$1,000.00	\$3,000.00	\$1,200.00	\$3,600.00	\$1,980.00	\$5,940.00	\$1,800.00	\$5,400.00
34	Plugging Watermain	2	EA	\$500.00	\$1,000.00	\$1,000.00	\$2,000.00	\$990.00	\$1,980.00	\$220.00	\$440.00
35	Connect to Existing Water Main	1	EA	\$1,500.00	\$1,500.00	\$3,000.00	\$3,000.00	\$8,600.00	\$8,600.00	\$2,544.00	\$2,544.00
36	Remove & Reinstall Concrete Culvert & Endwalls (3 Locations)	3	EA	\$500.00	\$1,500.00	\$2,000.00	\$6,000.00	\$5,750.00	\$17,250.00	\$2,340.00	\$7,020.00
<b>TOTAL PROPOSAL</b>					\$532,245.00		\$831,088.21		\$869,494.75		\$883,000.85



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

**AN ORDINANCE TO AMEND SECTION 1.88 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO THE POLICE AND FIRE COMMISSION.**

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

**Section 1.** Section 1.88(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) MEMBERSHIP. The Police and Fire Commission shall consist of five (5) citizen members. The membership should reflect the diverse nature of the City's population.”

**Section 2.** Section 1.88(3) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(3) APPOINTMENT. The five (5) citizen members shall be nominated by the Appointment Review Committee and appointed by the City Council President, subject to confirmation by the City Council.”

**Section 3.** Section 1.88(5)(e) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(e) Political Affiliations. No more than three (3) members of the commission may belong to the same political party.”

**Section 4.** Section 1.88(7)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(7) Special Meetings. Special meetings shall be held at Beloit City Hall, 100 State Street, Beloit, Wisconsin, or such other location designated in the notice of the meeting. Special meetings may be called by the commission ~~chair~~president or by written request of two (2) members.”

**Section 5.** Section 1.88(8) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(8) OFFICERS AND DUTIES. The Police and Fire Commission shall select a ~~presidentchair~~, vice ~~presidentchair~~ and secretary annually at its first meeting in May. The commission shall submit the ~~presidentchair~~'s name to the City Clerk immediately after the election. The ~~presidentchair~~ shall preside over all meetings of the commission. The vice ~~president chair~~ shall preside over the meetings in the ~~presidentchair~~'s absence. In the absence of both the ~~presidentchair~~ and vice ~~presidentchair~~ of the commission, a president pro tem shall be chosen from those present and shall preside. The secretary shall record the minutes of each meeting and shall transmit a written copy of the minutes and the records of the commission to the City Clerk. The City Clerk shall be the custodian of the records of the commission.”

**Section 6.** Section 1.88(9) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(9) QUORUM. Three (3) members shall constitute a quorum sufficient to transact business. A fewer number may adjourn any meeting.”

**Section 7.** Section 1.88(14) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(14) ATTENDANCE. Any member who is not planning to attend a meeting shall notify the commission ~~presidentchair~~ of that fact at least 24 hours in advance of the meeting. Any member who misses more than 25 percent of the regular meetings during any year of his or her term shall be subject to removal from the commission.”

**Section 8.** Section 1.88(16)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) Appointment. The commission ~~presidentchair~~ may appoint standing or temporary subcommittees, subject to confirmation by the commission. Temporary committees shall dissolve no later than ~~six (6)~~ months after their creation, unless their term is extended by an affirmative vote of the majority of the commission. Extensions may be granted in increments of ~~six (6)~~ months or less.”

**Section 9. 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: \_\_\_\_\_  
Rebecca Houseman LeMire, City Clerk

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

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

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

tdh/ordinances/1.88 (PFC) = ORD 140808 (14-1126)

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Police and Fire Commission – Minor Ordinance Amendments

**Date:** August 18, 2014

**Presenter(s):** Elizabeth Krueger

**Department(s):** ATTORNEY

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

At the request of the Police and Fire Commission, several minor ordinance amendments were made to section 1.88 of the Code of General Ordinances for the City of Beloit. Most notably, the Commission requested that the titles of the presiding officers of the Commission be changed to be consistent with the titles for those officials found in the Wisconsin State Statutes.

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

1. Titles for the Chair and Vice-Chair were changed to reflect the titles for those officials found in State Statutes.
  2. Additional minor text amendments were made at the request of the Commission's staff liaison.
- 

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

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

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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

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 proposed ordinance has been reviewed by the Police and Fire Commission and was unanimously recommended for approval.

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

This proposed ordinance does not have any budgetary impact.

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## SUBSTITUTE AMENDMENT #1

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

### AN ORDINANCE TO AMEND SECTIONS 25.04(1)(d), 31.30(1) AND 15.30 AND TO CREATE SECTION 31.30(1m) OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO FORFEITURES FOR JUVENILE MATTERS IN MUNICIPAL COURT.

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

Section 1. Section 25.04(1)(d) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(d) Violation by a Minor. The minimum and maximum forfeiture imposed on a juvenile shall be the same as the minimum and maximum forfeiture imposed on an adult except as otherwise provided in this Code and except as provided in §§938.17, 938.342, 938.343 and 938.344, Wis. Stats., plus court costs, penalty surcharge and jail surcharge when permitted by the sections listed herein or §938.37, Wis. Stats.”

Section 2. The introductory language appearing before the table in section 31.30(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) VIOLATION BY AN ADULT. Any person seventeen (127) years of age or older who violates any of the following provisions of this chapter shall be subject to forfeitures for the first and subsequent offenses within one year as follows:”

Section 3. Section 31.30(1m) of the Code of General Ordinances of the City of Beloit is hereby created to read as follows:

“(1m) VIOLATION BY A MINOR. Any person twelve (12) years of age through sixteen (16) years of age who violates any of the following provisions of this chapter shall be subject to forfeitures for the first and subsequent offenses within one year as follows:



City Ordinance	Adopting State Statute	Offense	First	Second	Third
31.01	125.07(4)(a)1	Underage Person Procuring/Attempting to Procure Alcohol	\$250	\$300	\$500
31.01	125.07(4)(a)2	Consumption/Possession of Alcohol by Underage Person on Licensed Premise	\$250	\$300	\$500
31.01	125.07(4)(a)3	Underage Person Enters or Attempts to Enter Licensed Premise	\$250	\$300	\$500
31.01	125.07(4)(a)4	Misrepresentation of Age by Underage Person to Receive Alcohol Beverage	\$250	\$300	\$500
31.01	125.07(4)(b)	Possession/Consumption of Alcohol Beverage by Underage Person	\$50	\$100	\$150
31.01	125.085(3)(a)1	Person Makes, Alters or Duplicates Official ID Card/ Provide False ID to Underage Person	\$100	\$300	\$500
31.01	125.085(3)(a)2	Person Makes, Alters or Duplicates Official ID Card/ Provide False ID to Underage Person for Money or other Consideration	\$100	\$300	\$500
31.01	125.085(3)(b)1	Carry False ID Card with Intent to Provide to Underage Person	\$100	\$300	\$500
31.01	125.085(3)(b)2	Makes, Alters or Duplicates Official ID Card by Underage Person	\$100	\$300	\$500
31.01	125.085(3)(b)3	Presents False Information to Obtain Official ID	\$100	\$300	\$500
31.01	125.085(3)(b)4	Underage Person Carrying False ID Card	\$100	\$300	\$500
31.01	125.09(2)(b)	Possession of Alcohol on School Premises	\$125	\$200	\$250

**Section 4.** Section 15.30 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"15.30 PENALTY.

(1) **VIOLATION BY AN ADULT.** Unless otherwise provided in this section, any person age seventeen (17) or older who shall violate any provision of this chapter or any regulation, rule, or order made hereunder shall be subject to a forfeiture as provided in §25.04 of this Municipal Code. ~~For violations of §§961.41(3g), 961.573, 967.574 and 961.575, Wis. Stats., the court shall suspend the operating privilege of any person convicted thereunder for not less than 6 months nor more than 5 years.~~

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City Ordinance	Adopting State Statute	Offense	First	Second	Third
15.01	134.66(2)(a)	Unlawful Sale or Gift of Cigarettes or Tobacco Products by a retailer, manufacturer, distributor, jobber or their agents	\$200	\$400	\$500
15.01	134.66(2)(b)	Tobacco Retailer Failure to Post Required Notice	\$25	\$25	\$25
15.01	134.66(2)(c)	Tobacco Vending Machine in	\$100	\$400	\$500

		Prohibited Place			
15.01	134.66(2)(cm)	Tobacco Vending Machine within 500 feet of school	\$100	\$400	\$500
15.01	175.60(2g)	Failure to Carry/Display Concealed Weapon License	\$25	\$25	\$25
15.01	940.19(1)	Battery	\$300	\$400	\$500
15.01	941.20	Endangering Safety by Reckless Use of Weapon	\$300	\$400	\$500
<del>15.01</del>	<del>941.22</del>	<del>Possession of Pistol by Minor</del>	<del>\$300</del>	<del>\$400</del>	<del>\$500</del>
15.01	941.23	Carrying Concealed Weapon	\$300	\$400	\$500
15.01	941.235(1)	Carrying Firearm in a Public Building	\$300	\$400	\$500
15.01	941.2965	Restrictions on Use of Facsimile Firearms	\$300	\$400	\$500
15.01	941.297	Sale or Distribution of Imitation Firearms	\$300	\$400	\$500
15.01	943.12	Possession of Burglarious Tools	\$200	\$400	\$500
15.01	943.20	Theft	\$250	\$350	\$500
15.01	943.201	Misappropriation of Personal Identifying Information	\$250	\$350	\$500
15.01	943.21	Fraud on Hotel or Restaurant Keeper, Recreational Attraction, Taxicab Operator or Gas Station	\$250	\$350	\$500
15.01	943.24	Issue of Worthless Checks in the Amount:			
		\$0.00—\$25.00	\$150	\$300	\$600
		\$25.01—\$50.00	\$225	\$375	\$675
		\$50.01—\$100.00	\$300	\$450	\$750
		\$100.01—\$150.00	\$375	\$525	\$825
		\$150.01—\$200.00	\$450	\$600	\$900
		\$200.01—\$250.00	\$525	\$675	\$975
		\$250.01—\$300.00	\$600	\$750	\$1050
		\$300.01—\$400.00	\$700	\$850	\$1150
		\$400.01—\$500.00	\$800	\$950	\$1250
		\$500.01—\$600.00	\$900	\$1050	\$1350
		\$600.01—\$700.00	\$1000	\$1150	\$1450
		\$700.01—\$800.00	\$1100	\$1250	\$1550
		\$800.01—\$900.00	\$1200	\$1350	\$1650
		\$900.01—\$1000.00	\$1300	\$1450	\$1750
15.01	943.34	Receiving Stolen Property	\$200	\$300	\$500
15.01	943.37	Alteration of Property Identification Marks	\$250	\$350	\$500
15.01	943.41	Financial Transaction Card Offenses	\$250	\$350	\$500
15.01	943.45	Theft of Telecommunications Service	\$250	\$350	\$500
15.01	943.455	Theft of Commercial Mobile Service	\$250	\$350	\$500
15.01	943.46	Theft of Cable Television Service	\$250	\$350	\$500
15.01	943.47	Theft of Satellite Cable Programming	\$250	\$350	\$500
15.01	943.50	Retail Theft	\$250	\$350	\$500
15.01	946.31	Perjury	\$250	\$350	\$500
15.01	946.32	False Swearing	\$250	\$350	\$500
15.01	946.41	Resisting/Obstructing an Officer	\$250	\$350	\$500
15.01	946.66	False Complaints of Police	\$250	\$350	\$500

		Misconduct			
15.01	947.01	Disorderly Conduct	\$200	\$300	\$500
15.01	948.45	Contributing to Truancy	\$200	\$400	\$500
15.01	948.61	Dangerous Weapons on School Property	\$300	\$400	\$500
15.01	961.41(3g)	Possession of 25 grams or less of Tetrahydrocannabinols (THC)	\$300	\$500	\$750
15.01	961.573	Possession of Drug Paraphernalia	\$300	\$500	\$750
15.01	961.574	Manufacture or Delivery of Drug Paraphernalia	\$300	\$500	\$750
15.01	961.575	Delivery of Drug Paraphernalia to Minor	\$500	\$750	\$1000
15.015		Party to the Offense	See forfeiture for offense aided		
15.03(1)–(5)		Loitering or Prowling	\$200	\$300	\$500
15.03(6)		Loitering for the Purposes of Engaging in Unlawful Drug Activity	\$300	\$400	\$500
15.05(1)		Curfew	\$50	\$100	\$150
15.05(2)		Curfew-Parental Responsibility	\$200	\$400	\$500
15.06(1),(2)		Possession and Consumption of Alcohol Restricted	\$50	\$100	\$200
15.07(1)		Restrictions on Dangerous Weapons in City Facilities	\$200	\$400	\$500
15.07(2)		Sale of Firearms/Weapons to Minors	\$300	\$400	\$500
15.07(4)		Discharging Firearms	\$100	\$250	\$500
15.07(5)		Discharging Bow and Arrow	\$50	\$100	\$200
15.16(1)(a)		Animal Not to Run at Large Causes Injury, No Priors	\$150	\$250	\$350
15.16(1)(a)		Animal Not to Run at Large Causes Injury, Prior Injury	\$350	\$450	\$550
15.17(2)(a)		Possession of Dangerous Animal	\$200	\$300	\$500
15.17(2)(b)		Failure to Comply with Pretrial Removal Order	\$500	\$750	\$1000
15.17(2)(c)		Failure to Comply with Post Conviction Removal Order	\$500	\$750	\$1000
15.17(2)(d)		Return of Dangerous Animal to the City	\$500	\$750	\$1000
15.17(2)(e)		Dangerous Animal Not to Run at Large	\$500	\$750	\$1000
15.17(4)(c)		Failure to Deliver Animal to Quarantine	\$200	\$300	\$500
15.17(7)(a)		Failure to Register and License Potentially Dangerous Dog	\$200	\$300	\$500
15.17(8)		Failure to Properly Confine Potentially Dangerous Dog	\$200	\$300	\$500
15.17(9)		Failure to Warn Public of Presence of Potentially Dangerous Dog	\$200	\$300	\$500
15.17(10)		Potentially Dangerous Dog Not to Run at Large	\$500	\$750	\$1000
15.17(11)		Failure to Notify Authorities of Potentially Dangerous Dog Event	\$200	\$300	\$500

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15.17(12)		Potentially Dangerous Dog, Parental Responsibility	\$200	\$300	\$500
15.17(13)		Animal Ownership Prohibited	\$500	\$1000	\$1500
15.26(2)		Habitual Truancy	<del>\$50</del> <del>\$200</del>	<del>\$150</del> <del>\$300</del>	<del>\$250</del> <del>\$500</del>
15.26(2)		Truancy	\$50	\$100	\$100
15.27		Daytime Curfew	<del>\$50</del> <del>\$300</del>	<del>\$50</del> <del>\$400</del>	<del>\$50</del> <del>\$500</del>

(2) VIOLATION BY A MINOR. Unless otherwise provided in this section, any person age twelve (12) through sixteen (16) who shall violate any provision of this chapter or any regulation, rule, or order made hereunder shall be subject to a forfeiture as provided in §25.04 of this Municipal Code.

Section	State Statute	Offense	First Offense	Second Offense	Third Offense
15.01	254.92	Possession of Tobacco by Minor	\$50	\$50	\$50
15.01	940.19(1)	Battery	\$150	\$250	\$350
15.01	961.41(3g)	Possession of 25 grams or less of Tetrahydrocannabinols (THC)	\$150	\$250	\$350
15.01	961.573	Possession of Drug Paraphernalia	\$150	\$250	\$350
15.01	961.574	Manufacture or Delivery of Drug Paraphernalia	\$150	\$250	\$350
15.05(1)		Curfew	\$50	\$50	\$50
15.26(2)		Habitual Truancy	<del>\$40</del> <del>\$50</del>	\$150	\$250
15.26(2)		Truancy	\$50	\$100	\$100
15.27		Daytime Curfew	\$50	\$50	\$50

Section 5. This ordinance shall be sixty (60) days from the date of passage and publication.

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

BELOIT CITY COUNCIL

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

ATTEST:

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

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PUBLISHED: \_\_\_\_\_  
EFFECTIVE DATE: \_\_\_\_\_  
01-611100-5231-\_\_\_\_\_

tdh/ordinances/Juvenile Forfeitures = ORD 140808 (14-1110)

# CITY OF БЕЛОIT



## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Juvenile Forfeitures in Municipal Court

**Date:** August 18, 2014

**Presenter(s):** Elizabeth Krueger

**Department(s):** ATTORNEY

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### Overview/Background Information:

This matter was laid over to the Council's August 18, 2014 meeting pending approval of the changes made by the City Council at its meeting on August 4, 2014.

At that meeting, the sole change made to the introduced ordinance was to amend the forfeiture for first offense Habitual Truancy violations from \$100 to \$50.

The Municipal Court Judge has approved the change as outlined in the attached Substitute Amendment #1.

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### Key Issues (maximum of 5):

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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.):**

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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

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 proposed ordinance has been reviewed and approved by the Municipal Court Judge and is recommended for approval.

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### Fiscal Note/Budget Impact:

This proposed ordinance will result in a reduction of the revenue received in the Municipal Court.

August 18, 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 August 11, 2014:

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Mark Spreitzer, President  
Beloit City Council

**Appointments**

**Appointment Review Committee**

**Louise Reidenbach**, 1609 Burton St., for a term ending December 31, 2015

**Community Development Authority**

**Russell L. Manning**, 1413 Yates Ave., for a term expiring December 31, 2016

**Plan Commission**

**Erick “Otis” Johnson**, 2386 Tara Ct., for a term expiring April 30, 2017

**PLEASE ANNOUNCE THE FOLLOWING VACANCIES**

Alcohol Beverage License Control Committee (1 vacancy for resident)

Board of Appeals (1 vacancy [Alternate] for resident)

Board of Ethics (1 vacancy for former City Councilor, 2 vacancies for residents)

Board of Review (2 vacancies [Alternate] for residents)

Equal Opportunities Commission (2 vacancies for residents)

Municipal Golf Committee (1 vacancy for resident)

Park, Recreation & Conservation Advisory Commission (2 vacancies for residents, 1 vacancy for youth)

Plan Commission (1 vacancy for resident)

Traffic Review Committee (3 vacancies for residents)



**RESOLUTION  
AUTHORIZING THE CITY MANAGER  
TO APPLY FOR WISCONSIN HISTORIC PRESERVATION FUND SUBGRANTS FOR  
CERTIFIED LOCAL GOVERNMENTS**

**WHEREAS**, the Wisconsin Historical Society has provided funds for Intensive Surveys of historic properties, and

**WHEREAS**, the previous Intensive Survey has exceeded the 20-year recommended renewal period, and

**WHEREAS**, the City of Beloit's Historic Preservation ordinance calls for the protection, enhancement, and preservation of the City's cultural heritage, historic properties, and districts.

**NOW THEREFORE BE IT RESOLVED**, that the City Manager is authorized to apply for the Wisconsin Historic Preservation Fund Subgrants for Certified Local Governments grant funds in the amount of up to \$25,000 for an Intensive Survey of historic properties in the City of Beloit.

Adopted this 18<sup>th</sup> day of August, 2014.

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Mark Spreitzer, City Council President

Attest:

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Rebecca Houseman LeMire, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Approval to apply for Wisconsin Historic Preservation Fund Subgrants for Certified Local Governments

**Date:** August 18, 2014

**Presenter(s):** Julie Christensen

**Department(s):** Community Development

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### Overview/Background Information:

The protection and enhancement of historic landmarks, landmark sites, and historic districts helps represent and reflect distinctive and important elements of the City's and the State's architectural, archeological, cultural, social economic, ethnic, and political history. Historic preservation efforts are also used to stabilize and improve property values. Intensive Surveys of properties are used to update and evaluate buildings, sites, structures, objects, and districts for their historic value. An Intensive Survey was completed in 1981 in the City of Beloit. The Wisconsin State Historic Preservation Office recommends that the survey be updated every 20 years. Grant funding is available through the Wisconsin Historical Society to perform Intensive Surveys.

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### Key Issues (maximum of 5):

1. The City of Beloit is proposing to apply for a Historic Preservation grant through the Wisconsin Historical Society. A Notice of Intent is due September 12, 2014. Applications are due November 14, 2014. Awards are announced in February/March 2015. Anticipated project dates are June-August 2015.
2. The grant will be used to provide funding for a new Intensive Survey of historic properties and districts. The last Intensive Survey was completed in 1981. The Wisconsin State Historic Preservation Office recommends that the survey be updated every 20 years.
3. Once grant funds are secured, a Request for Proposals will be released to contract with a professional historic surveyor. The surveyor will be the lead on this project. They will work with a fellow from Beloit College, the Landmarks Commission, and Landmarks Commission's staff person as needed.
4. Approximately \$25,000 in funds is being requested through this grant. No local match is required.

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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.):

This grant conforms to the following goals:

1. As an eco-municipality, focus on the sustainable stewardship of City resources, services and infrastructure; to protect both our built and natural environment and enhance the quality of life for current and future generations.
2. Apply sound, sustainable practices to promote a high quality community through historic preservation, community revitalization and successful new development.

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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:** The preservation and enhancement of historic structures reduces dependence upon fossil fuels by capitalizing on the embodied energy that is present in these structures. Our historic districts are compact, walkable neighborhoods that were constructed when walking was a primary mode of travel.
- **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:

Approval of a resolution authorizing the City Manager to apply for Wisconsin Historic Preservation Fund Subgrants for Certified Local Governments for up to \$25,000.

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### Fiscal Note/Budget Impact:

There will be no financial impact to the general fund.