



**AGENDA
BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Monday, August 1, 2016**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
4. PUBLIC HEARINGS
 - a. Resolution approving a Conditional Use Permit to allow a change from one-nonconforming use to another in an R-1B, Single Family Residential District for property located at 816 Roosevelt Avenue (Christensen) Plan Commission recommendation for approval 5-0-1
5. CITIZEN 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 meetings of July 5 and July 18 and Special meeting of July 25, 2016 (Stottler)
 - b. Resolution approving the City's Offer to Purchase 106 Square Foot of Land located at 605 Eclipse Blvd and authorizing Execution of Same (Christensen) Plan Commission recommendation for approval 6-0
 - c. Resolution awarding Public Works Contract C16-19, Bridge Sealing and Painting (Boysen)
 - d. Resolution authorizing Final Payment of Public Works Contract C15-09, Big Hill Bike Path (Boysen)
7. ORDINANCES
8. APPOINTMENTS
9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS
10. CITY MANAGER'S PRESENTATION

11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Resolution amending the Mutual Cooperation Agreement under the 2013 OHHLHC Healthy Homes and Lead Hazard Control Program (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: July 27, 2016
Lorena Rae Stottler
City of Beloit City Clerk
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 Tuesday at 1:00 p.m.; Thursday at 8:30 a.m.; and Friday at 1:00 p.m.

RESOLUTION
AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A CONVERSION
FROM ONE LEGAL NONCONFORMING USE TO ANOTHER NONCONFORMING
USE IN AN R-1B, SINGLE-FAMILY RESIDENTIAL DISTRICT, FOR
THE PROPERTY LOCATED AT 816 ROOSEVELT AVENUE IN THE CITY OF БЕЛОIT

WHEREAS, the application of Isaac Rojas, for a Conditional Use Permit to allow a conversion from one legal nonconforming use to another nonconforming use in an R-1B, Single-Family Residential District, for the property located at 816 Roosevelt Avenue in the City of Beloit, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow a conversion from one legal nonconforming use to another nonconforming use in an R-1B, Single-Family Residential District, for the following described premises:

East 60 feet of Lots 10 and 11, Block 2 of McGavock's Subdivision of McGavock's Addition to the City of Beloit, County of Rock, State of Wisconsin (a/k/a 816 Roosevelt Avenue). Said parcel contains .15 acres, more or less.

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

1. This Conditional Use Permit authorizes the operation of a re-upholstery and decoration shop in the commercial building located at 816 Roosevelt Avenue.
2. The applicant must obtain an Architectural Review Certificate for any exterior alterations of the commercial building.
3. The business will only allow customers between the hours of 8:00am and 8:00pm.
4. The business will only accept up to 15 customer appointments per day.
5. The business must adhere to the noise regulations in accordance with Section 15.12 of the Municipal Code (Chapter 15, Public Peace and Good Order).
6. The applicant shall contact Staff if furniture repair work more intensive than reupholstery is to occur on the property.
7. If City Staff receives frequent complaints about parking or excessive noise from neighbors or observes any illegal parking or unreasonable loud activity at the property, this Conditional Use Permit shall be null and void and the site shall be restored to its prior condition. This restoration order shall only be issued after the Plan Commission has reviewed the complaints and the applicant has been afforded the opportunity to explain and/or cure the circumstances giving rise the parking or noise issues.
8. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Planning and Building Services Director may approve minor changes administratively.

Adopted this 1st day of August, 2016.

BELOIT CITY COUNCIL

David F. Luebke, Council President

ATTEST:

Lorena Rae Stottler, City Clerk
CU-2016-03, 816 Roosevelt Ave

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Conditional Use Permit Application for property located at 816 Roosevelt Avenue

Date: August 1, 2016

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Isaac Rojas has filed an application for a Conditional Use Permit to allow one legal non-conforming use to be changed to another legal non-conforming use for the property located at 816 Roosevelt Ave in the City of Beloit. The applicant is seeking permission to operate a re-upholstery and interior decoration business.

Key Issues:

- According to Section 9.2.1 of the Zoning Code (Chapter 19), a legal nonconforming use may be changed to another nonconforming use in accordance with the conditional use procedures if the new use will have a “lesser negative impact”.
 - Allied Games (home amusement business selling billiard tables and darts) previously occupied the building as a legal non-conforming use in accordance with a 2009 Conditional Use Permit. The business officially ceased usage of the property in November of 2015.
- The applicant is seeking permission to operate a re-upholstery and interior decoration business in the commercial building on the property.
 - The commercial building is adjacent to a single-family residential house on the same parcel that the applicant currently lives in.
 - The business, Isaac Rojas Interiors, will primarily consist of drop-off/pick-up of small furniture for re-upholstery as well as consulting work. The applicant is an interior decorator by trade.
 - The applicant has indicated that the store will only be staffed by one individual (the applicant)
 - The business will serve customers by appointment only.
- The proposed business is classified as a Retail/Sales Service – Repair Oriented Use.
 - The minimum number of off-street parking spaces for the proposed use is one parking space per 500 sq. ft., or four spaces. The garage in the rear of property has three spaces and the driveway on the west side of the property has two spaces. The total number of off-street parking spaces at the property meets the requirements of the Zoning Code. The applicant will likely only utilize one or two of the available off-street spaces at one time due to the appointment-only nature of the business.
 - Roosevelt Avenue has unlimited parking on both sides of the street in front of the property.
- The Plan Commission reviewed this item on July 20, 2016, and voted 5-0-1 to recommend approval of the Conditional Use Permit, subject to the other eight conditions recommended by Planning staff.

Conformance to Strategic Plan:

- Consideration of this request supports Strategic Goal #5.

Sustainability:

- **Reduce dependence upon fossil fuels** – N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – The commercial building is currently unsuitable for residential uses. The operation of a low impact business will provide a use for the building and help ensure that it does not become dilapidated due to long periods of vacancy.

Action required/Recommendation:

- City Council consideration and action on the proposed Resolution.

Fiscal Note/Budget Impact: N/A

Attachments: Resolution and Staff Report to Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: July 20, 2016

Agenda Item: 4

File Number: CU-2016-03

Applicant: Isaac Rojas

Owner: Isaac Rojas (Land Contract)

Location: 816 Roosevelt Ave

Existing Zoning: R-1B, Single-Family Residential District

Existing Land Use:
Commercial, East Building
Residential, West Building

Parcel Size: .15 Acres

Isaac Rojas has filed an application for a Conditional Use Permit to allow one legal non-conforming use to be changed to another legal non-conforming use for the property located at 816 Roosevelt Ave in the City of Beloit. The applicant is seeking permission to operate a re-upholstery and interior decoration business. The adjacent zoning and land uses are as follows:

- **North:** R-1B, Single-Family Residential
- **South:** R-1B, Single-Family Residential
- **East:** R-1B, Single-Family Residential
- **West:** R-1B, Single-Family Residential

Key Issues:

- According to Section 9.2.1 of the Zoning Code (Chapter 19), a legal non-conforming use may be changed to another non-conforming use in accordance with the conditional use procedures if the new use will have a “lesser negative impact”.
 - Allied Games (home amusement business selling billiard tables and darts) previously occupied the building as a legal non-conforming use in accordance with a 2009 Conditional Use Permit. The business officially ceased usage of the property in November of 2015 and sold the building to For Him, Inc in February of 2016.
 - The applicant purchased the property from For Him, Inc on Land Contract.
 - The commercial building is connected to a single-family residential house on the same parcel that the applicant lives in.
- The applicant is seeking permission to operate a re-upholstery and interior decoration business in the commercial building on the property.
 - The commercial building is adjacent to a single-family residential house on the same parcel that the applicant lives in.
 - The business, Isaac Rojas Interior will primarily consist of drop-off/pick-up of small furniture for re-upholstery as well as consulting work. The applicant is an interior decorator by trade.
 - The applicant has indicated that the store will only be staffed by one individual (the applicant)
 - The business will serve customers by appointment only.
- The applicant may install two 1’x2’ nameplate signs on the building as permitted by Section 30.08 of the Outdoor Sign Regulations (Chapter 30).
- The proposed business is classified as a Retail/Sales Service – Repair Oriented Use.
 - The minimum number of off-street parking spaces for the proposed use is one parking space per 500 sq. ft., or four spaces. The garage in the rear of property has three spaces and the driveway on the west side of the property has two spaces. The total number of off-street parking spaces at the property meets the requirements of the Zoning Code. The applicant will likely only utilize one or two of the available off-street spaces at one time due to the appointment-only nature of the business.
 - Roosevelt Avenue has unlimited parking on both sides of the street in front of the property.
- The Fire Department requested additional details on the type of paint used in the applicant’s projects. Depending on the type of material, an approved ventilation system may be required.
- The City’s other Review Agents did not submit any comments on the proposed use.
- The attached Public Notice was sent to sixteen nearby property owners. Planning staff has not received any comments.
- A Location & Zoning Map and site photos are attached.

▪ **Findings of Fact**

- *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - Planning Staff believes that general public health and safety will not be negatively impacted by the proposed re-upholstery and decoration business. Staff also anticipates the use having an equal or lesser impact on the neighborhood than the previous use due to the appointment-only customer visits and non-intensive work being performed in the shop.
- *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - The conditional use will not injure the use and enjoyment of nearby properties as the use will be entirely contained in the commercial building with no possibility of negative impacts on the neighborhood.
- *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The property is already being used by a commercial business and the change to a low-intensity use with limited customer visits would not diminish or impair property values within the neighborhood.
- *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The structure is located in a fully developed area.
- *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
 - Not applicable.
- *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
 - The property is adequately served by utilities and will not require new infrastructure.
- *Whether adequate measures will be taken to minimize traffic congestion; and*
 - The subject property has adequate space to handle the anticipated demand for parking and should not have a noticeable impact on traffic on Roosevelt Avenue or surrounding streets.
- *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The conditional use will comply with all other applicable regulations of the Zoning Ordinance.

Consistency with Comprehensive Plan and Strategic Plan:

- The Comprehensive Plan recommends Single-Family Residential (Urban) uses. The underlying zoning district classification 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:

- **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 proposed use for the property will create a live/work space that will allow for the productive use of a vacant space. The applicant has also indicated plans to rehabilitate the exterior of both buildings, which will improve the aesthetics and be a positive addition to the neighborhood.

Staff Recommendation:

The Planning and Building Services Division recommends **approval** of a Conditional Use Permit to allow one legal non-conforming use to be changed to another legal non-conforming use (re-upholstery and decoration shop) in an R-1B Single-Family Residential District, for the property located at 816 Roosevelt Ave, based on the above Findings of Fact, under the following conditions of approval:

1. This Conditional Use Permit authorizes the operation of a re-upholstery and decoration shop in the commercial building located at 816 Roosevelt Avenue.
2. The applicant must obtain an Architectural Review Certificate for any exterior alterations of the commercial building.
3. The business will only allow customers between the hours of 8:00am and 8:00pm.
4. The business may only accept up to 15 customer appointments per day.
5. The business must adhere to the noise regulations in accordance with Section 15.12 of the Municipal Code

(Chapter 15, Public Peace and Good Order).

6. The applicant shall contact Staff if furniture repair work more intensive than reupholster is to occur on the property
7. If City Staff receives frequent complaints about parking or excessive noise from neighbors or observes any illegal parking or unreasonable loud activity at the property, this Conditional Use Permit shall be null and void and the site shall be restored to its prior condition. This restoration order shall only be issued after the Plan Commission has reviewed the complaints and the applicant has been afforded the opportunity to explain and/or cure the circumstances giving rise the parking or noise issues.
8. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Planning and Building Services Director may approve minor changes administratively.

Fiscal Note/Budget Impact:

N/A

Attachments:

Location & Zoning Map, CUP Application, Site Photos, Public Notice, and Mailing List

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-2016-03

1. Address of subject property: 816 Roosevelt Ave
2. Legal description: E 60 FT lots 10 & 11 B 2 McGavocks Sub of McGavocks add.
If property has not been subdivided, attach a copy of the complete legal description from deed.
Property dimensions are: 23 feet by 73 feet = 1679 square feet.
If more than two acres, give area in acres: NA acres.
3. Tax Parcel Number(s): 13570205
4. Owner of record: For Him, Inc. Phone: _____
Po Box 41 Beloit Wisconsin 53512
(Address) (City) (State) (Zip)
5. Applicant's Name: Isaac Rojas
816 Roosevelt Ave Beloit Wisconsin 53511
(Address) (City) (State) (Zip)
NA / 619-985-7159 / Designerrojas@gmail.com
(Office Phone #) (Cell Phone #) (E-mail Address)
6. All existing use(s) on this property are: Light Furniture Painting & Re-upholstering.
7. **THE FOLLOWING ACTION IS REQUESTED:**
A Conditional Use Permit for: 816 Roosevelt Ave, Beloit, WI 53511
in a(n) Residential R1-B Zoning District.
8. All the proposed use(s) for this property will be:
Principal use: Light Re-upholstery & decoration shop.

Secondary use: _____

Accessory use: _____

9. Project timetable: Start date: June 15 Completion date: NA

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: Land Contract
- () Other, explain: _____

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

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

Isaac Rojas / Isaac Rojas / June 23, 2016
 (Signature of Owner) (Print name) (Date)

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

In order for your request to be heard and considered in a timely manner, you must submit the completed application, and all accompanying documents, to the Planning and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

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

To be completed by Planning Staff

Filing fee: \$275.00 Amount paid: _____ Meeting date: July 20, 2016

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

Application accepted by: AEM Date: 6/24/16

Site Photos – Commercial Building on Left, Residential on Right



July 8th, 2016

NOTICE TO THE PUBLIC

To Whom It May Concern:

Isaac Rojas has filed an application for a Conditional Use Permit to allow a conversion from one legal non-conforming use to another non-conforming use in an R-1B, Single-Family Residential District, for the property located at:

816 Roosevelt Avenue.

A Conditional Use Permit is required for the change of a legal non-conforming use on a property. The commercial building on this property was previously used as a home amusement equipment store. The applicant has proposed a light upholstery and decoration store. The following public hearings will be held regarding this proposed Conditional Use Permit:

City Plan Commission: Wednesday, July 20, 2016 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 1, 2016 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 HEARINGS.

We are interested in your opinion.

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

For additional information, please contact Alex Morganroth in the Planning Division at (608) 364-6708 or morganrotha@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.

RONALD CASH
P O BOX 701
BELOIT, WI 53512

COMMUNITY DEV
AUTHORITY
210 PORTLAND AVE
BELOIT, WI 53511

DOUGLAS CASH
P O BOX 1317
BELOIT, WI 53512

JASIBE SANTIAGO-RUIZ
716 MOORE ST
BELOIT, WI 53511

EDWARD T & PAULINE E
BOWLES
7638 E STATE RD 67
CLINTON, WI 53525

TIMOTHY A & BEVERLY L
BAARS
824 ROOSEVELT AVE
BELOIT, WI 53511

DALLAS BRASWELL
731 TENTH ST
BELOIT, WI 53511

WALTER HENNING
741 TENTH ST
BELOIT, WI 53511

LEON J & WILMA J FOXEN
10703 S HICKORY CT
BELOIT, WI 53511

CHRISTINE FERGER
745 TENTH ST
BELOIT, WI 53511

CARLSON REALTY III LLC
N 7201 CHAPEL DR
WHITEWATER, WI 53190

WAYNE A & JOAN L STRAIGHT
750 TENTH ST
BELOIT, WI 53511

RJAR PROPERTIES LLC
1655 COPELAND AVE #3
BELOIT, WI 53511

FOR HIM INC
P O BOX 41
BELOIT, WI 53512

EDWARD SORNSON
817 ROOSEVELT AVE
BELOIT, WI 53511

LEONEL SALCIDO
8512 MILLPOND RD
BELOIT, WI 53511



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Tuesday, July 5, 2016

Presiding: David F. Luebke

Present: Sheila De Forest, Regina Dunkin, Regina Hendrix, Kevin Leavy, Mark Preuschl, Marilyn Sloniker

Absent: None

1. President Luebke called the meeting 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. Councilor De Forest read the Proclamation recognizing July as Park and Recreation Month. Parks Director Brian Ramsey and Recreation Supervisor Spencer Waite accepted the Proclamation. File 7148
4. PUBLIC HEARINGS
 - a. Community Development Director, Julie Christensen, introduced a Public Hearing to Solicit Input on the Community Development, Housing, and Homeless needs in the City for Inclusion in the 2017 Annual Action Plan. She explained that HUD requires that we provide an opportunity each year for citizens to give input on community development, housing, homeless, and public housing needs and to prepare an Annual Action Plan in order to qualify to receive CDBG funding. President Luebke opened the public hearing.
 - Ian Hedges, Executive Director for HealthNet addressed the Council explaining the use of the CDBG funds they receive. HealthNet serves uninsured and underinsured individuals with healthcare and medication. He explained that while HealthNet serves all of Rock County, approximately 40% of the patients they see are residents of the City of Beloit. He was proud to explain that services recently added to expand the ability to serve people at their greatest need. The connection of these funds to the CDBG Annual Action Plan is that studies show that healthy people are able to work and participate in their community and HealthNet strives to provide the services that make people healthy
 - Donna Ambrose, Executive Director of Caritas in Beloit, addressed the Council to share concerns about emergency housing and housing assistance. Caritas is primarily a food pantry and do not at this time, provide emergency housing assistance. The calls they receive are for residents in this area and the concerns go beyond the need for monetary assistance and often revolve around issues of being fairly treated in the housing they have. She explained that often, landlords in this area do not take their tenants seriously and often violate privacy laws by entering premises without proper notice and they have no one to turn to and are reluctant to report their landlords for fear of retaliation. She illustrated the issues even though this area is beyond the scope of Caritas because they are real issues. She said that this must result in greater accountability of landlords here in Beloit. Taking advantage of disadvantaged people is a difficult problem to solve. She proceeded to share the statistics at the food pantry explaining a spike in 2015 were 22,000 households (duplicated). In the month of May, 2016 they served 1400 households (731 unduplicated). Their partner agency is the Second Harvest Food Bank and between all agencies here in Beloit at the end of this fiscal year, there was a total of 1,404,479 pounds of food provided.
 - Lynn Volbrecht, Community Development Manager at Community Action of Rock and Walworth County and Will Chapman also spoke on behalf of Community Action explaining the success of some of the services they provide. He highlighted the mentor program, fresh start program, college visits where high risk and at risk youth participate in programming to empower youth to stay on the right track and paving the way for them to be leaders.

No one else spoke.

President Luebke closed the hearing. File 8725

5. CITIZEN PARTICIPATION

- a. Sandy Disrud, 806 Hart Road, Beloit addressed the Council as a candidate running for the Register of Deeds office in Rock County. She has been the Deputy Register of Deeds for the past 7 ½ years. She is confident she can fill the shoes of her boss, Randy Leyes who is retiring at the end of this term. There are two sides to the office of the Register of Deeds: the vital records side and the real estate side. She has done much of the staff training in the office who currently works in the Register of Deeds in Randy's absence, making her the premiere candidate for the next Register of Deeds, and believes it's the next logical step for her in her career development. She thanked them for their service and asked for their vote August 9.

6. CONSENT AGENDA

Councilor De Forest requested to have items 6.g and 6.i be removed from the consent agenda. Councilors Hendrix and Sloniker made a motion to adopt the consent Agenda items 6.a – 6.f, and 6.h. Motion carried.

- a. The Minutes of the Regular meeting of June 20, 2016 were approved.
- b. An application for a new Class "A" Beer and "Class A" Liquor (Cider only) License for Shopko Stores Operating Company, LLC, d/b/a Shopko, located at 2761 Prairie Avenue, Ben Broge, Agent was referred to ABLCC. File 8721
- c. An application for a new Class "B" Beer and "Class C" Wine License for Victoria Rose LLC, d/b/a Victoria Rose, located at 946 Wisconsin Avenue, Francisco Amador, Agent was referred to ABLCC. File 8721
- d. An application for a new Class "B" Beer and "Class C" Wine License for Royal Enterprizes LLC, d/b/a Ole Louisiana Cajun Café & Catering Co., located at 315 State Street, James H. Bennett Jr. Agent was referred to ABLCC. File 8721
- e. A resolution approving Installation of a new Monument Sign at the Krueger Municipal Pool was approved. File 8722
- f. A resolution Awarding Public Works Contract C16-09, Colley Road Reconstruction was approved. File 8723
- g. Department of Public Works Director, Greg Boysen, presented a resolution awarding Public Works Contract C16-09A, Colley Road Traffic Signals. This project will install new traffic signals at the intersection of Colley Road and Gateway Boulevard. The signals were originally included in Colley Road Reconstruction Project – TEA Grant. This portion was found to be ineligible during design and was therefore bid separately using only TIF 10 funding established for Colley Road project. One bid was received for this project. The low bid of \$109,639.58 was from MP Systems, Inc. d/b/a Pieperline and is 12.76% more than the engineer's estimate of \$ 97,230.00. MP Systems, Inc. d/b/a Pieperline is considered a responsible bidder for this project. The costs for this project are as follows: \$109,639.58 for construction, \$16,360.42 for Change Orders or extra work, for a total of \$126,000.00. Funding is available from the Colley Road Reconstruction Project, in TIF 10 capital budget for 2016. Councilor De Forest wanted to know why the project was bid over budget estimates and explain the funding. Mr. Boysen explained that these are estimates and can fluctuate with market and time. City Manager Luther explained that this estimate is consistent with what our costs are for traffic signals. Councilors De Forest and Dunkin made a motion to approve the resolution as presented. Motion carried. File 8723
- h. A resolution Awarding Public Works Contract C16-11, Pavement Markings was approved. File 8723
- i. Department of Public Works Director, Greg Boysen, presented a resolution authorizing the City Manager to Enter into a State/Municipal Agreement with the Wisconsin Department of Transportation for STP-Urban project for the reconstruction of Prairie Avenue from Cranston Road to Huebbe Parkway. In September of 2015, the City submitted this project to the Wisconsin Department of Transportation STP-URBAN PROGRAM to assist in the payment for public roadway improvements. It was accepted and approved and now the attached *State/Municipal Agreement for a State-Let Urbanized Area STP-Urban Project* is necessary to finalize the financial participation between the Wisconsin Department of Transportation and the City of Beloit. This resolution authorizes the City

Manager to enter into this agreement which will allow for the City to begin the design of the Project and the bidding and construction process to proceed by the State of Wisconsin with the project completion required by June 30, 2022. This project is 6200 feet in length and proposes to replace the existing concrete pavement which has severe transverse joint failures. The traffic signals will also be upgraded to current design standards, street lighting will be added and bicycle accommodations are proposed and will be evaluated. This project was included in the 2016 Capital Budget for design, anticipating the STP-URBAN funding. The estimated design review costs to the DOT are \$60,000 and estimated construction costs for this project are \$2,446,500. The agreement stipulates that the State will contribute 80% of the eligible construction costs up to \$1,900,497 with the balance being funded by the City of Beloit. Funding for the City's design costs is partially available in the 2016 Capital Improvement Budget. The balance of the funding for design is anticipated to be included in the 2017 Capital Improvement Budget. The City's portion of construction funding will be in future year CIP budgets. Councilor De Forest asked what "road diet" means. Mr. Boysen explained it is a term of art for roadway planners and designers look at considerations for reducing the number of thru lanes. This is a design phase and it could be a few years before these improvements would begin. Councilors Preuschl and Sloniker made a motion to approve the resolution as presented. Motion carried. File 8724

7. ORDINANCES - None

8. APPOINTMENTS - None

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest attended a vigil to protest solitary confinement hosted by JOB. The School District of Beloit summer meals has kicked off and people can call 361-3446 to find a location near them. She attended the batting cage breakfast at Pohlman Field. She was asked to read a statement from Beloit resident Garrett Price, Dewey Avenue, regarding the damages to his sidewalks due to roots in the trees in the terrace area owned by the City.
- Councilor Sloniker had no report.
- Councilor Dunkin toured the west side with Julie Christensen and Teri Downing to learn about the efforts to revitalize the neighborhood.
- Councilor Preuschl shared concerns about panhandlers in response to an article in the Beloit Daily News in the downtown area and believes giving panhandlers money won't make things better. He is looking forward to the car show and Cancer benefit tomorrow.
- Councilor Leavy had no report.
- Councilor Hendrix attended the Big Hill Center event. She enjoyed a movie on the lawn with family and announced the next showings will be July 16 and July 30. She enjoyed the July 4th festivities.
- President Luebke was pleased with the events in the City this July 4th and enjoyed the fireworks.

10. CITY MANAGER'S PRESENTATION

- a. Finance and Administrative Services Director Eric Miller presented the 2015 Comprehensive Annual Financial Report (CAFR). Mr. Miller thanked staff in the City Manager's Office, the Treasury, Dawn DeuVall and the Accounting Division, and the Finance Division for their assistance with the Audit. He explained that the full audit has been placed online for Councilors and the public under the Finance Department tab. Mr. Miller introduced Carla Gogen, Partner with Baker Tilly Virchow Krause, LLP, who presented the City's 2015 Audit of the general fund and utility accounts, respectively. File 8649

11. REPORTS FROM BOARDS AND CITY OFFICERS

12. Councilors Leavy and De Forest made a motion to adjourn at 8:26 p.m. Motion Carried.

Lorena Rae Stottler, City Clerk



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Monday, July 18, 2016

Presiding: David F. Luebke
Present: Sheila De Forest, Regina Dunkin, Kevin Leavy, Mark Preuschl, Marilyn Sloniker
Absent: Regina Hendrix

1. President Luebke called the meeting 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 Leavy read the Proclamation declaring August 2, 2016 as National Night Out. Chief Zibolski accepted the Proclamation. File 7148
4. PUBLIC HEARINGS
 - a. Community Development Director, Julie Christensen, introduced a Public Hearing and Resolution Modifying the Use of the Community Housing Development Organization (CHDO) Funds under the 2014 and 2015 Home Program. In July 2001, the City Council approved an intergovernmental agreement with Rock County and Janesville regarding the Rock County HOME Consortium. This agreement created the Consortium and made us eligible to receive an annual allocation of HOME dollars. According to HOME Investment Partnership Program guidelines, 15 percent must be allocated to a Community Housing Development Organization (CHDO). In the HOME Consortium agreement, it was determined that this 15 percent would be allocated to a CHDO in Beloit. The dedication of CHDO dollars only to projects in the City of Beloit will end with the 2016 dollars. For the 2014 program year, \$71,981.55 is available for CHDO activities, and for the 2015 program year, \$65,238.60 is available. The 2014 CHDO funds are required to be committed to a specific project by July 31, 2016, and the 2015 funds have a commitment date of 2017.
 - For the 2014 and 2015 program years, the City Council approved allocating the CHDO funds to Acquisition-Rehabilitation Projects. However, since that time, we have determined that there is a need to construct infill residential construction in the Near Westside (Hackett) Neighborhood. Last year, the Community Development Authority (CDA) purchased 340 Highland with the intention of constructing a new single family house on the property. We are recommending using the 2014 and 2015 CHDO funds for the construction of a house on this lot.
 - At this time, there are three eligible CHDOs in Rock County: Community Action, NeighborWorks Blackhawk Region (NHS), and the Wisconsin Partnership for Housing Development (WPHD). Community Action is currently in the process of rehabbing two houses in the Merrill Neighborhood, NeighborWorks is in the process of rehabbing three houses in the Near Westside (Hackett) Neighborhood. Therefore, we are recommending a partnership with WPHD for the use of these funds. The CDA has already approved the sale of the lot located at 340 Highland Avenue to the WPHD.
 - This vacant lot is located in our new Westside target area which includes the 300-500 blocks of Kenwood, Vernon, Highland, and Euclid. The attached map shows the subject property and the Westside target area. NeighborWorks Blackhawk Region is currently rehabbing 354 Highland Avenue and owns the vacant lot (348 Highland) between 354 Highland Avenue and 340 Highland. This plan includes splitting this lot located at 348 Highland in half and attaching the west half of the lot to 354 Highland Avenue and east half of the lot to 340 Highland. This would help with density-reduction in the Westside target area, which has been a long-term goal of the neighborhood. The proposed house design is attached. Our goal is to have a house constructed that would fit in the neighborhood.
 - The Community Development Authority reviewed the modification in the use of CHDO funds at

its last meeting. They voted 5-1 to recommend approval of this change. One Commissioner (Manuel Casares) was opposed to New Construction due to density issues and concerns that the house would not fit in the neighborhood

President Luebke opened the hearing. No one spoke. President Luebke closed the hearing. Councilors Leavy and Dunkin made a motion to approve the resolution as presented. Motion carried. File 8663

5. CITIZEN PARTICIPATION - None

6. CONSENT AGENDA

Councilor De Forest requested to have item 6.d removed from the consent agenda. Councilors Dunkin and Sloniker made a motion to adopt the consent Agenda items 6.a – 6.c, and 6.e – 6.i. Motion carried.

- a. A resolution approving a new Class “A” Beer and “Class A” Liquor (Cider only) License for Shopko Stores Operating Company, LLC, d/b/a Shopko, located at 2761 Prairie Avenue, Ben Broge, Agent was approved. File 8688
- b. A resolution approving a new Class “B” Beer and “Class C” Wine License for Victoria Rose LLC, d/b/a Victoria Rose, located at 946 Wisconsin Avenue, Francisco Amador, Agent was approved. File 8688
- c. A resolution approving a new Class “B” Beer and “Class C” Wine License for Royal Enterprizes LLC, d/b/a Ole Louisiana Cajun Café & Catering Co., located at 315 State Street, James H. Bennett Jr. Agent was approved. File 8688
- d. City Clerk Stottler presented a resolution approving Change of Agent for Fiesta Cancun Authentic Mexican Restaurant of Beloit WI, d/b/a Fiesta Cancun Mexican Restaurant, located at 2648 Prairie Avenue from Jose Cortes to Jennifer Dominguez. She explained the application and approval process internally and that the ABLCC recommendation for approval was unanimous 7-0. The recommended agent was present at the meeting. Councilor De Forest shared concerns with the brevity of the proposed agent’s answers and wanted to get some clarification from the agent on her intentions to make sure staff members are compliant with alcohol laws and what the restaurant will have for policy. Ms. Dominguez answered the questions asked of Councilor De Forest. Councilor Sloniker commented that she visited the restaurant and met with staff member Miguel who was knowledgeable and friendly and she doesn’t share the concerns about the business. Councilor Leavy asked about consequences for employees who sell to underage persons. Councilor Preuschl thanked the agent for attending and asked the agent to verify that she understands the responsibility she has as the agent. Ms. Dominguez answered that she does. Councilor Dunkin toured the restaurant and has no objection to the appointment of this agent and thanked the restaurant for bringing their business to Beloit. Councilors Leavy and Dunkin made a motion to adopt the resolution as presented. Motion carried 5-1 with Councilor De Forest voting in opposition. File 8688
- e. An application for Land Acquisition – 106 Square Foot Strip located at 605 Eclipse Blvd from Hendricks Commercial Properties (HCP) to City- Adjacent to Beloit Public Library was referred to Plan Commission. File 6667
- f. An application for a Zoning Map Amendment to change the zoning district classification from PLI, Public Lands & Institutions to District to R-1A, Single-Family Residential District for the easternmost 2 acres of the property located at 1601 Gateway Blvd was referred to Plan Commission. File 8642
- g. A resolution approving Contract between the Wisconsin Department of Agriculture, Trade, and Consumer Protection and the City of Beloit for Underground and Above Ground Storage Tank Inspections was approved. File 8191
- h. A Resolution authorizing Final Payment of Public Works Contract C16-05, Cracksealing and Sealcoating was approved. File 8720
- i. An application for a Conditional Use Permit to allow a change from one-nonconforming use to another in an R-1B, Single Family Residential District for property located at 816 Roosevelt Avenue was referred to Plan Commission. File 8396

7. ORDINANCES

- a. Chief Zibolski proposed an Ordinance to amend section 18.02(4)(a) of the Code of General Ordinances of the City of Beloit pertaining to animals in parks for a first reading, requesting to suspend rules for second reading. The ordinance amendment is requested to allow for the presence of domesticated farm animals in city parks if approved by the parks director. This would allow for

ponies or similar animals to be present at special events, such as Neighborhood Night Out (NNO) at Riverside Park. The police department will work cooperatively with the parks department as needed. The current ordinance restricts events, such as pony rides, from our parks. Allowing certain domestic animals with appropriate review and approval will enhance special events for our citizens and families. Councilors Preuschl and De Forest made a motion to suspend the rules for second reading. Motion carried. Councilors De Forest and Preuschl made a motion to adopt the resolution as presented. Motion carried. File 5311 Ordinance 3578

8. APPOINTMENTS

a. Board of Appeals

Willis Zick (replacing Gregory Gaul) to a term ending May 31, 2018

John Peterson (replacing Willis Zick) as 1st Alternate term ending May 31, 2017

Councilors Leavy and Preuschl made a motion to approve the appointments as presented.

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest attended the wet down and push back ceremony of the 2 new fire engines. She appreciated that Chief Liggett involved his staff in choosing what apparatus' should be on the trucks. She attended the LULAC meeting. This summer's Music at Harry's place has been fortunate with great weather. She attended the Summer Slam Jam at Riverside Park yesterday. She encouraged colleagues to attend the Fire Ops September 10th in Milwaukee as an opportunity to learn what it's like to be a fire fighter. She encouraged the Community's participation this Saturday for Unity in the Community from 12-5. Lastly she is looking forward to the National Night out on August 2.
- Councilor Sloniker attended the Parks Tour and also attended the Council Strategic Planning Workshop last week.
- Councilor Dunkin attended the Strategic Planning Workshop to discuss ways to make the City of Beloit even better and is continuously impressed with the quality and dedication of the staff on the City of Beloit team. She toured the Transit division with Michelle Gavin and James Thompson and learned a lot about those services and looks forward to touring wastewater next month. She worked with BIFF to show a movie at the Merrill Community Center. In an effort to invite people, she and Chief Zibolski walked the neighborhood and had a chance to dialogue with the residents and build unity. She offered sympathies to the friends and colleagues experiencing losses.
- Councilor Preuschl complimented the Beloit Police Department Staff for the guardians policing initiative that he learned about at the recent listening session.
- Councilor Leavy announced a Town Hall meeting on August 24th at 5:30pm taking place at New Zion Baptist Church at 1905 Mound Avenue. There will be a light meal served hosted by New Zion & Emanuel Baptist Church and the Beloit Police Department. This will be an opportunity to gather and have courageous conversations about building community.
- President Luebke offered condolences to Councilors Preuschl and Hendrix for their losses. He attended the Beloit Police Department listening session and believes they are helping to break down barriers.

10. CITY MANAGER'S PRESENTATION

11. REPORTS FROM BOARDS AND CITY OFFICERS

- ### a.
- Community Development Director, Julie Christensen, presented a resolution approving 2017 Community Development Block Grant (CDBG) Local Funding Priorities. The Department of Housing and Urban Development requires that we provide an opportunity each year for citizens to give input on public housing, community development, homeless and housing needs and to prepare an Annual Action Plan in order to qualify to receive CDBG funding. The Community Development Authority (CDA) board is recommending that City Council approve funding priorities for inclusion in the 2017 CDBG Application. These priorities were developed based on the needs identified in the 2015-2019 Consolidated Plan, which is a 5-year strategic plan for the use of CDBG funds. In preparation of the Consolidated Plan, staff held three Steering Committee meetings with local agencies and community leaders to obtain input about the needs of the community and gaps in services. The CDA recommended the funding priorities: Public Service Programs which focus on comprehensive case management strategies, with priority given to neighborhood stabilization activities, education in budgeting and life skills, and employment training that corresponds with local employment opportunities. Code Enforcement; Housing Rehabilitation; Economic Development Activities, with

priority given to Technical Job Training; Program Administration and Fair Housing. If funding priorities are approved, they will be included in the CDBG application, which will be prepared and sent out in mid-late July. These funding priorities will be used to determine which agencies receive funds for the 2017 CDBG program year only. We will revisit these funding priorities next year prior to the CDBG application cycle. Councilor Dunkin recused herself as her employer is an agency that receives funding. Councilors De Forest and Sloniker made a motion to adopt the resolution. Motion carried 5-0 with Councilor Dunkin abstaining. File 8725

12. Councilors Dunkin and Sloniker made a motion to adjourn at 7:42 p.m. Motion Carried.

Lorena Rae Stottler, City Clerk

www.beloitwi.gov

Date approved by City Council: August 1, 2016



PROCEEDINGS OF THE BELOIT CITY COUNCIL

Special Meeting

City Hall - 100 State Street, Beloit, WI 53511

4th floor City Manager's Conference Room

Monday, July 25, 2016

Presiding: David F. Luebke
Present: Regina Dunkin, Mark Preuschl and Marilyn Sloniker
Absent: Sheila De Forest, Regina Hendrix, Kevin Leavy

1. President Luebke called the meeting to order at 5:32 p.m.
2. Community Development Director, Julie Christensen, presented a resolution authorizing the Sale of 349 Euclid Avenue from the City of Beloit to the Community Development Authority and the Appropriation of Funding for 349 Euclid Avenue Construction Rehabilitation Project. Councilors Sloniker and Dunkin made a motion to adopt the resolution as presented. Motion carried. File 6667
3. Councilors Sloniker and Dunkin made a motion to adjourn at 5:53 p.m. Motion Carried.

Lorena Rae Stottler, City Clerk

www.beloitwi.gov

Date Approved by City Council: August 1, 2016

RESOLUTION
APPROVING THE CITY'S OFFER TO PURCHASE 106 SQ. FT. OF LAND
LOCATED AT 605 ECLIPSE BLVD AND AUTHORIZING EXECUTION OF SAME

WHEREAS, the City originally intended to acquire the entire parcel for the Beloit Public Library; and

WHEREAS, an error in the original survey did not include the 106 sq. ft. strip of land, identified as Parcel A on the survey; and

WHEREAS, Hendricks Commercial Properties, LLC currently retains ownership of Parcel A; and

WHEREAS, Hendricks Commercial Properties, LLC has agreed to transfer Parcel A to the City at no cost; and

WHEREAS, acquisition of Parcel A will ensure the City has full ownership of the library parcel.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Beloit, Rock County, Wisconsin, hereby approves the City's Offer to Purchase 106 sq. ft of land (Parcel A) located at 605 Eclipse Blvd from Hendricks Commercial Properties, LLC, which said offer provides for a purchase price of \$1.

BE IT FURTHER RESOLVED that the City Manager of the City of Beloit be, and he is hereby, authorized to execute the Vacant Land Offer to Purchase on behalf of the City of Beloit, as buyer, and to execute any other documents necessary to carry out the terms and conditions of the offer.

Adopted this 1st day of August, 2016.

BELOIT CITY COUNCIL

David F. Luebke, Council President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Resolution approving the City's acquisition of 106 sq. ft. of land located at 605 Eclipse Blvd and authorizing execution of same

Date: August 1, 2016

Presenter(s): Julie Christensen

Department(s): Community Development

Overview/Background Information:

Previously, the City acquired the land at 605 Eclipse Blvd that the Beloit Public Library is located on from Hendricks Commercial Properties (HCP). During the previous acquisition, a small sliver of land on the south side of the library was inadvertently not included in the survey and therefore still is owned by HCP. HCP has agreed to transfer the land, approximately 106 sq. ft., to the City at no cost. Acquisition of this land ensures that the City has full ownership over the library parcel.

Key Issues (maximum of 5):

- The 106 sq. ft. strip of land, identified as Parcel A in the attached survey, is located directly north of the Eclipse Blvd ROW on the southern edge of the library parcel. It consists of a grass area between the sidewalk and parking lot.
- The City will obtain outright ownership of the strip of land.
- HCP will transfer for the land to the City at no cost.
- The Plan Commission met on July 20, 2016 and voted unanimously (6-0) to recommend approval of the City's offer to purchase 106 sq. ft. of land located at 605 Eclipse Blvd from HCP.

Conformance to Strategic Plan:

- Consideration of this request supports Strategic Goal #1.

Sustainability:

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

Action required/Recommendation:

- Referral to Plan Commission for the July 20, 2016 meeting.
- This item will most likely return to City Council for review and possible action on August 1, 2016.

Fiscal Note/Budget Impact

The City will not have any costs for the acquisition.

Attachments:

Plat of Survey, CSM for Library Parcel

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: July 20, 2016

Agenda Item: 8

File Number: RPB-2016-06

Applicant: City of Beloit

Owner: Hendricks Commercial
Properties (HCP)

Location: 605 Eclipse Blvd (Library
Parcel)

Request Overview/Background Information:

Previously, the City acquired the land at 605 Eclipse Blvd that the Beloit Public Library is located on from Hendricks Commercial Properties (HCP). During the acquisition of the library parcel, a small sliver of land on the north edge of the Eclipse Blvd ROW was inadvertently not included in the survey and is therefore still owned by HCP. HCP has agreed to transfer the land, approximately 106 sq. ft., to the City at no cost. Acquisition of this land ensures that the City has full ownership over the library parcel.

Key Issues:

- The 106 sq. ft. strip of land is located directly north of the Eclipse Blvd ROW on the southern edge of the library parcel. It consists of lawn area between the sidewalk and parking lot.
- The City will obtain outright ownership of the strip of land.
- HCP will transfer for the land to the City at no cost.
- The Plat of Survey and original CSM for 605 Eclipse Blvd (library parcel) are attached.
- A Location Map is attached.

Consistency with Strategic Plan:

Consideration of this request supports City of Beloit Strategic Goal #5.

Sustainability:

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

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the acquisition of the 106 sq. ft. strip of land, identified as Parcel A of the attached survey, and located at 605 Eclipse Blvd.

Fiscal Note/Budget Impact: The land will be transferred at no cost to the City.

Attachments: Location Map, Plat of Survey and CSM for Library Parcel



2046663

RANDAL LEYES
REGISTER OF DEEDS
ROCK COUNTY, WI
RECORDED ON
03/01/2016 02:45:40PM

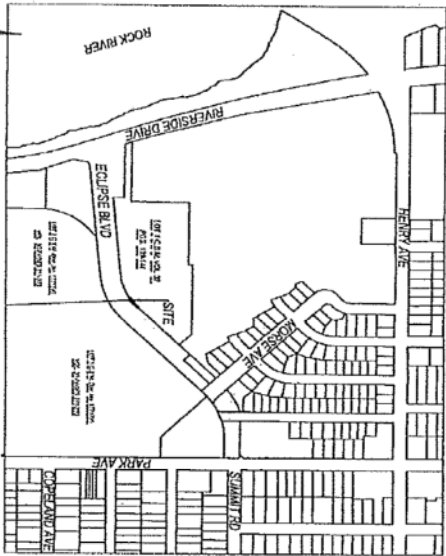
REC FEE: 30.00
EXEMPT #:
EXCLUSION CODE:
PAGES: 2

PLAT OF SURVEY OF

PART OF THE S.W. 1/4 OF THE N.W. 1/4 OF SECTION
25, T. 1 N., R. 12 E. OF THE 4TH P.M., CITY OF БЕЛОИТ,
ROCK COUNTY, WISCONSIN.

Prepared by and return to:
Robert Leuenberger
R.H. Batterman & Co., Inc.
2857 Bartells Drive
Beloit, WI 53511

VICINITY MAP
-NOT TO SCALE-



Scale: 1" = 5'
0 1 2 3 4 5 10

BEARINGS BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, ROCK ZONE. THE EAST LINE OF THE SOUTHEAST QUARTER BEING S 09°29' E

- MONUMENT KEY
- Iron Rebar Set
 - 3/4" x 24" (1.5 Lbs./Ft.)
 - (XXX) Recorded as Information

Robert Leuenberger
Robert Leuenberger PLS
Wisconsin Land Surveyor S-1244
State of Wisconsin } ss
County of Rock

If the surveyor's signature is not in color, the plan is a copy that should be assumed to contain unauthorized alterations. The certification contained on this document shall not apply to any copies.

I hereby certify that I have supervised the survey of the property described above and to the best of my knowledge and belief, the plat drawn hereon correctly represents said survey and its location. Given under my hand and seal this 20th day of February, 2015 of Beloit, Wisconsin.

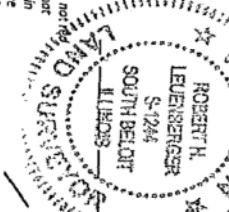
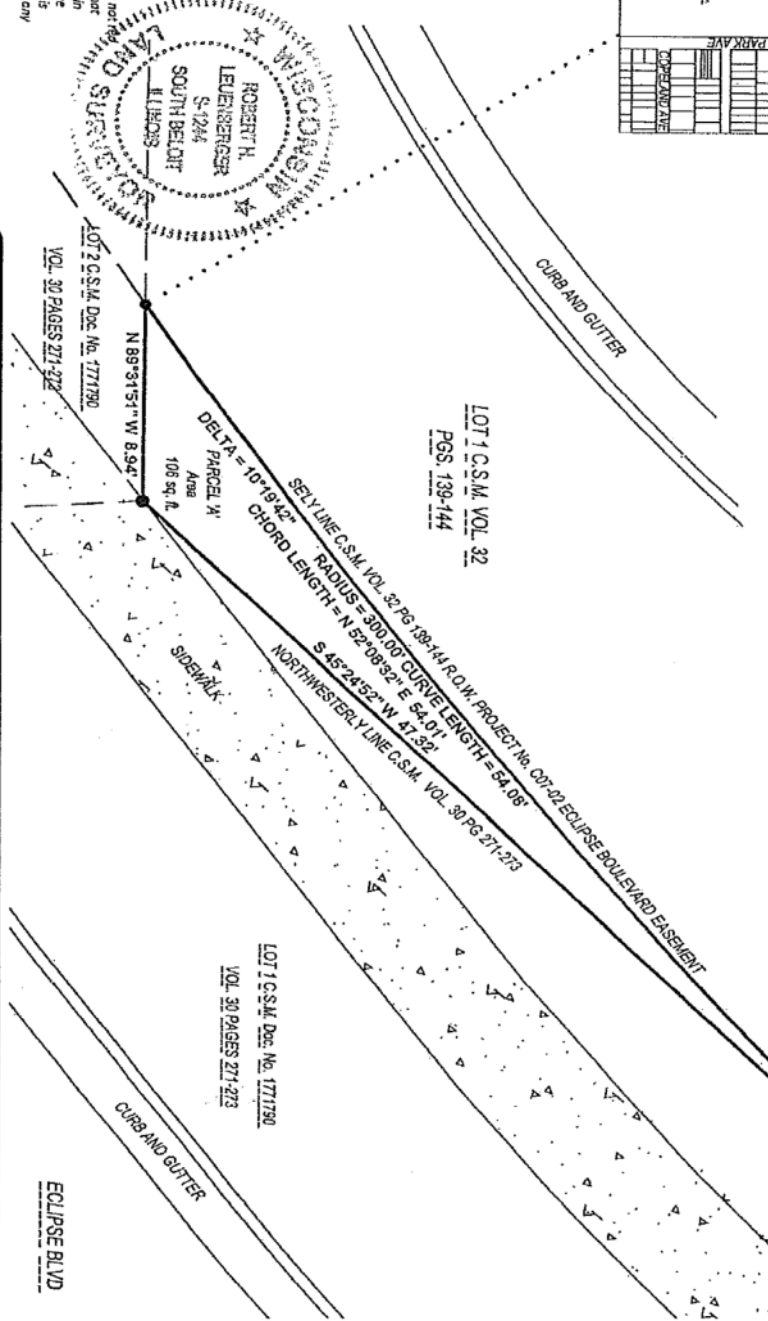
THE PLAT OF SURVEY SHOWN HEREON IS FOR THE SALE OR EXCHANGE OF LAND, SPECIFICALLY THE INTENT IS FOR (PARCEL A) TO BE COMBINED WITH LOT 1 OF C.S.M. VOLUME 32 PAGES 139-144

IT IS NOT THE INTENT OF THIS SURVEY TO CREATE ANY SEPARATE BUILDABLE LOT; PARCEL "A" CANNOT BE SOLD AS A SEPARATE BUILDING SITE.

NOTE: THE PLAT OF SURVEY SHOWN HEREON IS FOR THE SALE OR EXCHANGE OF LAND BETWEEN ADJOINING OWNERS. CITY OF BELoit SUBDIVISION ORDINANCE 22.01 (4)(c)

APPROVED THIS 26th DAY OF Feb., 2015 BY THE CITY OF BELoit,
Debra Janning
DIRECTOR OF PLANNING AND BUILDING SERVICES

MORE PARTICULARLY DESCRIBED AS FOLLOWS:
Beginning at the Northeast corner of Lot 2 of Certified Survey Maps recorded in a Volume 30 on pages 271-273; thence North 89°31'51" West along the northerly lot line of lot 2, of aforesaid 8.94 feet to a non-tangent curve on the easterly line of lot 1 of Certified Survey Maps recorded in Volume 32 on pages 139-144, thence 54.05 feet along a curve to the left, said curve having a radius of 300.00 feet and a chord that bears North 52°08'32" East 54.01 feet; thence South 45°24'52" West 47.32 feet to the point of beginning. Containing 105 square feet more or less.

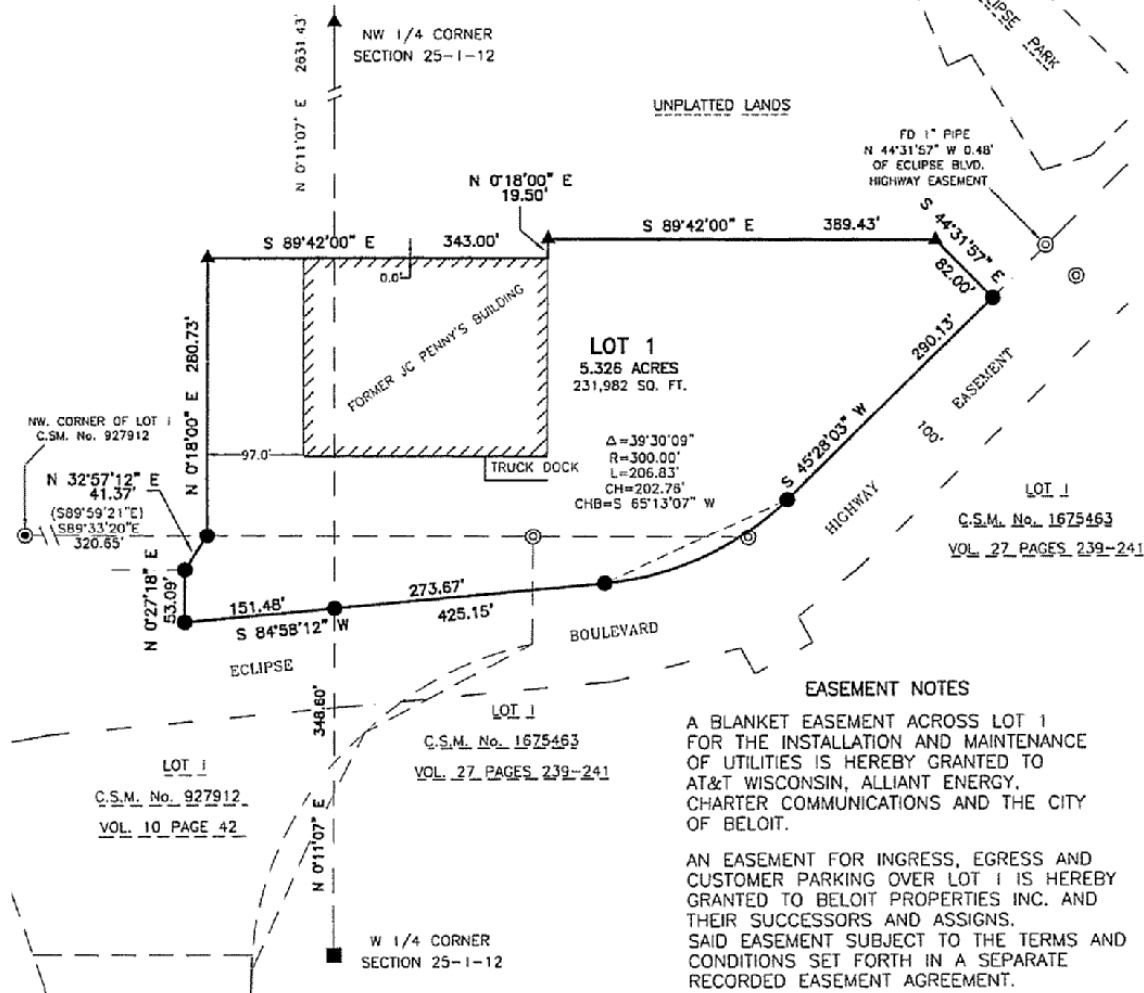


| | | | | |
|--------------------------|-------------------------------------|---|----------------|--|
| ORDER NO. 32010 | BOOK-SITE FEE | FOR THE EXCLUSIVE USE OF: | PLAT OF SURVEY | Batterman engineers/surveyors/planners 1201 Hamilton Bldg. Beloit, WI 53511 608.363.4444 www.batterman.com |
| FIELD CHECK/DRAWN BY DGA | HENDRICKS COMMERCIAL PROPERTIES LLC | OF PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 25 T. 1 N., R. 12 E. OF THE 4TH P.M., CITY OF BELoit, ROCK COUNTY, WISCONSIN | | |

Original CSM for Library Parcel (605 Eclipse Blvd)

CERTIFIED SURVEY MAP OF

PART OF LOT 1 OF CERTIFIED SURVEY MAP DOCUMENT NO. 927912 AS RECORDED IN VOLUME 10 ON PAGES 42-43 AND PART OF LOT 1 OF CERTIFIED SURVEY MAP DOCUMENT NO. 1675463 AS RECORDED IN VOLUME 27 ON PAGES 239-241 OF ROCK COUNTY CERTIFIED SURVEY MAPS, BEING ALSO A PART OF THE S.E. 1/4 OF THE N.E. 1/4 OF SECTION 26 AND PART OF THE S.W. 1/4 OF THE N.W. 1/4 OF SECTION 25, T. 1 N., R. 12 E. OF THE FOURTH P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.



EASEMENT NOTES

A BLANKET EASEMENT ACROSS LOT 1 FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES IS HEREBY GRANTED TO AT&T WISCONSIN, ALLIANT ENERGY, CHARTER COMMUNICATIONS AND THE CITY OF БЕЛОIT.

AN EASEMENT FOR INGRESS, EGRESS AND CUSTOMER PARKING OVER LOT 1 IS HEREBY GRANTED TO БЕЛОIT PROPERTIES INC. AND THEIR SUCCESSORS AND ASSIGNS. SAID EASEMENT SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN A SEPARATE RECORDED EASEMENT AGREEMENT.

SCALE: 1" = 150'

BEARINGS BASED UPON THE WEST LINE OF THE NW 1/4 OF SECTION 25-1-12 BEING N 0°11'07" E

- MONUMENT KEY**
- Iron Rebar Set 3/4" x 24"(1.5 Lbs./Ft.)
 - ⊙ Iron Pipes Found
 - ⊙ Iron Rebar Found
 - ▲ R.R. Spike Found
 - Conc. Mon. Found
 - (XXXXXXXX) Record Data

ORDER NO. 30112
 BOOK 511 PAGE 23
 DATE August 16, 2007
 FOR THE CITY OF БЕЛОIT
 SHEET 1 OF
 File Name: J:\30100-30149\30112\FINALCSM.dwg



R.H. BATTERMAN & CO. INC.
 LAND SURVEYORS - ENGINEERS - PLANNERS
 2857 BARTELLS DR, БЕЛОIT, WISCONSIN 53511
 (608) 365-4464 FAX (608) 365-1850
 E-MAIL: RHB@RHBATTERMAN.COM

RESOLUTION
AWARDING PUBLIC WORKS CONTRACT C16-19
Bridge Sealing and Painting

WHEREAS, on July 21, 2016, two competitive bids were received, the low bid being from Waumandee Creek Sealants, LLC; and

WHEREAS, Waumandee Creek Sealants, LLC is a qualified bidder.

THEREFORE, BE IT RESOLVED that Public Works Contract C16-19, Bridge Sealing and Painting, is hereby awarded to Waumandee Creek Sealants, LLC, Fountain City, WI, in the following amounts:

Waumandee Creek Sealants, LLC
P.O. Box 156
Fountain City, WI 54629

| | |
|---|---------------------|
| Base Bid | \$ 47,575.00 |
| Allowance for Change Orders and/or Extra Work | \$ 6,425.00 |
| TOTAL PROJECT COST | \$ 54,000.00 |

BE IT FURTHER RESOLVED that the amount of \$54,000.00 is hereby funded as follows:

| | |
|--|---------------------|
| P2902187-5514-2014 Street Maintenance | \$ 13,400.00 |
| P2902187-5514-2016 Street Maintenance | \$ 40,600.00 |
| TOTAL | \$ 54,000.00 |

Dated at Beloit, Wisconsin this 1st day of August, 2016.

City Council of the City of Beloit

David F. Luebke, President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Award of Contract C16-19, Bridge Sealing and Painting

Date: August 1, 2016

Presenter(s): Greg Boysen P.E., Public Works Director **Department(s):** Public Works/ Engineering

Overview/Background Information:

This project will preserve 5 bridges through the application of protective coatings.

Key Issues (maximum of 5):

1. Two bids were received for this project. The low bid of \$ 47,575.00 was from Waumandee Creek Sealants, LLC and is 2.9% less than the engineer's estimate of \$ 48,979.92.
 2. Waumandee Creek Sealants, LLC is considered a responsible bidder for this project.
 3. The costs for this project are as follows: \$ 47,575.00 for construction, \$ 6,425.00 for Change Orders or extra work, for a total of \$ 54,000.00.
-

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

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

This project will enhance the quality of life in Beloit by restoring these bridges to their original glory.

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 sealed bridges meet the present and future human needs through extended service life.
-

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

Action required/Recommendation:


The Engineering Division recommends awarding this Public Works Contract to Waumandee Creek Sealants, LLC in the amount of \$ 47,575.00.

Fiscal Note/Budget Impact:

Funding is available from the Street Maintenance budget.

CITY OF BELOIT

DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch
FROM: Andy Hill, Project Engineer 
DATE: July 21, 2016
SUBJECT: Bid Results for Contract C16-19
Bridge Sealing and Painting

Pursuant to advertisements placed July 6 and July 13, bids were received until 2:00 PM on July 21 for the Bridge Sealing and Painting. A tabulation of bids is attached.

Two bids were received for this project as follows:

- | | | | |
|---|--------------------------|---------------------|-------------|
| 1. Waumandee Creek Sealants, LLC | Fountain City, WI | \$ 47,575.00 | *Low |
| 2. Mill Coatings, Inc. | Suamico, WI | \$ 86,249.82 | |
| Engineer's Estimate | | \$ 48,979.92 | |

Upon review of the Contractor's Proof of Responsibility Statement, Waumandee Creek Sealants, LLC is determined to be a responsible bidder.

I recommend that the contract be awarded to Waumandee Creek Sealants, LLC of Fountain City, WI. The following is a breakdown of the proposed project cost:

COSTS

| | |
|---|---------------------|
| Waumandee Creek Sealants, LLC | \$ 47,575.00 |
| Allowance for Change Orders and/or Extra Work | \$ 6,425.00 |
| TOTAL PROJECT COST | \$ 54,000.00 |

PROJECT INFORMATION

This project will preserve 5 bridges through the application of protective coatings.

**Tabulation of Bids
Contract C16-19
Bridge Sealing and Painting
Bids Opened July 21, 2:00 PM**

| Item No. | Bid Item Description | Quantity | Unit | Engineer's Estimate | | Waumandee Creek Sealants, LLC Fountain City | | Mill Coatings, Inc. Suamico | |
|-----------------------|--|----------|------|---------------------|--------------------|--|--------------------|--------------------------------|--------------------|
| | | | | Price | Extended | Price | Extended | Price | Extended |
| Site Preparation | | | | | | | | | |
| 1 | Prep and Paint tops and inside faces parapet walls | 542 | SY | \$7.26 | \$3,934.92 | \$50.00 | \$27,100.00 | \$33.21 | \$17,999.82 |
| 2 | Clean and Sealcoat drive and walk surfaces | 273 | gal | \$165.00 | \$45,045.00 | \$75.00 | \$20,475.00 | \$250.00 | \$68,250.00 |
| Total Proposal | | | | | \$48,979.92 | | \$47,575.00 | | \$86,249.82 |

RESOLUTION
AUTHORIZING FINAL PAYMENT OF PUBLIC WORKS CONTRACT C15-09
Big Hill Bike Path

WHEREAS, work under this contract has been completed satisfactorily and in conformance with the requirements of the contract; and

WHEREAS, This project built an off road bike path from the lower playground to Big Hill Court; and

WHEREAS, the city engineer, comptroller, and attorney recommend final payment to the contractor.

NOW, THEREFORE, BE IT RESOLVED, by the City of Beloit City Council that Maddrell Excavating, LLC be paid \$25,167.99 as the final payment for Public Works Contract C15-09 Big Hill Bike Path as recommended by the City Engineer.

Dated at Beloit, Wisconsin, this 1st day of August 2016.

BELOIT CITY COUNCIL

David F. Luebke, President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF БЕЛОIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Final Payment for Contract C15-09, Big Hill Bike Path

Date: August 1, 2016

Presenter(s): Gregory Boysen

Department(s): Public Works/ Engineering

Overview/Background Information:

This project built an off road bike path from the lower playground to Big Hill Court.

Key Issues (maximum of 5):

1. The requirements of the contract have been completed to the satisfaction of the City.
2. The awarded contract amount was \$ 331,730.50
Quantity increases and change orders \$ 42,456.56
Net payment due contractor \$ 374,187.06
3. The City Engineer, City Attorney, and Director of Accounting recommend that a final payment be made to Maddrell Excavating, LLC in the amount of \$25,167.99

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

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**
 - This project enhances the quality of life in Beloit by enhancing recreational experiences.

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**
Bike paths facilitate exercise.

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

Action required/Recommendation:


Approval of the Resolution authorizing the Final Payment.

Fiscal Note/Budget Impact:

Funding is available in the 2015 Capital Improvement Plan.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch

FROM: Andy Hill, Project Engineer 

DATE: July 5, 2016

SUBJECT: Final Payment Contract C15-09
Big Hill Bike Path


The work on this project was completed on May 26, 2016. I have inspected the work and find it to be satisfactory and in compliance with the requirements of the contract. The contractor has asked for final payment. The project was inspected by city staff. The final payment quantities have been approved by the contractor.

The original contract amount was for \$331,730.50, and the final contract amount is \$374,187.06. The increase in cost was primarily due to the use of more base stone than planned for constructability and access to the site. A detail variance of quantities sheet is attached. Payments to date under this contract total \$349,019.07, and all lien waivers from subcontractors are on file.

Therefore, I recommend a final payment in the amount of \$25,167.99 be made to Maddrell Excavating, LLC

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Andy Hill, Project Engineer

FROM: Elizabeth A. Krueger, City Attorney 

DATE: July 19, 2016

SUBJECT: **Final Payment Public Works Contract C15-09**
Big Hill Bike Path
Maddrell Excavating, LLC

I have reviewed the materials you sent over for final payment approval on the above contract. Everything appears in order and you may process the matter in your normal fashion.

/tdh
encs.

RESOLUTION AMENDING THE MUTUAL COOPERATION AGREEMENT UNDER THE 2013 OHHLHC HEALTHY HOMES AND LEAD HAZARD CONTROL PROGRAM

WHEREAS, the City of Beloit entered into a Mutual Cooperation Agreement (Intergovernmental Agreement) Under the 2013 OHHLHC Healthy Homes and Lead Hazard Control Program with Rock County and the City of Janesville in order to obtain lead hazard grant control funds, and

WHEREAS, the Mutual Cooperation Agreement outlines how funds for the Consortium will be distributed, and

WHEREAS, the agreement currently indicates how changes to funding allocations will be handled, and

WHEREAS, due to lack of demand, Rock County has an interest in allowing funds to be used in the cities of Beloit and Janesville, and

WHEREAS, it is desirable to undertake home improvement projects, which address both lead hazards using Lead Hazard Control Grant funds and non-lead hazards using CDBG and/or HOME Program funds, to ensure that all housing hazards are addressed, and

WHEREAS, these modifications will have a minimal to positive impact in the City of Beloit, and

WHEREAS, the City Council finds that it is advantageous to the City of Beloit to amend the Mutual Cooperation Agreement.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Beloit, Rock County, Wisconsin approves the First Amendment to the Mutual Cooperation Agreement Under the OHHLHC Healthy Homes and Lead Hazard Control Program.

Adopted this 1st day of August, 2016.

BELOIT CITY COUNCIL

David F. Luebke, Council President

ATTEST:

Lorena Rae Stottler, City Clerk

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Resolution Amending the Mutual Cooperation Agreement for the Lead Grant

Date: August 1, 2016

Presenter: Julie Christensen

Department: Community Development

Overview/Background Information:

The cities of Beloit and Janesville and Rock County applied for and received a Healthy Homes and Lead Hazard Control Grant of \$2.5 million from the Department of Housing and Urban Development in 2013. We entered into a Mutual Cooperation Agreement which outlined how the funds would be allocated, record-keeping requirements, and benchmarks (attached).

Key Issues (maximum of 5):

1. The Lead Grant provides funding to home owners and landlords to make their dwelling units lead-safe for children in coordination with the Rock County Health Department. These funds are often used in concert with our CDBG or HOME funds on a project. This allows for the lead items to be funded through a Lead Grant, thereby, reducing the amount of funds a household will have to pay towards a project.
 2. This amendment to the Mutual Cooperation Agreement (attached) would allow for Rock County funds to be allocated to the City of Beloit or the City of Janesville for additional lead projects. Our grant deadline is January, 2017. Although Beloit has enrolled the number of housing units required under the Agreement, Rock County has not been able to fund enough projects to meet its funding commitments. The City of Beloit continues to receive referrals from the Rock County Health Department and therefore, could complete additional projects.
 3. This amendment to the Agreement will also allow the modifications to the individual line items in the budget in order for the funds to get expended by the end of the grant.
-

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

Approval of this project would conform with Goal #5's stated purpose of applying sound, sustainable practices to promote a high quality community through historic preservation, community revitalization and new development.

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

- **Reduce dependence upon fossil fuels** N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** This amendment will allow us to better meet the needs of our low-income population who may be impacted by high lead levels in their homes.

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

Action required/Recommendation:

Recommendation to Council to approve the resolution amending the Mutual Cooperation Agreement for the Lead Grant Program.

Fiscal Note/Budget Impact:

There is no negative fiscal or budgetary impact. All match funds required under the Lead Grant are provided by the property owner or by using the CDBG funds allocated to the Housing Rehab Program.

Attachments:

Resolution; Mutual Cooperation Agreement Under the 2013 OHHLHC Healthy Homes and Lead Hazard Control Program; First Amendment to the Mutual Cooperation Agreement Under the 2013 OHHLHC Healthy Homes and Lead Hazard Control Program

**FIRST AMENDMENT
TO
MUTUAL COOPERATION AGREEMENT UNDER THE
2013 OHHLHC HEALTHY HOMES LEAD HAZARD CONTROL PROGRAM**

WHEREAS, the parties to this Agreement wish to amend the Agreement to allow for flexibility in the allocation of funding for Lead Hazard projects.

NOW, THEREFORE, the parties agree as follows:

1. The paragraph in Section 3, paragraph (b) titled **“CHANGES TO FUNDING ALLOCATIONS AND UNIT REQUIREMENTS”** shall be amended to read as follows:

“CHANGES TO FUNDING ALLOCATIONS AND UNIT REQUIREMENTS: If, due to contract amendment between the grantee and HUD, the amounts available for fund allocations per member and/or unit requirements change during the grant period, revised fund allocation and/or unit requirement figures will be forwarded to each member.

If grant funding and/or benchmark unit requirements necessitate redistribution among the grant parties, then notification of this reallocation shall be sent to the representative responsible on behalf of each party to administer this program for review and approval.

Upon approval of all of the representatives responsible for administering this program, the Grant Fiscal Agent will adjust the fund allocations to correspond to the approved redistribution.”

2. All other terms, provisions, obligations, and promises set forth in the Agreement not specifically amended in this First Amendment shall remain in full force and effect.
3. This First Amendment shall take effect on the date that the last party to the Agreement signs his/her name below.

Signature page to follow

IN WITNESS WHEREOF, by signing below, the Parties agree to the terms in this First Amendment.

CITY OF JANESVILLE

BY: _____ DATE _____
Jennifer Petruzzello, Neighborhood & Community Services Dir.

BY: _____ DATE _____
David Godek, City Clerk-Treasurer

Approved as to form:

BY: _____ DATE _____
Wald Klimczyk, City Attorney

CITY OF BELOIT

BY: _____ DATE _____
Lori S. Curtis Luther, City Manager

Attest: _____ DATE _____
Lori Stottler, City Clerk

BY: _____ DATE _____
Eric Miller, City Comptroller

Approved as to form:

BY: _____ DATE _____
Elizabeth A. Krueger, City Attorney

COUNTY OF ROCK

BY: _____ DATE _____
Alan Sweeney, Chair, Rock County Planning & Development Committee

BY: _____ DATE _____
Colin Byrnes, Planning and Development Director

Approved as to form:

BY: _____ DATE _____
Jeffrey Kuglitsch, Corporation Counsel

**MUTUAL COOPERATION AGREEMENT UNDER THE
2013 OHHLHC HEALTHY HOMES LEAD HAZARD CONTROL PROGRAM**

Federal Fiscal Years 2013, 2014, 2015 and 2016

09-16-2013

This Agreement entered into by the following parties (parties): The City of Beloit, a Wisconsin Municipal Corporation, the City of Janesville, a Wisconsin Municipal Corporation, and the County of Rock, a quasi-municipal.

WHEREAS, the United States Government, through the U.S. Department of Housing & Urban Development (HUD) Healthy Homes and Lead Hazard Control Program, has made available funds for local governments to provide lead hazard grant control funds; and

WHEREAS, the County of Rock has received a grant for \$2,500,000 to administer a Lead Hazard Control and Healthy Homes Program in compliance with Federal regulations and contracts between HUD and the County of Rock; and

WHEREAS, the parties see it is mutually beneficial to administer the Lead Hazard Control and Healthy Homes Program in Rock County communities, increasing their ability to remove lead hazards from Rock County homes, especially those homes with children under 6 years of age that have elevated blood lead levels; and

WHEREAS, the basis for this agreement is the Notice of Funding Availability for HUD's Fiscal Year (FY) 2013 Lead-Based Paint Hazard Control Grant Program and Lead Hazard Reduction Demonstration Grant Program.

WHEREAS, the County of Rock has contracted with the City of Janesville to perform grant management services (Administrative Member) as outlined in the Intergovernmental Agreement, which is attached and made a part of this agreement.

NOW THEREFORE, the parties do agree and covenant as follows:

SECTION 1. DEFINITIONS

- a. "Member" means a unit of local government that signs this Agreement and therefore provides a service or services that is / are required for implementing and / or administering this Lead Hazard Control and Healthy Homes Program.
- b. "Administrative Member" means that member that, in addition to conducting functions as defined above for a "member", is responsible for preparing required reports and services to HUD as part of this Program.

SECTION 2. RECORD KEEPING

- a. Members shall keep the following records:
 - Required individual project records for each project conducted by the member,
 - Obligation Journals,
 - Match Journals,
 - Records to complete required Federal reports –Records required to comply with Lead Hazard Control Program and Healthy Homes grant requirements.
- b. Members shall provide the administrative member with information required by the administrative member to initially set-up project files, administer projects, draw down grant funds and closeout projects. Information requested by the Administrative Member to file the HUD Quarterly Report shall be supplied by each Member no later than 10 days prior to the end of the quarter and on the following schedule:
(1st quarter – September 16, 2nd quarter – December 16, 3rd quarter – January 16, and 4th quarter – March 17, etc...)

Section 3 Annual Reporting will be due to the administrative member no later than December 31 of each year (HUD submission due January 10 of each year).

Members shall also provide the administrative member with timely reporting of records as required for the administrative member to make all other reports in compliance with this Program.

- c. The administrative member will conduct required inspection of member's records and program files in accordance with HUD requirements.
- d. Individual project files and payment and expense records will be kept by members. All final project files and payment and expense records will be kept by the County of Rock.

SECTION 3. FUNDING

Funds for the Parties will be distributed as follows:

- a. **FUND ALLOCATION:** The following fund (Lead Hazard Control and Healthy Homes) allocations shall be reserved for eligible activities to be administered by the above members and in the following categories:
- b. Total grant funds allocated for project Construction: \$1,913,400.00
\$669,000.00 For the City of Beloit,
\$669,000.00 For the City of Janesville,
\$575,400.00 For the County of Rock – This allocation includes funding for projects located in municipalities within Rock County outside of the Cities of Beloit and Janesville.

Total grant funds allocated for Relocation: \$36,000.00
\$12,000.00 For the City of Beloit,
\$12,000.00 For the City of Janesville,
\$12,000.00 For the County of Rock.

Total grant funds for Personnel (Direct Labor / Administration): \$339,440.00
\$58,628.00 / \$43,620 For the City of Beloit
\$0 / \$160,296.00 For the City of Janesville
\$50,812.00 / \$21,584.00 For the County of Rock
\$0.00 / \$4,500.00 For the Rock County Health Department

Total Grant Funds for Marketing, Outreach & Training: \$76,000.00
\$76,000.00 For the City of Janesville

Total Grant Funds for Risk Assessment, Clearances, Blood Lead Testing, Healthy Homes Interventions: \$129,260.00
\$129,260.00 For the Rock County Health Department

Total Grant Funds for Other Direct Costs (XRF Maintenance): \$5,900.00
\$5,900.00 For the County of Rock

Total Fund Allocation: \$2,500,000.00.

FUNDING TERMS: The members will use consistent loan terms for Lead Hazard projects in their jurisdictions. Each member will enroll families and properties that comply with HUD regulations for this program. 100% of grant funding, up to a maximum of \$18,600 will be structured as a 3-year forgivable loan for owner-occupants. 90% of grant funding, up to a maximum of \$18,600, will be structured as a forgivable loan for rental property owners. Rental property owners will be required to contribute 10% of LHC costs in their own funds. Nothing in this section prevents a member from providing additional funding sources (i.e., CDBG and HOME rehab loans paired with a HUD forgivable loan) with terms that may differ between members.

Funding maximum is based on the sum of the anticipated average per unit cost for each element of the Grant Program, or \$15,600 for Lead Hazard Control and \$3,000 for Healthy Homes Intervention.

The members will conduct lead hazard control (LHC) and Healthy Homes Intervention (HHI) work on the following number of units:

40 LHC / 15 HHI For the City of Beloit,

40 LHC / 15 HHI For the City of Janesville,

34 LHC / 15 HHI For the County of Rock – This allocation includes funding for projects located in municipalities within Rock County outside of the Cities of Beloit & Janesville.

Each member will be required to conduct their projects with the following ratios:

The members will seek to have 50% of the projects for owner-occupied properties and 50% for renter-occupied properties.

For owner-occupied properties, all units shall be occupied by families with incomes at or below 80% of the Rock County median income for family size.

100% of owner-occupied units shall either be occupied by families with children under 6, or are units where a child under 6 spends a significant amount of time.

For renter-occupied properties, all units will be occupied by families with incomes at or below 80% of the Rock County median for family size. At least 50% of the units must be occupied by families with incomes at or below 50% of the Rock County median for family size. For all rental property units assisted by this grant, we will require landlords to affirmatively market to families with children.

CHANGES TO FUNDING ALLOCATIONS AND UNIT REQUIREMENTS: If, due to contract amendment between the grantee and HUD, the amounts available for fund allocations per member and/or unit requirements change during the grant period, revised fund allocation and/or unit requirement figures will be forwarded to each member.

- c. **MATCH:** Each member shall be responsible for providing required and eligible match funds or credit for lead hazard control projects, as provided for in the final grant negotiation process and as defined in the Assistance Award and Grant Terms and Conditions or \$316,535.00 (13.7% of Grant Amount). Each member will have the following minimum match liability:

\$ 78,238.00 For the City of Beloit,

\$110,846.00 For the City of Janesville,

\$74,434.00 For the County of Rock,

\$53,017.00 For the Rock County Health Department

Eligible Match sources include the Community Development Block Grant (CDBG) Program, owner cash, in-kind donations (donated/discounted labor), Other, non-Federal (local) funds, and/or other sources as specified in the FY13 Notice of Funding Available (NOFA). Each member shall provide documentation of match incurred to the Administrative Member upon request of grant reimbursement and annually and such match must consist of an eligible source.

Lead Hazard Control Grant construction funds of Rental property owner projects must be matched by the property owner's own funds (cash) in a minimum amount of 10% of the lead hazard control funds.

SECTION 4. ACTIVITIES

Each member shall cooperate in undertaking, or assist in undertaking eligible program activities. Eligible program activities are defined under Section 2. Allowable Costs and Activities (pages 15-16, Notice of Funding Availability for HUD's Fiscal Year (FY) 2013 Lead-Based Paint Hazard Control Grant Program and Lead Hazard Reduction Demonstration Grant Program.)

- a. **MEMBERS SHALL CONDUCT THE FOLLOWING ACTIVITIES:**
- Members shall conduct all work related to this Grant in compliance with provisions of the Cooperative Agreement / Grant Provisions between the Administrative Member and the U.S. Department of Housing & Urban Development for Grant Instrument No. WILHB0570-13.
 - Members shall conduct Lead Hazard Reduction Projects within their jurisdictions consistent with Section 2. Allowable Costs and Activities (Notice of Funding Availability for HUD's Fiscal Year (FY) 2013 Lead-Based Paint Hazard Control Grant Program and Lead Hazard Reduction Demonstration Grant Program, pages 15-16.)
 - Members shall conduct required environmental reviews for these projects, and implement the results of the environmental reviews into these projects consistent with Federal regulations.
 - Members shall coordinate with the Rock County Health Department to have the required Lead Inspections / Risk Assessments and Healthy Homes Ratings conducted.
 - Members shall use the Lead Inspections / Risk Assessments and Healthy Homes rating reports to develop plans for addressing identified lead paint hazards. Members shall conduct these Lead Inspections / Risk Assessments using X-Ray fluorescence (XRF) instruments.
 - Members shall prescribe the most cost effective interim controls and/or abatement work to address identified lead paint hazards.
 - Members shall work with owners to solicit bids for this work.
 - Members shall develop and implement occupant protection and temporary relocation plans, if needed.
 - Members shall approve of Lead Hazard Reduction Projects.
 - Members shall develop and have implemented the required applicant grant papers.
 - Members shall have the approved Lead Hazard Reduction Projects conducted according to the above plans.
 - Members shall inspect, or arrange to have inspected the work.
 - Members shall coordinate with the Rock County Health Department to arrange for required clearances.
 - Members shall arrange for contractor payments on accordance with project contracts.

b. **MEMBERS SHALL WORK TOWARD MAINTAINING THE FOLLOWING OVERALL SCHEDULE OF COMPLETION:**

| Quarter | Time Period | Total Units Enrolled | Total Units Completed | Program Funds Expended per Quarter | |
|---------|------------------------|-----------------------------------|-----------------------|------------------------------------|-------------|
| 1 | 3 rd Q 2013 | July 1, 2013-September 30, 2013 | 0 | 0 | \$0 |
| 2 | 4 th Q 2013 | October 1, 2013-December 31, 2013 | 5 | 0 | \$25,000 |
| 3 | 1 st Q 2014 | January 1, 2014-March 31, 2014 | 16 | 2 | \$50,000 |
| 4 | 2 nd Q 2014 | April 1, 2014-June 30, 2014 | 42 | 6 | \$50,000 |
| 5 | 3 rd Q 2014 | July 1, 2014-September 30, 2014 | 68 | 17 | \$125,000 |
| 6 | 4 th Q 2014 | October 1, 2014-December 31, 2014 | 85 | 31 | \$125,000 |
| 7 | 1 st Q 2015 | January 1, 2015-March 31, 2015 | 102 | 44 | \$125,000 |
| 8 | 2 nd Q 2015 | April 1, 2015-June 30, 2015 | 135 | 61 | \$250,000 |
| 9 | 3 rd Q 2015 | July 1, 2015-September 30, 2015 | 153 | 79 | \$375,000 |
| 10 | 4 th Q 2015 | October 1, 2015-December 31, 2015 | 159 | 96 | \$375,000 |
| 11 | 1 st Q 2016 | January 1, 2016-March 31, 2016 | 159 | 105 | \$500,000 |
| 12 | 2 nd Q 2016 | April 1, 2016-June 30, 2016 | 159 | 111 | \$375,000 |
| 13 | 3 rd Q 2016 | July 1, 2016-September 30, 2016 | 159 | 114 | \$125,000 |
| | Total | | 159 | 114 | \$2,500,000 |

Members shall *individually* work toward maintaining a schedule of grant activity based upon the attached Benchmark Table.

c. **REIMBURSABLE EXPENSES WILL INCLUDE, up to the maximum specified in Section 3b:**

- Up to an average of \$15,600 in per unit lead hazard control construction costs
- Up to an average of \$3,000 in per unit healthy homes intervention costs
- Up to an average of \$800 in per unit relocation costs
- Eligible project soft costs and administrative expenses up to the maximum provided in Section 3b for each member. These amounts may be subject to adjustment based on performance and overall budget reallocations.

Members shall submit required invoices for reimbursement for the above items. Members may submit these invoices no more than monthly.

d. COUNTY OF ROCK DEPARTMENTS AND CITY OF JANESVILLE THAT WILL PROVIDE SERVICES TO ADMINISTER THIS PROGRAM:

1. The Rock County Health Department

The Rock County Health Department (Health Department) shall provide members with the following services:

- Healthy Homes activities; identification and remediation of multiple housing related health hazards with lead hazard control intervention work using the Healthy Homes Rating system.
- As much as is practicable, the Rock County Health Department shall provide the members with information concerning households that may qualify and may be interested in this Program.
- Assist parents and guardians with childhood blood lead level testing of children under 6 years of age.
- Assist the Rock County Planning & Development Agency with training exercises in accordance with this Program.
- Conduct lead inspections/risk assessments using X-Ray fluorescence instruments and HUD-approved standard reporting.
- Conduct required lead clearances and HUD-approved standard reporting.

2. The City of Janesville under the terms of the aforementioned Intergovernmental Agreement

The City of Janesville shall provide the following additional services in accordance with this Program:

- Services as described under the definition "Administrative Member" above,
- Work with the Health Department on training activities,
- Work with the Health Department on meeting grant requirements for promotional activities.

e. SERVICES PROVIDED BY ALL MEMBERS:

Each member shall take affirmative action to further fair housing in their jurisdictions consistent with the requirements of this Program. Such actions may include planning, education and outreach, and enforcement components.

SECTION 5. GOALS AND ACTIVITIES

Use of these funds in Rock County, Wisconsin for this program will be consistent with the stated goals and activities. They are:

Goal 1 – Lead Hazard Reduction:

- a. Reduce the number of low-income children under the age of 6 with elevated blood levels.
- b. Reduce the number of housing units occupied by low-income households with lead hazards.
- c. Develop the most cost-effective methods for lead hazard control work in low-income housing units.

Activities:

- a. Testing for elevated blood lead levels of children under the age of 6.
- b. For positive test results, enroll the housing unit in the lead hazard reduction program.
- c. Use risk assessments to develop effective interim controls and abatement measures.
- d. Conduct lead hazard reduction project on these properties.
- e. Conduct follow-up testing to determine the effectiveness of these measures.

Goal 2 – Public Education:

- a. Increase education to the public and small businesses about the dangers of lead hazards.

Activities:

- a. Increase the number of and improve outreach materials.
- b. Analyze the need to make outreach materials available to underserved and/or minority populations, and develop outreach materials based on this analysis.
- c. Increase public awareness activities. Increase the number of meetings with groups with populations that may be underserved by lead hazard reduction activities.

Goal 3 – Business & Training:

- a. Increase minority, Section 3, and qualifying businesses.
- b. Increase the number of Lead Hazard Certified businesses and employees.

Activities:

- a. Arrange for 2 certified training activities to qualifying businesses and their employees to conduct certified Lead Hazard Control work.
- b. Ensure that these activities result in qualifying businesses that are in a position to bid on and receive lead hazard reduction.

Goal 4 - Outreach:

- a. Expand and work with the private sector, community-based non-profit organizations, including faith-based organizations, on these programs.

Activities:

- a. Work with existing private sector, community-based non-profit organizations, including faith based organizations.
- b. Determine methods that allow these groups to be incorporated into the work program for this grant.
- c. Obtain referrals from these groups about potential projects that may require lead hazard reduction work.

SECTION 6. HANDLING OF APPLICATIONS

Applications may be accepted by any of the members. Members will determine, within their respective jurisdictions, whether the applicant meets the priorities of this Program

Each member will be requested to process and review and conduct Lead Hazard Reduction projects consistent with the prioritization of funds.

Members are required to accept application requests from applicants forwarded by the Health Department and said applications are subject to each members determination of eligibility.

SECTION 7. PRIORITIZATION OF FUNDS

Prioritization of the use of funds by members for qualifying households will be based on the following criteria:

- a. Unit with child under the age of 6 with an EBL.
- b. Unit with a child, regardless of age, with an EBL.
- c. Unit with a child under the age of 6,
- d. Vacant units, to be marketed to household with children under 6 years of age,
- e. Unit with a child(ren).

SECTION 8. PROJECT APPROVAL PROCESS

Individual project applications will be approved by the Rock County Planning & Development Committee, and administratively by the Cities of Janesville and Beloit, consistent with their Community Development programs and regulations.

SECTION 9. ADMINISTRATION

- a. The City of Janesville under an Intergovernmental Agreement with the County of Rock shall be the administrative member and shall carry out necessary overall responsibilities for this agreement, with the cooperation of all members, consistent with the Lead Hazard Reduction Program regulations.
- b. The City of Janesville will administer this Program within the municipal boundaries of the City of Janesville. The City of Beloit will administer this Program within the municipal boundaries of the City of Beloit. The Planning Agency will administer this Program in Rock County outside of the Cities of Beloit and Janesville.

- c. Each member shall submit in a timely manner to the administrative member all information necessary to participate in this Agreement. This includes, but is not limited to, all information required to fulfill Lead Hazard Reduction Grant Program information requirements, written agreements executed with subrecipients, and performance reports.
- d. Each member shall start its Lead Hazard Reduction Grant program year on January 1st of each grant year.

SECTION 10. AMENDMENT, WAIVER

No amendment or waiver of any provisions of this Agreement shall be effective unless the same shall be in writing, approved, and signed by the legal authority of the members.

SECTION 11. ENTIRE AGREEMENT

This Agreement embodies the entire agreement and understanding of the parties hereto with respect to the subject matter herein and supersedes all prior agreements and understandings of the parties hereto relating to the subject matter herein.

SECTION 12. CONFLICTING AGREEMENT

In case of any conflict between this Agreement and any other document, this Agreement shall control.

SECTION 13. ARBITRATION

In the event that the parties are unable to agree with respect to any action to be taken pursuant to this Agreement, or any matter or issue arising under this Agreement, then any of the parties may elect to submit the issue to arbitration in accordance with Chapter 788, Wisconsin Statutes. Each party will be responsible for their own costs for legal representation. Any costs for the arbiter involved in said arbitration will be borne equally by the parties involved.

SECTION 14. LIMITATION OF LIABILITY

None of the parties of this agreement shall be liable to the other parties for any action or failure to act or any error of judgment, negligence, mistake, or oversight whatsoever on the part of such party or such party's agents, officers, or employees with respect to any transaction relating to the Agreement, provided such party has acted in good faith and has not been guilty of gross negligence or willful misconduct.

SECTION 15. CIVIL RIGHTS ACT OF 1964 – SECTION 109 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974

No person shall, on the ground of race, color, national origin, sex, age, or handicap be excluded from participation in, be denied the benefits of, or be subjects to discrimination under any program or activity receiving assistance from these programs.

Affirmative Action: The parties agree to adopt an affirmative action plan to increase in its partners, associates and employees members of under-represented groups in all of its departments, job classifications and salary categories. In the event that the parties subcontract any portion of this agreement, the parties will include in their subcontracts, a requirement that its subcontractors adopt an affirmative action plan. The parties will also include a requirement that any subcontractors include a similar requirement in their contracts with subcontractors.

Nondiscrimination: The parties will not discriminate against any qualified employee or qualified applicant for employment because of race, color, national origin, ancestry, religion, age, marital status, disability, sex, or sexual orientation. In the event any portion of the agreement is subcontracted by the parties, the parties shall include in such a subcontract, a provision prohibiting the subcontractor from discriminating against any qualified employee or qualified applicant for employment because of race, color, national origin, ancestry, religion, age, marital status, disability, sex or sexual orientation.

SECTION 16. DURATION OF THIS AGREEMENT

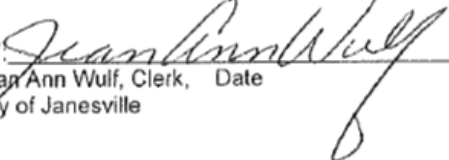
This agreement, approved this _____ day of _____, 2013 is in force for the time necessary to complete Healthy Homes – Healthy Kids Lead Hazard Control Program activities funded from federal fiscal years 2013, 2014, 2015, and 2016. It shall terminate when all Healthy Homes – Healthy Kids Lead Hazard Control Program funds are expended, or are permanently withdrawn by HUD. The members shall not end their participation in this Agreement until the time of termination.

This agreement is executed by the respective parties as members of the Healthy Homes – Healthy Kids Lead Hazard Control Program. In so doing, all existing municipalities and governing bodies are agreeing to participate under the terms of the Healthy Homes – Healthy Kids Lead Hazard Control Program with any other municipality of governing body that has joined or subsequently joins the partnership.

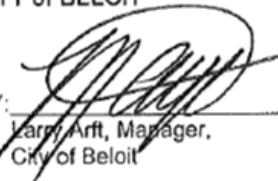
I hereby find that the terms and provisions of this Agreement are fully authorized under state and local law and that the Agreement provides full legal authority for the signatory parties to undertake or assist in undertaking Lead Hazard Control Program activities.

CITY of JANESVILLE

BY:  10/1/2013
Jay Winzenz, Acting City Manager, Date
City of Janesville

BY: 
Jean Ann Wulf, Clerk, Date
City of Janesville

CITY of BELOIT

BY:  10-21-13
Larry Artt, Manager, Date
City of Beloit

COUNTY of ROCK

BY:  10-9-13
Craig Knutson, County Administrator, Date
County of Rock