



**AMENDED AGENDA  
BELOIT CITY COUNCIL  
100 State Street, Beloit WI 53511  
City Hall Forum – 7:00 p.m.  
Monday, August 15, 2016**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
4. PUBLIC HEARINGS
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 meeting of August 1, 2016 (Stottler)
  - b. Application for a Conditional Use Permit to allow an indoor entertainment venue with beer sales & consumption in an M-2, General Manufacturing District, for a proposed golf simulation lab within the Ironworks complex located at 625-701 Third Street (Christensen) Refer to Plan Commission
  - c. Application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession & consumption of alcoholic beverages in a C-2, Neighborhood Commercial District, for the property located at 1028 Mary Street (Christensen) Refer to Plan Commission
  - d. Application for an amendment to a Planned Unit Development (PUD) for Hawk's Ridge to allow an additional 80 housing units, for property located at 1750 Gateway Boulevard (Christensen) Refer to Plan Commission
  - e. Resolution of the City Council accepting Petition for attachment for property located at 2028 E. Ridge Road (Christensen) Accept and Refer to Plan Commission
7. ORDINANCES
  8. APPOINTMENTS
  9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

## 10. CITY MANAGER'S PRESENTATION

- a. Briefing on "Conversations with the Community" event to be held Thursday, August 24, 2016 at New Zion Baptist Church, 1905 Mound St. at 5:30pm (Zibolski)

## 11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Resolution setting a Return Date and Authorizing the Issuance of a Summons for an Alcohol License Sanction Hearing for Casey's Marketing Company, d/b/a Casey's General Store #3316 (Krueger)
- b. Resolution setting a Return Date and Authorizing the Issuance of a Summons for an Alcohol License Sanction Hearing for Pitchers Mound LTD LLC, d/b/a Pitcher's Mound (Krueger)

## 12. ADJOURNMENT

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

Dated: August 10, 2016  
Lorena Rae Stottler  
City of Beloit City Clerk  
[www.beloitwi.gov](http://www.beloitwi.gov)

You can watch this meeting live on Charter PEG digital channel 992. Meetings are rebroadcast during the week of the Council meeting on Tuesday at 1:00 p.m.; Thursday at 8:30 a.m.; and Friday at 1:00 p.m.



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

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

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
  4. PUBLIC HEARINGS
    - a. Community Development Director, Julie Christensen, introduced 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. The Plan Commission recommendation for approval was 5-0-1. 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.
      - 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.
- President Luebke opened the hearing. No one spoke. President Luebke closed the hearing. Councilors De Forest and Dunkin made a motion to adopt the resolution as presented. Motion carried. File 8396

5. CITIZEN PARTICIPATION

- a. Lisa Tollefson, 5818 N. Kennedy Road, Milton introduced herself as the current Rock County Clerk who was appointed in June of 2015, and asked councilors and the public for their vote on August 9.

- b. Dennis Hughes, 144 N. Jefferson, Milwaukee introduced himself as a union representative who is representing a non-represented employee, Michael Wright whose employment terminated by the City while he was on medical leave. Mr. Hughes explained that he is before the council because they are the last step in the grievance process and they have not been able to obtain the hearing they are requesting from the City of Beloit. He is requesting that the City Council consider Mr. Wright's appeal and also encouraged the council to review the City's policy that eliminates just cause and requires employees to split the cost of an independent hearing with the city, causing further hardship to the employee.
- c. Michael Wright, 2179 Linway Drive, Beloit addressed the council with a grievance that claims the city falsely terminated him based on a medical condition in order to prohibit him from the right to appeal his termination through the grievance procedure. He explained he's worked for the city for 37 years and was forced to take early retirement because while out on medical leave, he received a letter from Human Resources ending his employment as an equipment operator because the city could not accommodate a medical restriction. He has followed the personnel policy procedure for appealing his termination and is before the council this evening to seek a hearing and would appreciate their consideration.

## 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. The Minutes of the Regular meetings of July 5 and July 18 and Special meeting of July 25, 2016 were approved. File
- b. A resolution approving the City's Offer to Purchase 106 Square Foot of Land located at 605 Eclipse Blvd and authorizing Execution of Same was approved. File 6667
- c. A resolution awarding Public Works Contract C16-19, Bridge Sealing and Painting was approved. File 8726
- d. A resolution authorizing Final Payment of Public Works Contract C15-09, Big Hill Bike Path was approved. File 6811

## 7. ORDINANCES - None

## 8. APPOINTMENTS - None

## 9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest thanked the Parks employees for the great maintenance of the Parks after walking Harpers Prairie where she found the official Beloit flower, the Purple Comb flower. As a member of the Downtown Business Association, she investigated two new business: The Porch and Mystery and Escape Quest. She encouraged others to check them out. She's looking forward to National Night out tomorrow and the Street Dance this weekend.
- Councilor Sloniker attended the PFC meeting. She recently learned that the street lights in Beloit are owned and operated by Alliant Energy but thanked a Brian and Mark of DPW for assisting with a neighborhood light issue recently. She offered her condolences to the family of Malachi Taylor who recently passed while out of the country on mission work.
- Councilor Dunkin thanked the Beloit Police Department and Fire Department for the help in the funeral procession of Airman 1<sup>st</sup> Class George Marion Ingram. She attended the Beloit Police Department listening session at Central Christian Church. She encouraged residents and visitors alike to attend the farmers market that runs 8am-1pm every Saturday through October 8<sup>th</sup> this year. She thanked Julie Christensen and Lori Luther for their vision and decisions for revitalization efforts on the west side of town. She too is looking forward to National Night out tomorrow and the Street Dance this weekend.
- Councilor Preuschl attended the stop the violence meeting and encouraged people to hear what Richard Harris has to say as he speaks an inspiring message "vision beyond bars." He encouraged all to attend the Street Dance Friday and Farmers Market this Saturday.
- Councilor Hendrix recently took 19 students to Washington DC for tour and college visits. The students represented Beloit fantastically. The step team she coaches will be performing Friday at the Street Dance.

## 10. CITY MANAGER'S PRESENTATION - None

## 11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Community Development Director, Julie Christensen, introduced a resolution amending the Mutual Cooperation Agreement under the 2013 OHHLHC Healthy Homes and Lead Hazard Control Program . 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
- 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 itmes to be funded through a Lead Grant, thereby, reducing the amount of funds a household will have to pay towards a project.
  - This amendment to the Mutual Cooperation Agreement 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.
  - 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.

Councilors De Forest and Hendrix made a motion to adopt the resolution as presented. Motion carried. File 7977

12. Councilors Sloniker and Preuschl made a motion to adjourn at 7:27 p.m. Motion Carried.

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Lorena Rae Stottler, City Clerk

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

Date approved by City Council: August 15, 2016

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Conditional Use Permit Application for the property located at 625-701 Third Street – Council Referral to the Plan Commission

**Date:** August 15, 2016

**Presenter(s):** Julie Christensen

**Department:** Community Development

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### Overview/Background Information:

Jeff Whiteman of Geronimo Hospitality Group has filed an application for a Conditional Use Permit to allow an indoor entertainment venue with beer sales & consumption in an M-2, General Manufacturing District, for a proposed golf simulation lab within the Ironworks complex located at 625-701 Third Street.

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### Key Issues (maximum of 5):

- The proposed golf simulation lab is approximately 8,000 square-feet in area, and will include digital simulators, a putting surface, a driving range, and a lobby/bar area near the entrance from the new “spine” roadway.
- The proposed facility will be open to the public, and will utilize a shared corridor with ADA access and bathrooms as shown on the attached floor plan.
- The proposed use is classified as “Entertainment-Oriented Retail Sales/Service,” which requires a Conditional Use Permit to operate in an M-2, General Manufacturing District.
- The application and the overall floor plan for the central portion of Ironworks are also attached to this report.

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

- Consideration of this request supports Strategic Goal #5.

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

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

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### Action required/Recommendation:

- Referral to the Plan Commission for the August 17, 2016 meeting
- This item will most likely return to the City Council for a public hearing and possible action on September 6, 2016

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

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**Attachments:** Application & Floor Plan

# 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: CN-2016-04

1. Address of subject property: 1701 625 3<sup>RD</sup> STREET, BELOIT

2. Legal description: \_\_\_\_\_

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

Property dimensions are: \_\_\_\_\_ feet by \_\_\_\_\_ feet = 7,891 square feet.

If more than two acres, give area in acres: \_\_\_\_\_ acres.

3. Tax Parcel Number(s): 13530710

4. Owner of record: HENRICKS COMMERCIAL <sup>PROPERTIES</sup> Phone: 608-931-8500

525 3<sup>RD</sup> ST. BELOIT WI 53511  
(Address) (City) (State) (Zip)

5. Applicant's Name: JEFF WHITEMAN

525 3<sup>RD</sup> ST. BELOIT WI 53511  
(Address) (City) (State) (Zip)

608-362-8981 / 608-931-8500 / JEFF.WHITEMAN@GIBONIMO  
(Office Phone #) (Cell Phone #) (E-mail Address) HOSPITALITY  
GROUP.NET

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

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

A Conditional Use Permit for: Entertainment Retail + Alcohol (Beer)  
in a(n) M-2 Zoning District.

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

Principal use: RECREATIONAL GOLF TEACHING LAB WITH  
PUTTING, CHIPPING AND GOLF SIMULATORS.

Secondary use: LOWLIE AREA

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

9. Project timetable: Start date: Aug 1<sup>st</sup> Completion date: Nov. 30, 2016

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

- ( ) Owner
- (X) Leasehold, length of lease: 10 yrs
- ( ) Contractual, nature of contract: \_\_\_\_\_
- ( ) Other, explain: \_\_\_\_\_

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

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

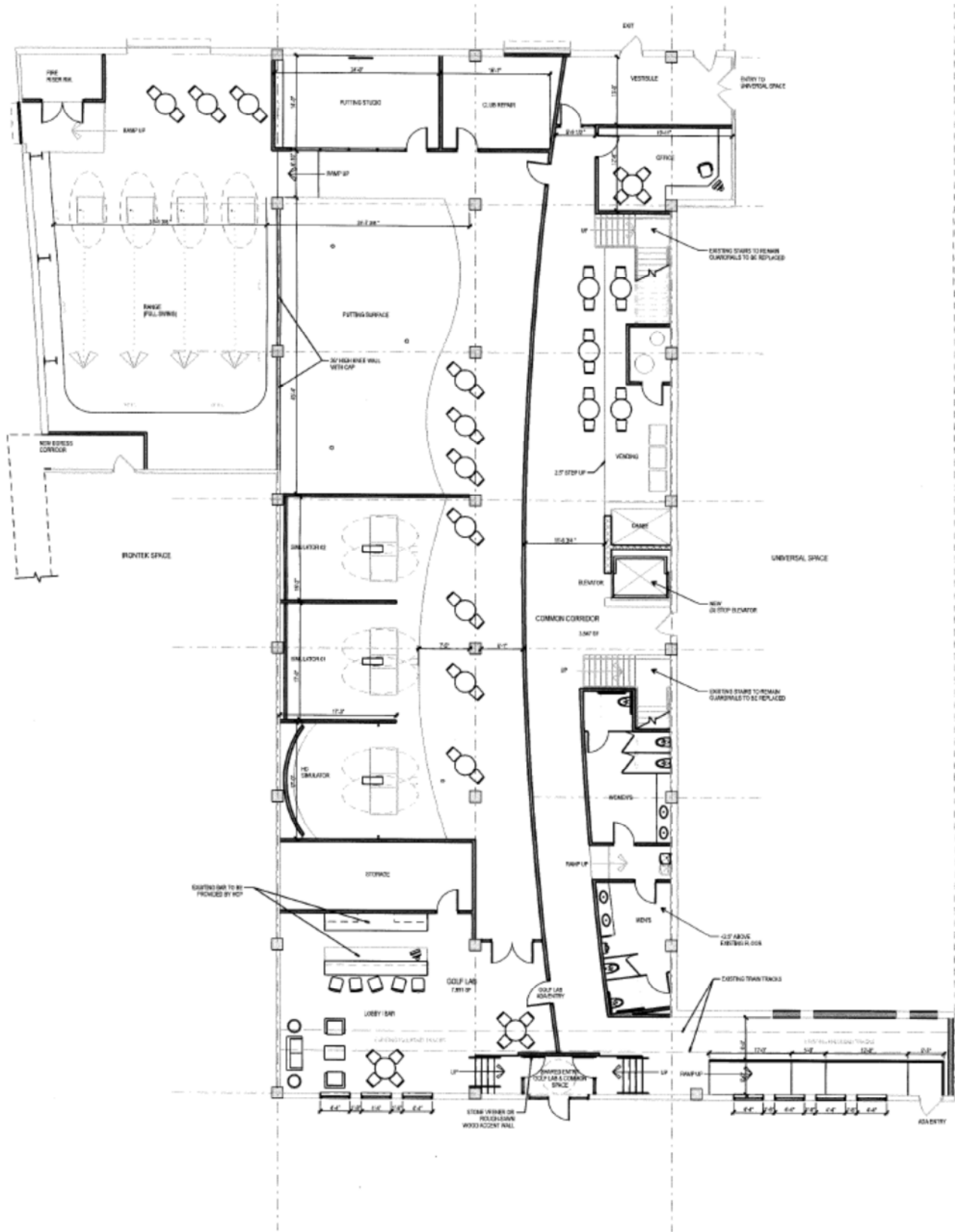
[Signature] / TONY TREGASSO / 7/22/16  
(Signature of Owner) (Print name) (Date)

[Signature] / TONY TREGASSO / 7/22/16  
(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: <u>\$275.00</u>	Amount paid: <u>\$275.<sup>e</sup></u>	Meeting date: <u>Aug. 17, 2016</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>[Signature]</u>	Date: <u>7/22/16</u>	





**PROPOSED GOLF LAB - IRONWORKS (FIRST LEVEL)**

SCALE: 1/16"=1'-0"





# FIRST LEVEL FLOOR PLAN

**IRONWORKS CENTRAL CURRENT TENANT LIST**

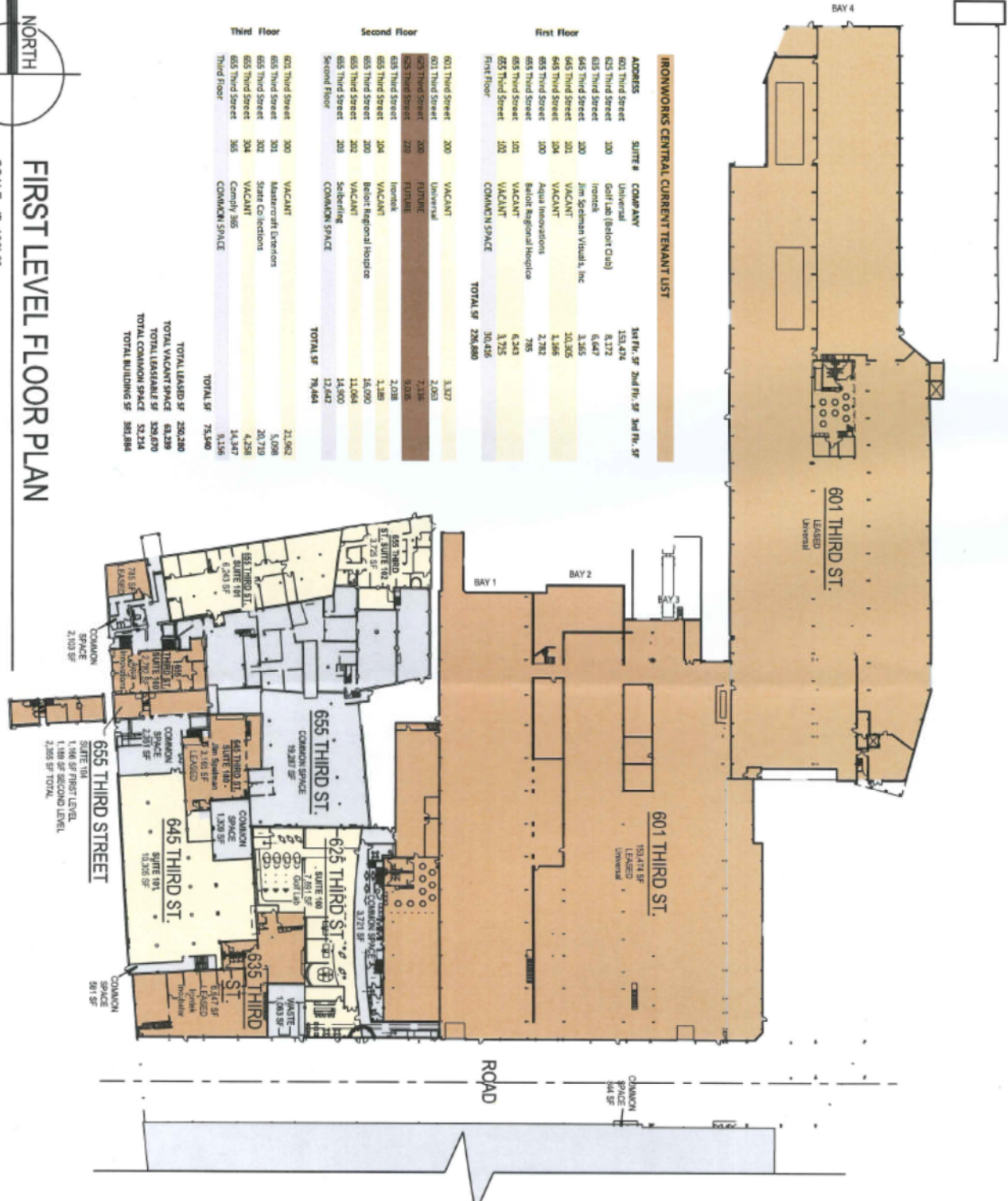
ADDRESS	SUITE #	COMPANY	3rd Fl. SF	2nd Fl. SF	1st Fl. SF
601 Third Street	200	VACANT	3,327	2,081	
601 Third Street	200	Universal		2,081	
605 Third Street	200	FUTURE	7,118	7,118	
605 Third Street	200	FUTURE		7,118	
605 Third Street	200	FUTURE		9,008	
605 Third Street	204	Irontek	2,038	2,038	
605 Third Street	200	VACANT	1,388	1,388	
605 Third Street	202	Beiot Regional Hospital	16,090	16,090	
605 Third Street	202	VACANT	11,064	11,064	
605 Third Street	209	Selberling	14,900	14,900	
605 Third Street	209	COMMON SPACE	12,442	12,442	
			<b>TOTAL SF</b>	<b>79,464</b>	

601 Third Street	300	VACANT	21,982	5,008	
605 Third Street	301	Mastercraft Extension		20,719	4,358
605 Third Street	304	VACANT		20,719	4,358
605 Third Street	304	Century 385		14,327	14,327
605 Third Street	305	COMMON SPACE		10,156	10,156
			<b>TOTAL SF</b>	<b>75,590</b>	

<b>TOTAL LEASD SF</b>	<b>250,280</b>
<b>TOTAL VACANT SPACE</b>	<b>63,239</b>
<b>TOTAL LEASABLE SF</b>	<b>329,670</b>
<b>TOTAL COMMON SPACE</b>	<b>52,214</b>
<b>TOTAL BUILDING SF</b>	<b>381,884</b>



Due to electronic distribution, this drawing may not be printed to the scale indicated on the drawings. Do NOT use scale to determine dimensions or sizes.

	<h2 style="margin: 0;">IRONWORKS CENTRAL</h2> <h3 style="margin: 0;">601-655 THIRD STREET BELOIT, WI</h3>		<p>525 THIRD STREET, SUITE 300 BELOIT WI 53511 PH: (608) 362-8981</p>
<p>ISSUANCE DATE: 7/21/2016</p> <p>REVISIONS:</p>	<p>○ ○ ○ ○</p> <p>○ ○ ○ ○</p> <p>○ ○ ○ ○</p> <p>○ ○ ○ ○</p> <p>○ ○ ○ ○</p> <p>○ ○ ○ ○</p> <p>○ ○ ○ ○</p>		

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Conditional Use Permit Application for the property located at 1028 Mary Street – Council Referral to the Plan Commission

**Date:** August 15, 2016

**Presenter(s):** Julie Christensen

**Department:** Community Development

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**Overview/Background Information:**

Bradley Sandmire has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcoholic beverages in a C-2, Neighborhood Commercial District, for the property located at 1028 Mary Street.

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

- The applicant owns The Last Lap tavern, and has proposed a fenced outdoor seating area to the northwest of the tavern building as shown on the attached site sketch.
- The proposed outdoor area would be surrounded by a wood fence and would include emergency exits to the east and south. The proposed furniture within the outdoor seating area would consist of picnic tables with seating for 20-30 customers.
- Section 4-704 of the Zoning Ordinance states that outdoor seating areas in C-2 are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.
- The application and site sketch are attached to this report.

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

- Consideration of this request supports Strategic Goal #5.

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

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

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**Action required/Recommendation:**

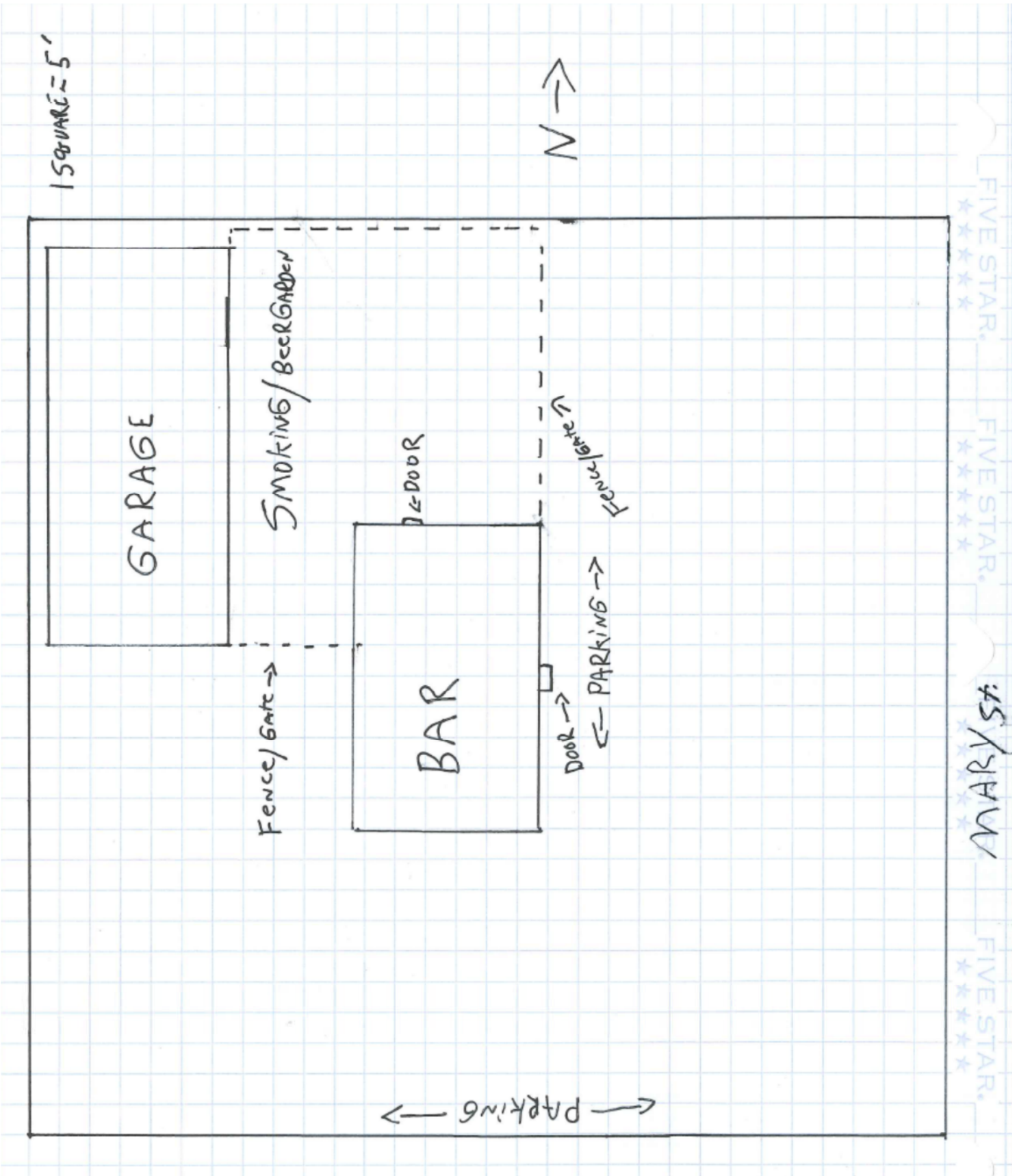
- Referral to the Plan Commission for the August 17, 2016 meeting
- This item will most likely return to the City Council for a public hearing and possible action on September 6, 2016

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

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**Attachments:** Site Sketch & Application



# 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-2016-05

1. Address of subject property: 1028 MARY ST.

2. Legal description: The LAST LAP

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

Property dimensions are: 150 feet by 150 feet = 22,500 square feet.

If more than two acres, give area in acres: \_\_\_\_\_ acres.

3. Tax Parcel Number(s): 1348 0666

4. Owner of record: BRAD SANDMIRE Phone: 608 322 5968

1220 TOWNLINE AVE BELOIT WI 53511  
(Address) (City) (State) (Zip)

5. Applicant's Name: BRADLEY J SANDMIRE

1220 TOWNLINE AVE BELOIT WI 53511  
(Address) (City) (State) (Zip)

\_\_\_\_\_  
(Office Phone #) 1 608 322 5968 (Cell Phone #) 1teamSandmire@gmail.com (E-mail Address)

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

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

A Conditional Use Permit for: OUTDOOR BEER GARDEN / SMOKING AREA  
\_\_\_\_\_ in a(n) \_\_\_\_\_ Zoning District.

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

Principal use: BAR

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

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

9. Project timetable: Start date: 9-1-16 Completion date: 10-1-16

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

- Owner
- Leasehold, length of lease: \_\_\_\_\_
- Contractual, nature of contract: \_\_\_\_\_
- Other, explain: \_\_\_\_\_

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

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

*Bradley J Sandmire* / BRADLEY J SANDMIRE / 7-22-16  
(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: \$275.00 Meeting date: Aug. 17, 2016

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

Application accepted by: *Don Pennington* Date: 7/22/16

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Planned Unit Development (PUD) - Master Land Use Plan Amendment for the property located at 1750 Gateway Blvd – Council Referral to the Plan Commission

**Date:** August 15, 2016

**Presenter(s):** Julie Christensen

**Department:** Community Development

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### Overview/Background Information:

Hawks Ridge Apartments has submitted an application for an amendment to the PUD, Master Land Use Plan for the property located at 1750 Gateway Blvd.

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### Key Issues:

- The applicant has proposed the construction of two 4-story apartment buildings and one 3-story apartment building on the site of the existing Hawk's Ridge Apartments.
- The original PUD plan approved in 2004 proposed the construction of ten 32-unit buildings (six of which were built as Phase 1).
- Three proposed buildings with a total of 208 additional units will be built in place of the four 32-unit buildings that were originally part of Phase 2 and never constructed.
- A two-lot CSM submitted by the applicant is being considered concurrently with the PUD application and would divide the existing Hawks Ridge Apartments parcel into two separate lots for financing purposes.
- A copy of the original PUD - Master Land Use Plan Resolution is attached to this report.

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### Conformance to Strategic Plan:

- Consideration of this request supports Strategic Goal #5.

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### Sustainability:

- **Reduce dependence upon fossil fuels** – N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – The construction of new apartments in Hawk's Ridge will provide additional high-quality housing near the growing employment center of Gateway Business Park.

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### Action required/Recommendation:

- Referral to the Plan Commission for the August 17, 2016 meeting
- This item will most likely return to the City Council for a public hearing and possible action on September 6, 2016.

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

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**Attachments:** Location and Zoning Map, Application, Site Plan, Original PUD Resolution

Location Map – Showing Proposed CSM Dividing the Parcel into 2 Lots

# Location Map

CSM-2016-07  
PUD-2016-03

1750 Gateway Blvd





D:\morga\Bldg\1750 Gateway Blvd\GIS\mxd\1750 Gateway Blvd.mxd



0 100 200 400 Feet

**Legend**

-  1750 Gateway Blvd
-  COB Parcels

## Planning and Building Services Division

Map prepared by: Alex Morganroth  
Date: July 2016  
For: City of Beloit  
Planning & Building Services  
Date of Aerial Photography: April 2011



CITY of BELOIT

Planning & Building Services Division

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

PUD - Master Land Use Plan Application (Amendment)

(Please Type or Print)

File Number: PUD-16-03

1. Address of subject property: 1750 GATEWAY BLVD

2. Legal description: (SEE ATTACHED)

If necessary attach a copy of the complete legal description.

3. Area of parcel in square feet or acres: 19 ACRES

4. Tax Parcel Number(s): PART OF 2282-0010

5. Owner of record: HAWKS RIDGE APARTMENTS, LLC Phone: 262-642-9286

17152 BOWERS RD ELKHORN WI 53121

6. Applicant's Name: HAWKS RIDGE APARTMENTS, LLC

17152 BOWERS RD ELKHORN WI 53121

262-642-9286 | 262-903-8706 | tommy@teronomy.com

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

8. The applicant requests review and approval of a PLANNED UNIT DEVELOPMENT / Amendment Master Land Use Plan: in a(n) PUP Zoning District.

9. A Preapplication Conference was held on: 7/19/16

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

Principal use(s): MULTI-FAMILY RESIDENTIAL

Secondary use(s): RESIDENT & GUEST PARKING

11. State how the proposed development differs from the type of development that would be permitted under the existing zoning regulations.

PLEASE SEE ATTACHED

12. Describe how the proposed development provides greater benefits to the City of Beloit than an otherwise permitted development.

PLEASE SEE ATTACHED

13. Project timetable: Start date: FALL 2016 Completion date: 3 years from start

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

Owner

Leasehold, length of lease: \_\_\_\_\_

Contractual, nature of contract: \_\_\_\_\_

Other, explain: \_\_\_\_\_

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

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

Thomas L. Larson / Thomas L. Larson / 7/22/16  
(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 & 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 \$200.00 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: \$200.00 Amount paid: \$200.00 Meeting date: Aug. 17, 2016  
No. of notices: \_\_\_\_\_ x mailing cost (\$0.50) = cost of mailing notices: \$ \_\_\_\_\_  
Application accepted by: Drew Pennington Date: 7/22/16

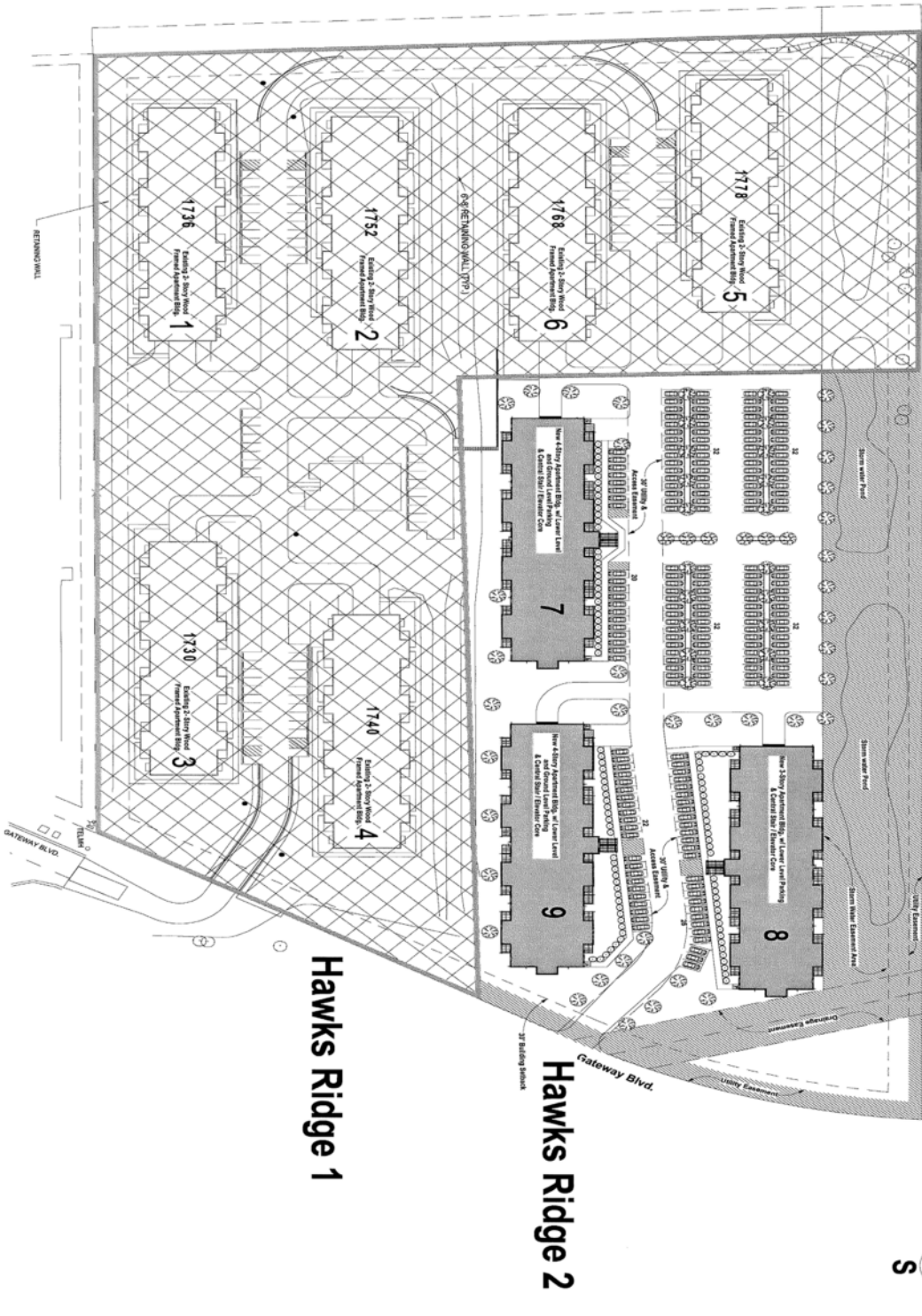
**Proposed PUD – Master Land Use Plan Amendment, Phase 1 and Phase 2**

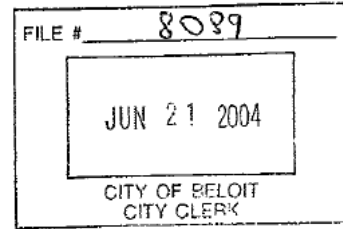
**Teronomy**  
DEVELOPERS • BUILDERS • REALTORS

**Site Plan**  
1"=100'

7-17-16

**HAWK'S RIDGE**  
APARTMENTS 2  
1750 Gateway Blvd.  
Beloit, WI 53511





**RESOLUTION**  
**AUTHORIZING A PLANNED UNIT DEVELOPMENT (PUD) MASTER LAND USE**  
**PLAN ON PROPERTY LOCATED AT 1750 GATEWAY BOULEVARD**

WHEREAS, the application of Teronomy Builders, Inc. for approval of a Planned Unit Development (PUD) Master Land Use Plan for a residential development consisting of ten multifamily apartments and a clubhouse on property located at 1750 Gateway Boulevard, 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 IT IS HEREBY RESOLVED that the City Council of the City of Beloit, Rock County, Wisconsin does hereby approve the proposed Planned Unit Development (PUD) Master Land Use Plan to allow a development consisting of ten multifamily apartments and a clubhouse on property located at 1750 Gateway Boulevard in the City of Beloit, for the following described premises:

Part of the Southeast ¼ of the Northwest ¼ of Section 28, Township 1 North, Range 13 East of the 4<sup>th</sup> P.M., City of Beloit, Rock County, Wisconsin, DESCRIBED AS FOLLOWS: Commencing at the East-Quarter corner of Section 28 aforesaid; thence North 88°46'44" West along the East-West centerline of said Section 28 a distance of 3446.20 feet to the Northwestern right-of-way of Gateway Boulevard; thence North 30°52'47" East along said right-of-way 680.46 feet to the Northeast corner of Lot One of Certified Survey Map Document No. 1600107 as recorded in Volume 26, Pages 72 – 74 of Rock County Certified Survey Maps; thence North 88°46'44" West 916.33 feet to the Northwest corner of said Lot One; thence North 0°58'26" West, 738.96 feet; thence South 88°38'55" East 1344.36 feet to the Northwestern right-of-way of Gateway Boulevard; thence South 30°52'47" West 791.14 feet along said right-of-way to the point of beginning. Containing 19.273 acres, more or less.

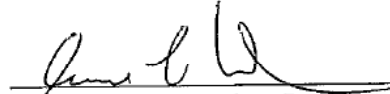
As a condition of granting the Planned Unit Development (PUD) Master Land Use Plan, the City Council does hereby stipulate the following conditions and restrictions upon the development which are hereby deemed necessary for the public interest:

1. Ten, 32-unit multifamily apartment buildings with up to 320 dwelling units, including a clubhouse, swimming pool and fitness center, shall be permitted on subject property if development substantially conforms to the approved Master Land Use Plan submitted with this application and all of the required conditions.
2. This development shall be constructed according to the approved detailed PUD Final Plan submitted to and approved by the City Zoning Officer prior to issuance of any building permits.
3. Roadway access to Gateway Boulevard shall be as indicated on the PUD Final Plan or as otherwise approved by the City Engineer.
4. The PUD Final Plan shall include a looped access drive to provide easy emergency access in and through the site and if this project is constructed in phases then a temporary turn around shall be constructed at the end of any access drive that results in a dead-end.


5. The PUD Final Plan shall include a looped water system with the number and location of fire hydrants provided and installed as approved by the City Zoning Officer.
6. The developer shall include sidewalks in the PUD Final Plan and these sidewalks shall be constructed as per the approved PUD Final Plan as each building is constructed if this development is constructed in two or more phases.
7. The developer shall construct concrete driveway aprons at their access drives and a public concrete sidewalk, five-foot wide, along the entire lot frontage in the Gateway Boulevard right-of-way at the same time as construction of Gateway Boulevard extension is performed.
8. Monies in lieu of parkland dedication shall be paid to the City's Parkland Dedication Fund in the amount of \$46,665.60 (320 x 145.83) prior to issuance of the first building permit for construction on this lot, or as otherwise determined by the Park, Recreation & Conservation Advisory Commission.
9. The Plan Commission and City Council shall approve any major changes in the adopted conditions or use of this property. The Community Development Director may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of these standards.

Adopted this 21<sup>ST</sup> day of June, 2004.

BELOIT CITY COUNCIL

  
\_\_\_\_\_  
Terrence T. Monahan, President

ATTEST:

  
\_\_\_\_\_  
Carol S. Alexander, CMC, City Clerk

**RESOLUTION OF THE CITY COUNCIL  
ACCEPTING PETITION FOR ATTACHMENT**

**WHEREAS**, a petition for attachment of the following territory of the Town of Turtle, Rock County, Wisconsin, lying in a Town of Turtle island contiguous to the City of Beloit, Wisconsin, was filed with the City Clerk on June 21, 2016 for the following described property:

Lot 116 of a re-subdivision of Outlot A and Lots 34 and 54 of Turtle Ridge, being also a part of the S.W. ¼ of Section 30, T. 1 N., R. 13 E., of the 4<sup>th</sup> P.M., Turtle Township, Rock County, Wisconsin. Further described as follows: Beginning at the most Northerly corner of Lot 116, aforesaid; thence South 37° 47' 00" East along the Northeasterly line of said Lot and its extension, 313.0 feet more or less to the Southeasterly right of way line of Milwaukee Road; thence South 52° 13' 00" West 94.29 feet along said right of way line; thence North 37° 47' 00" West 379.0 feet more or less along the Southwesterly line of said Lot 116 and its extension to the Northwesterly right of way line of East Ridge Road; thence North 52° 13' 00" East 94.29 feet along said Northwesterly right of way line; thence South 37° 47' 00" East 66.00 feet to the place of beginning. Containing 35,736 square feet more or less (a/k/a 2028 East Ridge Road).

**WHEREAS**, the Planning and Building Services Division has investigated the petition and certified to the City Council that it was signed by the owner of all the real property in the territory to be attached, is properly described in the petition and shown on the scale map attached thereto, is within an existing Town of Turtle island contiguous to the City of Beloit, and is unincorporated;

**WHEREAS**, this property is not within the Boundary Adjustment Area as outlined in the Cooperative Boundary Agreement between the City of Beloit and the Town of Turtle;

**WHEREAS**, Section 4.2.E. of this Cooperative Boundary Agreement regulating Boundary Changes in the Town Islands governs the attachment of this property; and

**WHEREAS**, the State Department of Administration and the Town Clerk of the Town of Turtle have been properly notified of the applicant's intent to attach to the City of Beloit.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Beloit, Wisconsin, determines that the petition for attachment of the above-described territory is a sufficient and legal petition conforming to the requirements of Wisconsin Statutes and the Cooperative Boundary Agreement and that the petition be accepted.

Adopted this 15<sup>th</sup> 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

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**Topic:** Attachment of 2028 East Ridge Road from the Town of Turtle – Council Acceptance and Referral to the Plan Commission

**Date:** August 15, 2016

**Presenter:** Julie Christensen

**Department:** Community Development

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### Overview/Background Information:

Steve Manteufel has requested attachment to the City of Beloit for his property located at 2028 E. Ridge Road in the Town of Turtle. A failing septic system is the impetus for this attachment request.

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### Key Issues:

- This property is located within the 208 Sewer Service Area and the City of Beloit extended sanitary sewer service several years ago.
- This property is not located within the Boundary Adjustment Area designated in the *Cooperative Boundary Plan between the City of Beloit and the Town of Turtle*. However, the Boundary Agreement governs this property stating “if the sanitary septic system on a property in a Town island fails and the Rock County Health Department determines that the septic system cannot be repaired or replaced, the property owner may petition the City of Beloit to attach to the City for the purpose of obtaining City sewer service.”
- The attached Plat shows the location of the subject property on the southeast side of E Ridge Road between E Ridge Road and Milwaukee Road. The Plat includes the rights-of-way for both streets at the request of the City Engineer.

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

- Consideration of this request supports Strategic Goal #4.

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### Sustainability:

- **Reduce dependence upon fossil fuels** – Attachment of the properties within the Town of Turtle islands will reduce dependence upon fossil fuels by allowing for more efficient and consistent public services such as police and fire protection, refuse collection, and snow removal.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – A reduction in the number of septic systems located in densely populated areas will reduce groundwater contamination.
- **Meet the hierarchy of present and future human needs fairly and efficiently** – The provision of sanitary sewer service will satisfy the owner’s need for a healthy, sanitary dwelling.

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### Action required/Recommendation:

- Action on the proposed Resolution Accepting the Petition for Attachment
- Referral of this item to the Plan Commission for the August 17, 2016 meeting.
- This item will most likely return to the City Council for a first reading on September 6, 2016.

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

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### Attachments:

Resolution Accepting Petition, Location Map, Petition for Attachment, and Plat.

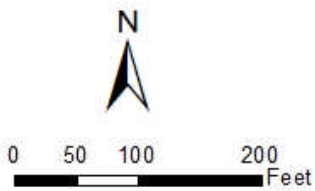
# Location Map

2028 E Ridge Road

ANX-2016-01



Area to be Annexed



**Legend**

- City Limits
- COB Parcels
- Beloit & Turtle Parcels

## Planning and Building Services Division

Map prepared by: Alex Morganroth

Date: August 2016

For: City of Beloit

Planning & Building Services

Date of Aerial Photography: April 2011

Planning and Building Services Division, City of Beloit, Wisconsin. Map prepared by Alex Morganroth, August 2016. ANX-2016-01



**PETITION FOR ATTACHMENT PURSUANT TO A COOPERATIVE  
PLAN ADOPTED BY THE CITY OF BELOIT AND THE TOWN OF  
TURTLE UNDER SECTION 66.0307, WISCONSIN STATUTES**

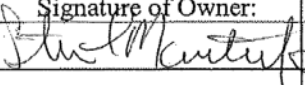
We the undersigned, constituting all of the owners of the real property located within the Boundary Adjustment Area in the Town of Turtle, Rock County, Wisconsin, lying contiguous to the City of Beloit, respectfully petition the City Council of the City of Beloit to attach the territory described below and shown on the attached scale map to the City of Beloit, Rock County, Wisconsin.

*The Legal description of this property is:*

The current population of such territory is 1 persons.

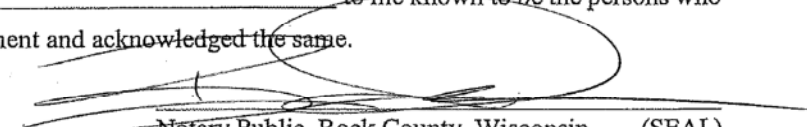
We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

We further respectfully request that this property be zoned \_\_\_\_\_.

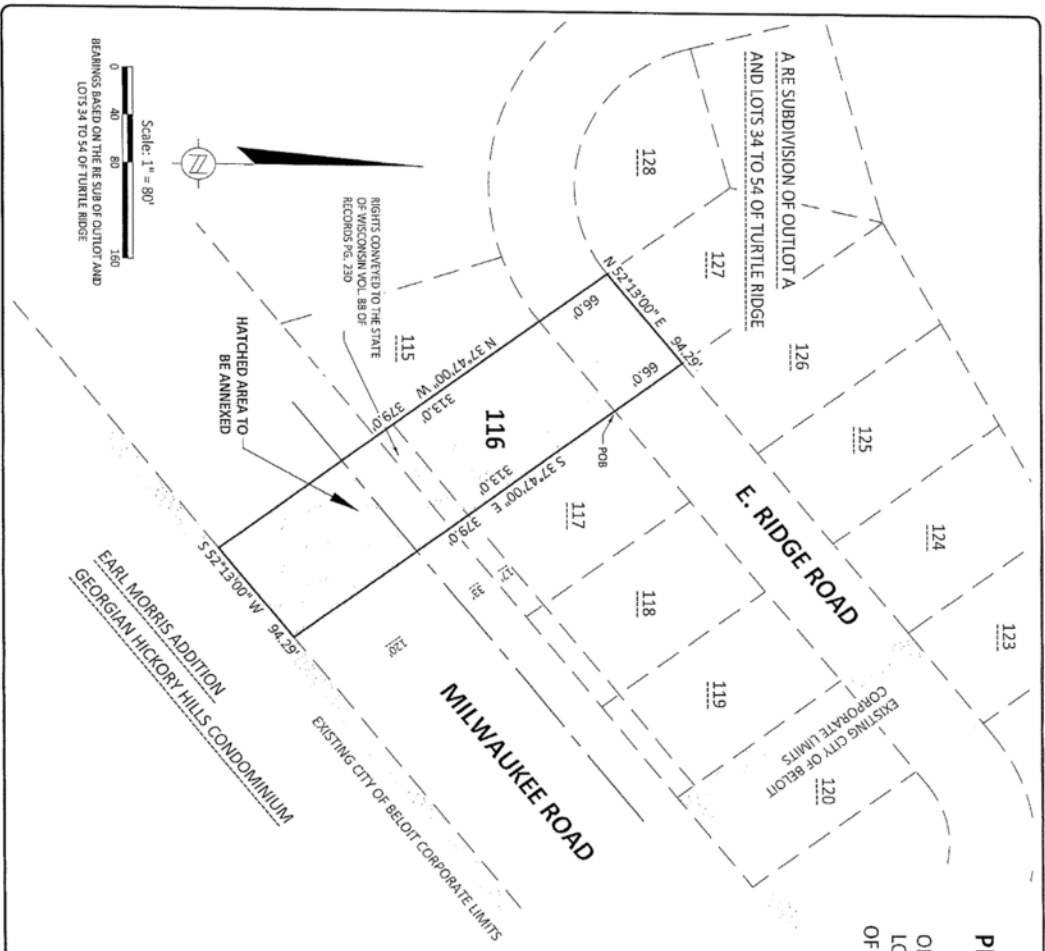
Signature of Owner:	Print Name:	Address:	Date:
	Steven L. Mantzefel	2028 E. Ridge	6-21-16

Personally came before me this 21<sup>st</sup> day of JUNE, 2016, the above named,  
(day) (month) (year)  
STEVEN L. MANTZEFEL to me known to be the persons who  
 executed the foregoing instrument and acknowledged the same.

**BRYAN GATLIN  
NOTARY PUBLIC  
STATE OF WISCONSIN**

  
 Notary Public, Rock County, Wisconsin (SEAL)

My Commission is permanent or expires on: 04/03/2020



Scale: 1" = 80'  
 BEARINGS BASED ON THE SUB OF OUTLOT AND LOTS 34 TO 54 OF TURTLE RIDGE


**PLAT SHOWING TERRITORY ANNEXED TO THE CITY OF БЕЛОИТ**

OF LOT 116 OF A RE SUBDIVISION OF OUTLOT A AND LOTS 34 TO 54 OF TURTLE RIDGE, BEING ALSO A PART OF THE S.W. 1/4 OF SECTION 30, T. 1 N., R. 13 E. OF THE 4TH P.M., TURTLE TOWNSHIP, ROCK COUNTY, WISCONSIN

DESCRIBED AS FOLLOWS:  
 Beginning at the most Northern corner of lot 116, aforesaid; thence South 37°47'00" East along the Northeastern line of said lot and its extension, 213.0 feet more or less to the Southeastern right of way line of Milwaukee Road; thence South 52°13'00" West 94.29 feet along said right of way line; thence North 37°47'00" West 375.0 feet more or less along the Southeastern line of said lot 116 and its extension to the Northeastern right of way line of East Ridge Road; thence North 52°13'00" East 94.29 feet along said Northwesterly right of way line; thence South 37°47'00" East 66.00 feet to the place of beginning, containing 35,736 square feet more or less.

STATE OF WISCONSIN  
 COUNTY OF ROCK } ss.  
 I, Lon Stotler, Clerk of the City of Beloit, Rock County, Wisconsin, do hereby certify that the above described parcel of real estate has by ordinance duly adopted by the City of Beloit, Rock County, Wisconsin, been annexed from the town of Turtle, Rock County, Wisconsin, to the City of Beloit, Rock County, Wisconsin. That the Plat hereon drawn is a correct representation of the annexation of said territory.  
 IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the City of Beloit, Rock County, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 2016

Lon Stotler, Clerk  
 STATE OF WISCONSIN  
 COUNTY OF ROCK } ss.  
 I hereby certify that the Plat of Annexation as described and hereon drawn correctly represents said territory as described and said Plat is true and correct.  
 Dated this 15th day of July, 2016  
 Robert Launenberger, PLS 1244

ORDER NO: 32482 BOOK: SEE FILE FIELD CREW: DRAWN BY: RHL	ORDERED BY STEVEN MANTEUFEL 2028 E. RIDGE ROAD БЕЛОИТ, WI 53511	ANNEXATION PLAT	 engineers surveyors planners 2857 Bartolls Drive Beloit, Wisconsin 53511 608.365.4884 www.batterman.com
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**RESOLUTION SETTING A RETURN DATE AND  
AUTHORIZING THE ISSUANCE OF A SUMMONS FOR AN  
ALCOHOL LICENSE SANCTION HEARING FOR  
CASEY'S MARKETING COMPANY, D/B/A CASEY'S GENERAL STORE #3316**

**WHEREAS**, the City of Beloit Alcohol Beverage License Control and Advisory Committee at its meeting on June 14, 2016 recommended that the alcohol beverage license issued to Casey's Marketing Company, d/b/a Casey's General Store #3316, be suspended for 10 consecutive days; and

**WHEREAS**, City Ordinance 31.01 adopts Wisconsin State Statutes 125.12(1) -(3m) which, among other things, requires that the City Council shall issue a summons signed by the City Clerk upon the filing of a complaint seeking revocation or suspension of a license; and

**WHEREAS**, such a complaint has been duly presented to the City Council; and

**WHEREAS**, the City Council is desirous of setting a return date and a hearing date on said matter at 6:00 p.m., on the 23<sup>rd</sup> day of August, 2016, in the Forum at City Hall.

**BE IT RESOLVED**, that the City Clerk is hereby directed to sign a summons, said summons being hereby issued by the City Council for a hearing date of 6:00 p.m., on the 23<sup>rd</sup> day of August, 2016, in the Forum at City Hall.

Dated this 15<sup>th</sup> day of August, 2016.

**BELOIT CITY COUNCIL:**

**By:**

\_\_\_\_\_  
**David F. Luebke, President**

ATTEST:

\_\_\_\_\_  
Lorena Rae Stottler  
City Clerk  
City of Beloit, Wisconsin

IN THE MATTER OF THE  
SUSPENSION OR REVOCATION  
OF THE ALCOHOL BEVERAGE  
LICENSE OF  
CASEY'S MARKETING COMPANY  
D/B/A CASEY'S GENERAL STORE #3316  
2350 CRANSTON ROAD  
BELOIT, WI 53511  
EMMA MONHEIM, AGENT

## COMPLAINT

TO: THE CITY COUNCIL OF  
THE CITY OF BELOIT  
ROCK COUNTY, WISCONSIN

**COMES NOW** Captain Dan Molland, being first duly sworn and upon oath respectfully makes the following allegations against the license holder listed above:

1. The Complainant is Captain Dan Molland of the City of Beloit Police Department, 100 State Street, Beloit, WI 53511 and a resident of the City of Beloit.
2. Casey's Marketing Company, d/b/a Casey's General Store #3316, Emma Monheim, Agent, 2350 Cranston Road, is the holder of the attached Class "A" Fermented Malt Beverage license issued for the period of July 1, 2016 through June 30, 2017 and the license and application are attached hereto as **Exhibit 1** and **Exhibit 2**.
3. The abridged minutes of the June 14, 2016 meeting of the City of Beloit Alcohol Beverage License Control Committee are attached hereto as **Exhibit 3** and incorporated herein by reference. Said minutes document the appearance of the license holder before the committee to address the sale of alcohol to an underage person on May 4, 2016. Said minutes document the committee's recommendation of a consecutive 10-day suspension of said license.
4. The abridged minutes of the December 8, 2015 meeting of the City of Beloit Alcohol Beverage License Control Committee are attached hereto as **Exhibit 4** and incorporated herein by reference. Said minutes document the appearance of the license holder before the committee to address the sale of alcohol to an underage person on November 30, 2015.
5. As grounds for the sanction, it is alleged that the licensed holder violated Chapter 125 or municipal regulations adopted under §125.10, Wis. Stats. Specifically, it is alleged that the license holder sold alcohol to an underage person on November 30, 2015 and again on May 4, 2016 contrary to §31.01 of the Code of General Ordinances for the City of Beloit, which adopts § 125.07(1)(a), Wis. Stats., and that said violations were committed within a 12 month period of time. ISR numbers BE1618851 and BE1561204 document the police department investigation into these incidents, and are attached hereto and incorporated herein as **Exhibit 5** and **Exhibit 6**.


6. City of Beloit Municipal Court records indicate that Jason Grzelak, was issued Citation D7804X4FC9 alleging sale of alcohol to an underage person for an incident occurring on the licensed premises on November 30, 2015. Said records further indicate that Grzelak was convicted of said offense on January 7, 2016. A Certificate of Conviction in Beloit Municipal Court for citation number D7804X4FC9 is attached hereto and incorporated herein by reference as **Exhibit 7**.

7. City of Beloit Municipal Court records indicate that Rustin Roth, was issued Citation D7804TNC5G alleging sale of alcohol to an underage person for an incident occurring on the licensed premises on May 4, 2016. Said records further indicate that Roth was convicted of said offense on June 2, 2016. A Certificate of Conviction in Beloit Municipal Court for citation number D7804TNC5G is attached hereto and incorporated herein by reference as **Exhibit 8**.

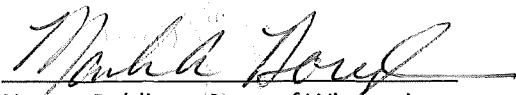
8. In addition to the incidents described above, the City reserves the right to rely on evidence, if any, arising out of any further violations at or about the premises complained of up to the time of any hearing held herein.

9. By reason of the foregoing acts and omissions of the license holder, Casey's Marketing Company, d/b/a Casey's General Store #3316, the ABLCC recommends to the City Council that the license be **suspended for a period of 10 days** beginning forthwith and running for 10 consecutive days.

Dated this 3<sup>rd</sup> day of August, 2016.

  
\_\_\_\_\_  
Captain Dan Molland  
Police Department, City of Beloit, Wisconsin

Subscribed and sworn to before me  
on this 3<sup>rd</sup> day of August 2016:

  
\_\_\_\_\_  
Notary Public – State of Wisconsin  
My Commission is permanent or expires: 06/20/20

File Copy

**CITY OF БЕЛОIT**  
STATE OF WISCONSIN

Non-Transferable

**CASEY'S MARKETING COMPANY ~ EMMA MONHEIM, AGENT**

Having paid to the City of Beloit, the sum of \$500.00

IS HEREBY GRANTED A **L I C E N S E**

To: Sell Class "A" Fermented Malt Beverages

At: CASEY'S GENERAL STORE #3316, 2350 Cranston Rd., 1 Story Prestructured Steel Bldg.

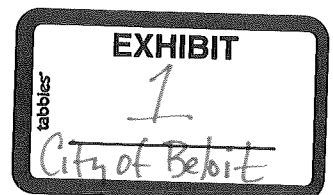
*Within this City, subject to the Ordinances thereof and to the laws of this State, unless previously relinquished or revoked.*

This License expires: **June 30, 2017**

Approved by the Beloit City Council

Issued this 30th day of June, 2016

\_\_\_\_\_  
CITY CLERK



# RENEWAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 7-1-2016 ending: 6-30-2017  
(MM DD YYYY) (MM DD YYYY)

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

County of ROCK Aldermanic Dist. No. \_\_\_\_\_ (If required by ordinance)

CHECK ONE  Individual  Partnership  Limited Liability Company  
 Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:  
 Full Name(s) (Last, First and Middle Name) \_\_\_\_\_ Home Address \_\_\_\_\_ Post Office & Zip Code 3-31-16

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company CASEY'S MARKETING COMPANY  
 Address of Corporation/Limited Liability Company (if different from licensed premises) PO BOX 3001, ANKENY, IOWA 50021  
 All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:  
 Title Name (Inc. Middle Name) Home Address Post Office & Zip Code  
 President/Member MICHAEL R. RICHARDSON- 4865 COPPER CREEK DRIVE, PLEASANT HILL, IOWA 50317  
 Vice President/Member ROBERT C. FORD- 23638 RIVER HEIGHTS DRIVE, DALLAS CENTER, IOWA 50063  
 Secretary/Member JULIA L. JACKOWSKI- 9813 ILLIS DRIVE, URBAN DALE, IOWA 50322  
 Treasurer/Member JAMES R. PISTILLO- 3415-159TH STREET, URBAN DALE, IOWA 50323  
 Agent CT CORPORATION- 44 E MIFFLIN ST, MADISON, WI 53703


Directors/Managers ~~ROBERT C. FORD- 23638 RIVER HEIGHTS DRIVE, DALLAS CENTER, IOWA 50063~~ Emma Menheim

- C. 1. Trade Name CASEY'S GENERAL STORE #3316 Business Phone Number 608-362-1267  
 2. Address of Premises 2350 CRANSTON ROAD Post Office & Zip Code BELOIT, WI 53511  
 3. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs?  Yes  No  
 4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 1 STORY PRESTRUCTURED STEEL BUILDING  
 5. Legal description (omit if street address is given above): N/A  
 6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side  Yes  No  
 b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side  Yes  No  
 7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain.  Yes  No  
 8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain.  Yes  No  
 9. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776]  Yes  No  
 10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement?  Yes  No  
 11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor?  Yes  No

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

SUBSCRIBED AND SWORN TO BEFORE ME

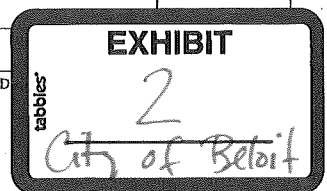
this 22ND day of MARCH, 20 16

Chris McCreedy  
 (Clerk/Notary Public)  
 My commission expires 11-29-2017  
  
**CHRIS MCCREEDY**  
 Commission Number 158683  
 MY COMM. EXP. \_\_\_\_\_

Robert C. Ford  
 (Officer of Corporation/Member/Manager of Limited Liability Company /Partner/Individual)  
 ROBERT C. FORD, VICE PRESIDENT FOR CASEY'S MARKETING COMPANY  
 (Officer of Corporation/Member/Manager of Limited Liability Company /Partner)  
 (Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>3-31-16</u>	Date reported to council/board <u>5-2-16</u>	Date license granted <u>6-6-16</u>
License number issued	Date license issued	Signature of Clerk / Deputy Clerk



Applicant's WI Seller's Permit No.: 458-000602957-03	FEIN Number: 42-1435913
LICENSE REQUESTED	
TYPE	FEE
<input checked="" type="checkbox"/> Class A beer	\$ 500.00
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ 25.00
TOTAL FEE	\$ 525.00 <i>Paid</i>

Tom Lindaas, Store Manager for the Tobacco Shack appeared on behalf of the owner/agent. Captain Risse reviewed the process for compliance checks and explained the incident at this premise. Captain Risse asked Mr. Lindaas to explain what the store has done to change procedures so this doesn't occur again. Mr. Lindaas explained that all employees are going through recertification and they are placing an emphasis on training throughout the store. The employee is a valued employee and was suspended for 30 days and is paying the fines. Captain Risse asked if their registers allow for entry of a birthdate or a scanner that checks ID. He answered that they don't have such technology and they are dependent on training and checking for proper ID. He has appeared before the committee twice in ten years and they take these violations very seriously. Ms. Tinder asked if the store considered investing in technology that checks ID so the error isn't as likely to occur. Mr. Baskin went on record to state he was pleased this employee was not terminated as we are human and we make errors.

This is the first violation in a calendar year and no recommendation for sanction is being made by staff at this time.

13. Consideration of an incident May 4, 2016, at Rollette Oil Co. #1, 1451 Madison Road, Paul R. Simon, Agent for a sale to an underage person during an alcohol compliance check.

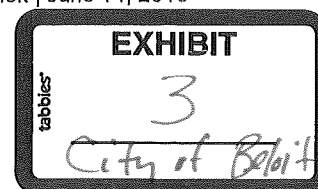
Paul R. Simon appeared as owner/agent for the store. Captain Risse reviewed the process for compliance checks and explained the incident at this premise. Captain Risse asked Mr. Simon to explain what the store has done to change procedures so this doesn't occur again. Mr. Simon explained that they have a strict policy that if you sell to minors, you are terminated. This employee was relieved of her duties immediately and has since hired an attorney to fight the ticket under the defense of entrapment. Their registers have the function to enter the birthdate but only if they ring the sale as alcohol. This employee rang the sale as tobacco and therefore was not required to enter a date of birth. It is not clear if that was intentional or not.

This is the first violation in a calendar year and no recommendation for sanction is being made by staff at this time.

14. Consideration of an incident May 4, 2016, at Casey's General Store #3316, 2350 Cranston Road, Emma Monheim, Agent for a sale to an underage person during an alcohol compliance check. (2<sup>nd</sup> offense within 12 months).

Ms. Monheim appeared as agent for the store. Captain Risse reviewed the process for compliance checks and explained the incident at this premise. Captain Risse explained that in November after the first violation he received a 3-page list of changes the store was implementing to make sure it doesn't happen again. He asked if those changes have been implemented. Ms. Monheim answered that to her knowledge they were not and she has been the store's agent for one month. Since she's come on board, they have retrained on the policies, are checking ID for anyone appearing to be under 30 years of age, making certain employees know how to scan the ID on the register and check ID's properly, and this employee no longer works for the company.

Captain Risse explained that this is the second violation within a six month period and recommendations for sanctions have been consistent with past practice. The Police Department is recommending a 10-day license suspension. Mr. Tilley asked if they would have to physically





remove alcohol or just lock it up. Attorney Krueger explained that the alcohol would have to be locked away and made unavailable for sale.

Tilley and Tinder made a motion to accept the recommendation of a 10-day suspension for this second violation within 12 months. Motion carried 6-1 with Baskin voting no.

Attorney Krueger explained that with this recommendation, she will draft a formal complaint which will be introduced to the City Council and then a date for a hearing would be set. The store then has the opportunity to have an attorney present to represent them at the hearing. Attorney Krueger encouraged the Casey's to obtain an attorney and will make contact with Ms. Monheim or the company's attorney to explain when the hearing is set to take place.

15. Consideration of noise complaints against The Tavern, 1567 Madison Road, Susan Hudson, Agent.

Susan Hudson, Agent and Patricia Mitchell appeared to represent the establishment. Captain Risse explained that an officer was dispatched to the establishment after a citizen complaint was made at the May 10 meeting. The officer reported that upon arriving he did not notice any loud music outside and there was no alcohol being consumed in the smoking area. The doors were not propped open and music could only be heard upon reaching the front doors. The officer advised the staff of the complaint and the staff stated they would do their best in maintaining these issues.

Captain Risse followed up with the citizen making the complaint and he explained that since the change in ownership he has noticed an improvement and does not have current issues with the establishment. Ms. Hudson made it clear that they would be more than willing to share contact information with Mr. Parish so he can contact them anytime he notices an issue. They take pride in the business and want to be good neighbors by respecting the neighborhood.

16. City Clerk Stottler informed the committee that currently one Reserve license is available for sale. The Local closed and did not reapply so a second Reserve license will become available July 1. She explained her attempts to contact the parties responsible at Pitcher's Mound and has been unsuccessful. She reminded the committee that in November of 2015 they approved recommendation for a liquor license to Peter Gabrielle of Palermo's and that license did not issue in the current license year. He has applied for renewal and the committee has approved recommendation as well as council approval on June 6, 2016. According to City Ordinance 31.04(3), "Where the City Council has granted a license, but the license has not been issued because construction, renovation or code compliance is not completed in 6 months, the City Council may rescind the license at a regular Council meeting after notice to the licensee and opportunity for the licensee to be heard." The committee would like to have Mr. Gabrielle added to the July agenda for him to give an update on the construction and timeline for opening for business.
17. Citizen Comments: Danny Hatch, Jr. from the Alumni wanted to follow up with the committee to make sure that he has met all of the requirements to sell the business. Attorney Krueger explained that Mr. Davis has been granted a license today and upon approval June 20, 2016 he no longer has the license since it is granted to Mr. Davis.

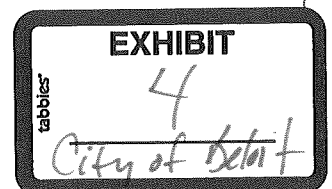
Rao Mudabir Ahmed with ND Gas wanted to inform the committee that after listening to some of the concerns for selling to minors and some registers not having a scanning function, that there

Baskin made a motion to have the two CVS stores put on the January 12th agenda, second by Mr. Metter. Motion carried.

- f. **Casey's General Store #3316, 2350 Cranston Road** – Jeffrey Kimberly, Janesville, WI appeared representing Casey's General Store #3316. Captain Risse stated the operative was able to purchase alcohol without showing identification. Mr. Kimberly said the store policy is to scan ID into the register, not manually enter birthdate, for all customers looking under 40 years old. Mr. Kimberly said the employee was terminated for not following corporate policy. Mr. Kimberly explained that all employees are going through a complete retraining and that the termination of the employee was an example for the whole staff. Attorney Krueger reminded Mr. Kimberly that if there is a second violation within twelve months it would likely result in sanctions.
5. Citizens Comments: None
6. Committee Comments: Chairman Berkley thanked Captain Risse for the eleven month comprehensive report of police calls in the City.
7. Police Department Comments: Captain Risse explained that he will have a thirty day report for this committee listing the police calls for service. Chairman Berkley asked how many calls are considered excessive and Captain Risse stated each report is evaluated on its own merits. Chairman Berkley asked about the public parking lots that are used by businesses and who is responsible for the cleanup. Captain Risse stated the owners check the parking lots themselves and conduct a cleanup.
8. At 4:30 p.m. Dr. Baskin made a motion to adjourn, second by Mr. Tilley. Motion carried.

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Judith A. Elson  
Deputy City Clerk





# Beloit Police Department

Incident Report for Incident BE1618851

BE1618851

Nature: ORD  
Location: BE3A

Address: 2350 CRANSTON RD  
BELOIT WI 53511

Offense Codes: AUAL

Received By: LINDSTRAND M

How Received: 3

Agency: BEPD

Responding Officers: SAYLES A

Responsible Officer: MILLER B

Disposition: CAA 05/04/16

When Reported: 17:03:14 05/04/16

Occurred Between: 17:03:14 05/04/16 and 17:03:14 05/04/16

Assigned To:

Detail:

Date Assigned: \*\*/\*\*/\*\*

Status:

Status Date: \*\*/\*\*/\*\*

Due Date: \*\*/\*\*/\*\*

### Complainant:

Last:

First:

Mid:

Race:

Sex:

Zip:

Age:

### Offense Codes

Reported:

Observed:

Additional Offense: AUAL Underage Alcohol Offense

### Circumstances

Responding Officers:

Unit :

SAYLES A

Responsible Officer: MILLER B

Agency: BEPD

Received By: LINDSTRAND M

Last Radio Log: \*\*:\*\*:\*\* \*\*/\*\*/\*\*

How Received: 3 By Dispatcher

Clearance: AR ARREST

When Reported: 17:03:14 05/04/16

Disposition: CAA Date: 05/04/16

Judicial Status: CLSD

Occurred between: 17:03:14 05/04/16

Misc Entry: B169

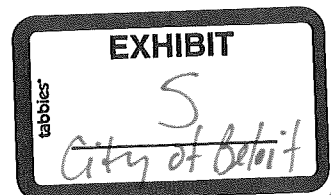
and: 17:03:14 05/04/16

Modus Operandi:

Description :

Method :

### Involvements



1

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<b>Date</b>	<b>Type</b>	<b>Description</b>	
05/06/16	Booking	Booking#: 40306	RUSTIN D ROTH
05/05/16	Name	ROTH, RUSTIN D	CITED
05/04/16	Name	CASEYS GENERAL STORE,	MENTIONED

**Narrative**

Conducted Alcohol Compliance checks with Sergeant Sayles

**Supplement**

IncidentDate: 2016-05-04T17:03:14.977

Latitude: 42.53296306

Longitude: -89.00186029

DISPO AR:CITATION ISSUED FOR ARREST

IncidentDate: 2016-05-04T17:03:14.977

FirstUnitArrivedTime: 2016-05-04T17:03:14.977

Latitude: 42.53296306

Longitude: -89.00186029

## Supplement

ORIGINAL NARRATIVE Sergeant Andre Sayles  
CAD Incident # 1618851

On Wednesday, May 4, 2016, I Sergeant Andre Sayles gave briefing regarding a Alcohol Compliance check that I was putting on for the City of Beloit. I made contact with City Attorney Beth Krueger and informed of her this matter. Attorney Krueger issued to me a immunity letter for the underage youth to take part in this matter. I issued a copy of this to the underage purchasers.

Once I completed my briefing, I made contact with Abigail Draeving [REDACTED] and Frederick Sennett, 09/[REDACTED]/1996. I positively identified both by their Wisconsin Driver Licenses. I took a photo copy of both for my records. I then conducted a pat down of the both to assure they only had the one identification card on them. I then took a digital photo of them to show that their appearance had not been altered in anyway to make them look older than they are.

During this operation, I was accompanied by Officer Brian Miller to issue the possible citations.

At 1647 hours, I pulled into the parking lot of 2350 Cranston Rd, which is associated with the Casey's General Store. I had both Abigail and Frederick exit the vehicle I was driving. I issued them both \$20. I gave them directions. I monitored both as they walked into the front door, which faces north toward Cranston Rd. As I waited, and watched the door, I observed at approximately 1649 hours, both exit the store. I observed that Frederick was carrying a plastic bag. Frederick got into the vehicle and told me that he was able to purchase a six (6) pack of Blue Moon beer from a female white, who was standing at the register and was on the left.

I then radioed to Officer Miller, who had been parked around the corner. Once officer Miller arrived, I had Frederick exit the car. I then took a photo of him holding the alcohol. I turned over the Blue Moon to Officer Miller and also the change from the purchase.

Myself and officer Miller walked into the store and made contact with a female white, who Officer Miller identified as Rustin D Roth, [REDACTED]. During the interaction Roth, she immediately stated that she had messed up and sold the alcohol to the student.

Roth citation number is D7804TNC5G. Court date of 6/2/16 at 0830.

Officer Miller then issued Roth her citation and explained it to her. Officer Miller also took a finger print from Roth. The finger print is attached to this narrative.

Officer Miller did retrieve the \$10 that was used to purchase the Bud Light.

Prior to leaving the store grounds, I conducted another search of Frederick and assured he did not have any items on his person.

END

**Supplement**

ARREST NARRATIVE

Rustin D. Roth D7804TNC5G Licensee Furnishing Alcohol to Minor  
125.07(1)(a)2/31.01 kan1781 05/06/16



## Supplement

COPY SENT NARRATIVE

Copy of original report, attachments and citation sent to CA and LC  
5/6/16/kb/677. ml/2279/5/9/16

**Sentryx Booking Information:**

Sentryx Booking Number: 40306

Name Number: 135130

Name: ROTH, RUSTIN D

53511

Assigned Bed: 'ROSO-A UNIT-A-2-'

Current Location: "

Booking Date: 05/04/16

**Sentryx Arrest # 40942**

Time/Date: 17:02:00 05/04/16

Agency: BEPD

Age at Arrest: 35

Location: SHOPIERE  
RD&CRANSTON

Officer: MILLER B

Arrest Type: PCA

Area: BE301

Reference: BE1618851

Disposition: CTIS

**Sentryx Offense # 61219**

Statute: 125.07(1)(A)2

NCIC:

Offense: AUAL Underage Alcohol Offense

Crime Class:

Offense Reference: 06/02/16 0830

Offense Type: STAT

Offense Area: BE301

HOURS

Related Incident: BE1618851

Law Jurisdiction: WIS

Entry Code:

Offense Location:

Court Code: BE

Offense Time/Date: 17:02:00 05/04/16

Offense Disposition:

Disposition Date: \*\*:\*\*:\*\* \*\*/\*\*/\*\*

---

**Name Involvements:**

MENTIONED :35331

Last: CASEYS                      First:                      Mid:  
GENERAL  
STORE

Age:  
Race:                      Sex:                      Zip: 53511

CITED : 135130

Last: ROTH                      First: RUSTIN                      Mid: D

Age: 35  
Race: W                      Sex: F                      Zip: 53511

WISCONSIN  
PROBATIONARY DRIVER LICENSE

CLASS D NONE  
END NONE  
DOB 09/18/2013  
SEX M  
HT 5-10  
WG 232 lb  
EYES HAZ  
HAIR BRO

UNDER 21 UNTIL 09/2017  
UNDER 21 UNTIL 09/2017

*Frederick Sennett, Jr.*

DL  
SENNETT, FREDERICK JOSEPH, JR  
109 S ACADEMY ST  
JANESVILLE, WI 53548

DOB 09/18/1996 EXP 09/18/2016  
5 DD OTRK201309181455823

**You Are Notified to Appear**

Appearance Required:  NO  YES  
Date: **JUN-02-2016** Time: **08:30 AM**

Form No. and Version CTL: MUNI 0405 CITATION NO.: **D7804TNC5G**

BELOIT CITY MUNICIPAL COURT  
100 STATE ST  
BELOIT, WI 53511

Juvenile DEPOSIT Cash - Card  
\$376.00 N N  
Court Use DA N

Defendant (Last Name, First, Middle), Street Address, P.O. Box, City, State, Zip

**ROTH, RUSTIN D**  
1806 GLEN  
BELOIT, WI 53511

Birth Date: [REDACTED] Sex: F Race: W  
HT: 504 WT: 185 lbs Hair: BROWN Eyes: BROWN

Driver License/Identification Card: [REDACTED] State: WI Exp. Yr.: 2022  
Other Identification Number: [REDACTED] ID Type: [REDACTED]  
License Plate Number: [REDACTED] Plate Type: [REDACTED] State: [REDACTED] Exp. Yr.: [REDACTED]  
Defendant Telephone Number: (608) 207-3314

Name and Address of Parent/Guardian/Legal Custodian (if minor defendant):  
Telephone Number of Parent/Guardian/Legal Custodian:

**Plaintiff**

CITY OF BELOIT

Ordinance Violated

**31.01**

Adopting State Statute

**125.07 (1) (a) 2**

**Violation Description**

LICENSEE SELL ALCOHOL/UNDERAGE PERSON

**Ordinance Description**

LICENSEE FURNISHING ALCOHOL TO MINOR - F

Week Day: WEDNESDAY Date: 05/04/2016 Time: 05:02 PM  
At Location:

ON SHOPIERE RD 189 FT S OF CRANSTON RD  
County: ROCK - 53 City/Village/Town: BELOIT - 55, CITY

Agency Space  
BE1618851  
FRINGER PRINT OBTAINED  
*Andrea Sayles*  
#12153

Officer Name: OFFICER BRIAN MILLER

Date Citation Served: MAY-04-2016 Method: IN PERSON

Officer ID: 962 Department: BELOIT POLICE DEPARTMENT

Residence Contact Name: (If left with person at defendant's address)

Victim

Date Of Birth

Restitution Requested

Police # BE1618851  
NARRATIVE COMPLETED BY SGT.SAYLES

POLICE RECORD





# Beloit Police Department

Incident Report for Incident BE1561204

Nature: ORD  
Location: BE3A

Address: 2350 CRANSTON RD  
BELOIT WI 53511

Offense Codes: ORD

Received By: LINDSTRAND M

How Received: 3

Agency: BEPD

**Responding Officers:**

Responsible Officer: MILLER B

Disposition: CAA 11/30/15

When Reported: 17:21:19 11/30/15

Occurred Between: 17:21:19 11/30/15 and 17:21:19 11/30/15

Assigned To:

Detail:

Date Assigned: \*\*/\*\*/\*\*

Status:

Status Date: \*\*/\*\*/\*\*

Due Date: \*\*/\*\*/\*\*

**Complainant:**

Last:

First:

Mid:

Race:

Sex:

Zip:

Age:

**Offense Codes**

Reported:

Observed:

Additional Offense: ORD Misc Ordinance Violation

**Circumstances**

**Responding Officers:**

Unit :

Responsible Officer: MILLER B

Agency: BEPD

Received By: LINDSTRAND M

Last Radio Log: \*\*:\*\*:\*\* \*\*/\*\*/\*\*

How Received: 3 By Dispatcher

Clearance: AR ARREST

When Reported: 17:21:19 11/30/15

Disposition: CAA Date: 11/30/15

Judicial Status: CLSD

Occurred between: 17:21:19 11/30/15

Misc Entry: B169

and: 17:21:19 11/30/15

Modus Operandi:

Description :

Method :

**Involvements**

Date

Type

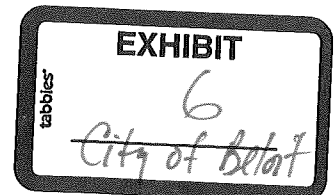
Description

12/01/15

Booking

Booking#: 33471

Jason A Grzelak



①

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12/01/15	Name	CASEYS GENERAL STORE,	MENTIONED
12/01/15	Name	GRZELAK, JASON ALEXANDER	ARRESTED`
12/01/15	Name	CLIFFE, DAVID M	MENTIONED
12/01/15	Property	CD PHOTOS VERBATIM CD-R 0	Property

## Narrative

Officer B Miller Original Report BE1561204

Incident number: BE1561204

Reporting Officer: Miller #962

Offense: Licensee furnishing to underage person. Ordinance # 31.01 WI SS# 125.07(1) (a) (2)-Citation number D7804X4FC9.

On 11/30/15 at approximately 1600 Hours, The Beloit Police Department Drug and Gang Unit (D.A.G) executed an Alcohol Compliance check in the City of Beloit. The goal was to purchase beer from local Class A and Class B vendors by use of underage individuals. The Compliance Issues for the operation were:

No altering the appearance of the purchaser.

A photo or video of the purchaser required just before or after the purchase.

Notice to the retailer 72 hours after the sting on the results.

Purchaser can't be a "regular customer" of the retailer.

Purchaser must give true age if asked, cannot lie.

Purchaser must be under the age of 21 years of age.

The procedure was to have an Officer transport the underage purchaser to the place of business and provide money to buy beer. One Officer in plain clothes will maintain surveillance on the purchaser during the controlled buy. Upon exiting, the purchaser will advise the Officer who sold them the intoxicant and provide a description of the clerk.

The second Officer (Uniformed) will then photograph the purchaser with the beer and make contact with the suspect. A citation will be issued to the clerk who sold the beer and check for a license holder is on the premise.

The purchasers were checked in reference to the compliance issues and photographed. All purchasers had their Wisconsin / Illinois identification / Driver's license card on them.

At approximately 1715 hours, I transported the purchaser David M Cliffe DOB: 09/██/95 to Casey's General Store located at 2350 Cranston Rd in the City of Beloit. At approximately 1718 hours, I gave David the buy money (20.00 Dollars bill) and he entered into the store. I observed David walk up to the register with a green box. The clerk was a male white wearing a black colored shirt. The clerk made contact with David and completed the purchase. At approximately 1720 hours, David exited the store with the green box. On the box is the brand name "Heineken" which is an alcohol beverage. David had the change from the purchase. I photographed David with the alcohol beverage purchased.

Officer Halvorsen of the Beloit Police Department arrived on scene in uniform. David gave a description of the clerk who sold him the beer to Officer Halvorsen. Officer Halvorsen made contact and identified the clerk with a Wisconsin driver's license as Jason A Grzelak DOB: ██████████. Halvorsen returned the alcohol and leftover change from the purchase for the original amount of money used by the underage purchaser. Halvorsen advised me that Jason stated



"Aw mother fucker" when he placed the beer on the counter. Halvorsen informed he Jason stated that a 20.00 dollar bill was used to purchase the beer. Halvorsen issued Jason a Citation for Licensee furnishing alcohol to minor, Citation number D7804X4FC9, Ordinance # 31.01 and WI SS# 125.07(1) (a) 2. All photographs taken for the operation were placed on a DVD-disk and placed into evidence. Property number 60224, ID # 49428.

BMiller/fm/12/01/15

### Supplement

IncidentDate: 2015-11-30T17:21:19.840  
Latitude: 42.53296306  
Longitude: -89.00186029

IncidentDate: 2015-11-30T17:21:19.840  
FirstUnitArrivedTime: 2015-11-30T17:21:19.840  
Latitude: 42.53296306  
Longitude: -89.00186029

**Supplement**

ARREST NARRATIVE

Jason A Grzelak 125.07(1)(a)(2) Licensee Furnishing Alcohol  
To Minor - F fm/12/01/15

**Supplement**

COPY SENT NARRATIVE

Copy of original report, attachment and citation sent to CA, LC 12/14/15  
ml/12/16/15 2799

**Sentryx Booking Information:**

Sentryx Booking Number: 33471

Name Number: 56513

Name: GRZELAK, JASON ALEXANDER

53511

Assigned Bed: 'ROSO-A UNIT-A-2-1

Current Location: "

Booking Date: 12/01/15

**Sentryx Arrest # 33565**

Time/Date: 17:21:00 11/30/15

Agency: BEPD

Age at Arrest: 18

Location: 2350 CRANSTON RD

Officer:

HALVORSEN T

Arrest Type: PCA

Area: BE303

Reference:

BE1561204

Disposition: CTIS

**Sentryx Offense # 50131**

Statute: 125.07(1)(A)2

NCIC:

Offense: AUAL Underage Alcohol Offense

Crime Class: M

Offense Reference: 01/07/2016

Offense Type: STAT

Offense Area: BE303

08:30:00

Related Incident: BE1561204

Law Jurisdiction: WIS

Entry Code:

Offense Location:

Court Code: BE

Offense Time/Date: 17:21:00 11/30/15

Offense Disposition:

Disposition Date: \*\*:\*\*,\*\* \*\*/\*\*/\*\*

8

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## Property

Property Number: 60224	Owner Applied Nbr:
Item: CD PHOTOS	
Brand: VERBATIM	Model: CD-R
Year: 0	Quantity: 1
Meas: XX	Serial Nbr:
Total Value: \$0.00	Color:
Owner:	
Agency: BEPD City Of Beloit Police Dept	Tag Number:
Accum Amt Recov: \$0.00	Officer: MILLER B
UCR: CD Compact Discs	UCR Status: E
Local Status:	Storage Location: BEPD
Crime Lab Number:	Status Date: 12/01/15
Date Released: **/**/**	Date Recov/Rcvd: 12/01/15
Released By:	Amt Recovered: \$0.00
Released To:	Custody: **:**:** **/**/**
Reason:	
Comments:	

**Name Involvements:**

ARRESTED : 56513

Last: GRZELAK

First: JASON

Mid: ALEXANDER

Age: 18

Race: W

Sex: M

Zip: 53511

MENTIONED :139102

Last: CLIFFE

First: DAVID

Mid: M

Age: 20

Race: W

Sex: M

Zip: 61072

MENTIONED :35331

Last: CASEYS

First:

Mid:

GENERAL

STORE


Age:

Race:

Sex:

Zip: 53511

**ILLINOIS** Jesse White  
Governor of State  
**DRIVER'S LICENSE**



SEX: M HT: 5'07" WT: 194 lbs HAIR: BRN EYES: BRN

*David Cliffe*

Lic. No.: [REDACTED]  
DOB: 09-09-95 Class: D  
Expires: 12-07-16 Exp: [REDACTED]  
Issued: 09-10-11 Inst: [REDACTED]  
Type: ORG.

DAVID M. CLIFFE  
713 KOCHER ST  
ROCKTON, IL 61072

Male: 5'07" 194 lbs BRN Eyes. 20-0936876



**You Are Notified to Appear**

Appearance Required: **NO**

Date **JAN-07-2016** Time **08:30 AM**

Form No. and Version CTL **MUNI 0405** CITATION NO. **D7804X4FC9**

BELOIT CITY MUNICIPAL COURT  
100 STATE ST  
BELOIT, WI 53511

Juvenile DEPOSIT Cash - Card  
**\$376.00** N N  
Court Use DA N

**Defendant** (Last Name, First, Middle), Street Address, P.O. Box, City, State, Zip

**GRZELAK, JASON ALEXANDER**  
1703 ROYCE AVE  
BELOIT, WI 53511

Birth Date [REDACTED] Sex **M** Race **W**  
HT **600** WT **265 lbs** Hair **BROWN** Eyes **HAZEL**

Driver License/Identification Card [REDACTED] State **WI** Exp. Yr. **2023**

Other Identification Number [REDACTED] ID Type [REDACTED]  
License Plate Number [REDACTED] Plate Type [REDACTED] State [REDACTED] Exp. Yr. [REDACTED]

Name and Address of Parent/Guardian/Legal Custodian (If minor defendant)

Defendant Telephone Number  
**(608) 473-4752**

Telephone Number of Parent/Guardian/Legal Custodian

**Plaintiff**

Ordinance Violated

Adopting State Statute

**CITY OF BELOIT**  
Violation Description

**31.01**

**125.07 (1) (a) 2**

**LICENSEE SELL ALCOHOL/UNDERAGE PERSON**

Ordinance Description  
**LICENSEE FURNISHING ALCOHOL TO MINOR - F**

Agency Space  
**BE1561204**  
**303 B1**

Week Day **MONDAY** Date **11/30/2015** Time **05:21 PM**  
At Location  
**2350 CRANSTON RD**  
County **ROCK - 53** City/Village/Town **BELOIT - 55, CITY**

Officer Name  
**OFFICER TOM HALVORSEN**

Date Citation Served, **NOV-30-2015** Method **IN PERSON**

Officer ID **963** Department **BELOIT POLICE DEPARTMENT**

Residence Contact Name [REDACTED] Age [REDACTED]  
(If left with person at defendant's address)

Victim

Date Of Birth

Restitution Requested

Police # **BE1561204**  
**BE1561204**

POLICE RECORD

12

STATE OF WISCONSIN

CITY OF БЕЛОIT  
MUNICIPAL COURT

ROCK COUNTY

CITY OF БЕЛОIT,  
Plaintiff

v.

Citation Number: D7804X4FC9

JASON A. GRZELAK,  
Defendant.

### CERTIFICATE OF CONVICTION

STATE OF WISCONSIN     )  
  ) SS  
COUNTY OF ROCK         )

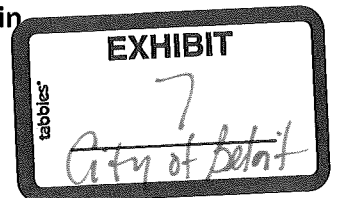
I, **DEB WEBER**, Municipal Court Administrator for the City of Beloit, do hereby certify that at a term of said Court, held at the City Hall in the City of Beloit, on January 7, 2016, **Jason A. Grzelak**, was convicted of **Licensee Furnishing Alcohol to an Underage Person** in violation of §31.01 of the Code of General Ordinances for the City of Beloit, adopting by reference §125.07(1)(a), Wis. Stats., and upon said conviction the court did, on January 7, 2016, sentence the defendant under §31.01 of the Code of General Ordinances for the City of Beloit.

IN TESTIMONY WHEREOF, I have hereunto set my hand as Municipal Court Administrator, at my office in the City of Beloit, in Rock County on this   1   day of August, 2016.



*Debra L. Weber*  
*Debra L. Weber*

Deb Weber  
Municipal Court Administrator  
City of Beloit, Rock County, Wisconsin



STATE OF WISCONSIN

CITY OF БЕЛОIT  
MUNICIPAL COURT

ROCK COUNTY

CITY OF БЕЛОIT,  
Plaintiff

v.

Citation Number: D7084TNC5G

RUSTIN D. ROTH,  
Defendant.

**CERTIFICATE OF CONVICTION**

STATE OF WISCONSIN     )  
  ) SS  
COUNTY OF ROCK         )

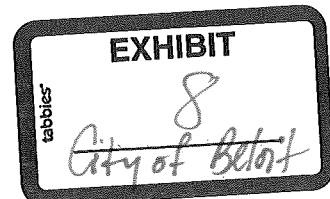
I, **DEB WEBER**, Municipal Court Administrator for the City of Beloit, do hereby certify that at a term of said Court, held at the City Hall in the City of Beloit, on June 2, 2016, **Rustin D. Roth**, was convicted of **Licensee Furnishing Alcohol to an Underage Person** in violation of §31.01 of the Code of General Ordinances for the City of Beloit, adopting by reference §125.07(1)(a), Wis. Stats., and upon said conviction the court did, on June 2, 2016, sentence the defendant under §31.01 of the Code of General Ordinances for the City of Beloit.

IN TESTIMONY WHEREOF, I have hereunto set my hand as Municipal Court Administrator, at my office in the City of Beloit, in Rock County on this 1 day of August, 2016.



*Debra L. Weber*  
*Debra L. Weber*

\_\_\_\_\_  
Deb Weber  
Municipal Court Administrator  
City of Beloit, Rock County, Wisconsin



IN THE MATTER OF THE  
SUSPENSION OR REVOCATION  
OF THE ALCOHOL BEVERAGE  
LICENSE OF  
CASEY'S MARKETING COMPANY  
D/B/A CASEY'S GENERAL STORE #3316  
2350 CRANSTON ROAD  
BELOIT, WI 53511  
EMMA MONHEIM, AGENT

## SUMMONS

THE CITY OF БЕЛОIT TO:      **CASEY'S MARKETING COMPANY**  
  **D/B/A CASEY'S GENERAL STORE #3316**  
  **2350 CRANSTON ROAD**  
  **BELOIT, WI 53511**  
  **EMMA MONHEIM, AGENT**

You are hereby summoned and required to appear before the City Council for the City of Beloit, Rock County, Wisconsin on the **August 23, 2016 at 6:00 p.m.** in the Forum, City Hall, 100 State Street, Beloit, Wisconsin regarding the attached Complaint.

The hearing will be held in accordance with the provisions of Section 31.01 of the Beloit Code of General Ordinances, which adopts by reference Section 125.12 of the Wisconsin Statutes.

At said hearing, you will be expected to be present to admit or deny the allegations of the Complaint. If you do not appear, the allegations of the Complaint shall be taken as true, and should the City Council deem said allegations sufficient, your license shall be revoked. Should you appear and deny the Complaint, the City Council will proceed to a hearing at said time and you will be required to show cause as to why the relief requested in the Complaint should not be granted.

You are further notified that the City Council will consider evidence regarding the allegations alleged in the Complaint at said hearing.

You are notified that at said hearing you have the right to be personally present and represented by counsel. You will have the right to confront any sworn witnesses under oath who support the aforementioned charges. You will have the right to present evidence on your own behalf by witnesses that you choose to present under oath. If you desire, you may have subpoenas issued requiring the attendance of witnesses on your behalf.

The hearing will be recorded. You have the right to have a verbatim record of the hearing proceeding made at your own expense. Should you desire a stenographic transcript, you have the right to have a stenographer present, but the arrangement and expenses, therefore, shall be your responsibility.

Dated this 15<sup>th</sup> day of August, 2016.

---

Lorena Rae Stottler  
City of Beloit City Clerk

**RESOLUTION SETTING A RETURN DATE AND  
AUTHORIZING THE ISSUANCE OF A SUMMONS FOR AN  
ALCOHOL LICENSE SANCTION HEARING FOR  
PITCHER'S MOUND LTD LLC, D/B/A PITCHER'S MOUND**

**WHEREAS**, the City of Beloit Alcohol Beverage License Control and Advisory Committee at its meeting on June 14, 2016 recommended that the alcohol beverage license, that was approved, but not yet issued, to Pitcher's Mound Ltd LLC, d/b/a Pitcher's Mound, be revoked for abandonment and/or non-use; and

**WHEREAS**, City Ordinance 31.01 adopts Wisconsin State Statutes 125.12(1) -(3m) which, among other things, requires that the City Council shall issue a summons signed by the City Clerk upon the filing of a complaint seeking revocation or suspension of a license; and

**WHEREAS**, such a complaint has been duly presented to the City Council; and

**WHEREAS**, the City Council is desirous of setting a return date and a hearing date on said matter at 6:00 p.m., on the 23<sup>rd</sup> day of August, 2016, in the Forum at City Hall.

**BE IT RESOLVED**, that the City Clerk is hereby directed to sign a summons, said summons being hereby issued by the City Council for a hearing date of 6:00 p.m., on the 23<sup>rd</sup> day of August, 2016, in the Forum at City Hall.

Dated this 15<sup>th</sup> day of August, 2016.

**BELOIT CITY COUNCIL:**

**By:**

\_\_\_\_\_ **David F. Luebke, President**

ATTEST:

\_\_\_\_\_  
Lorena Rae Stottler  
City Clerk  
City of Beloit, Wisconsin

IN THE MATTER OF THE  
SUSPENSION OR REVOCATION  
OF THE ALCOHOL BEVERAGE  
LICENSE OF  
PITCHER'S MOUND LTD LLC  
D/B/A PITCHER'S MOUND  
2745 PRAIRIE AVENUE  
BELOIT, WI 53511  
ROBERT L. LEWIS, AGENT

## COMPLAINT

TO: THE CITY COUNCIL OF  
THE CITY OF BELOIT  
ROCK COUNTY, WISCONSIN

**COMES NOW** Captain Dan Molland, being first duly sworn and upon oath respectfully makes the following allegations against the license holder listed above:

1. The Complainant is Captain Dan Molland of the City of Beloit Police Department, 100 State Street, Beloit, WI 53511 and a resident of the City of Beloit.

2. Pitcher's Mound Ltd, LLC, 2745 Prairie Avenue, Beloit, WI, is the holder of the attached approved, but not issued, Combination Class B Intoxicating Liquor and Fermented Malt Beverage license issued for the period of July 1, 2016 through June 30, 2017 and the license and application are attached hereto as **Exhibit 1** and **Exhibit 2**.

3. The abridged minutes of the June 14, 2016 meeting of the City of Beloit Alcohol Beverage License Control Committee are attached hereto as **Exhibit 3** and incorporated herein by reference. Said minutes document the committee's recommendation of a revocation of said license.

4. As grounds for the sanction, it is alleged that the licensed holder violated Chapter 125 or municipal regulations adopted under §125.10, Wis. Stats. Specifically, it is alleged that the license holder has abandoned the license for a period of 90 days, contrary to §31.18 of the Code of General Ordinances for the City of Beloit which states as follows:

"31.18 - ABANDONMENT OF LICENSE.

The closing of any licensed premises for a continuous period of 90 days shall be deemed abandonment of the license, and such license shall be forfeited upon notice in writing by registered mail to the licensee by the City Clerk. If the premises are damaged by fire or other cause, the City Council may extend the closing to allow for reconstruction".

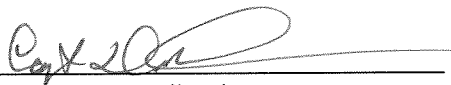
5. On April 15 2016, Pitcher's Mound applied for a renewal of the Combination Class B license. On May 3, 2016, Pitcher's Mound closed its doors. A screenshot of Mr. Lewis' Facebook page that acknowledges that the Pitcher's Mound was closed and looking for new owners is attached hereto as **Exhibit 4** and incorporated herein by reference. During the renewal process, the business was closed

and not made available to inspection personnel. Mr. Lewis has failed to respond to numerous inquiries by city staff and has not contacted the City of Beloit in any way regarding his license.

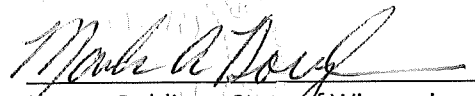
6. In addition to the incidents described above, the City reserves the right to rely on evidence, if any, arising out of any further violations at or about the premises complained of up to the time of any hearing held herein.

7. By reason of the foregoing acts and omissions of the license holder Pitcher's Mound Ltd LLC d/b/a Pitcher's Mound, the ABLCC recommends to the City Council that the license be **revoked**.

Dated this 3<sup>rd</sup> day of August, 2016.

  
\_\_\_\_\_  
Captain Dan Molland  
Police Department, City of Beloit, Wisconsin

Subscribed and sworn to before me  
on this 3<sup>rd</sup> day of August 2016:

  
\_\_\_\_\_  
Notary Public - State of Wisconsin  
My Commission is permanent or expires: 06/30/20

ORIGINAL

**CITY OF BELOIT**  
STATE OF WISCONSIN

Non-Transferable

**PITCHERS MOUND LTD LLC ~ ROBERT L. LEWIS, AGENT**

Having paid to the City of Beloit, the sum of \$600.00

IS HEREBY GRANTED A **L I C E N S E**

To: Sell Class "B" Fermented Malt Beverages and "Class B" Intoxicating Liquors

At: PITCHERS MOUND, 2745 PRAIRIE AVE., bar area, upper deck area, dance floor, kitchen and storage areas, Outdoor area per Conditional Use

*Within this City, subject to the Ordinances thereof and to the laws of this State, unless previously relinquished or revoked.*

This License expires: **June 30, 2017**

Approved by the Beloit City Council

Issued this 30th day of June, 2016

CITY CLERK

**NOT ISSUED DUE TO DELINQUENCIES**

File Copy

**CITY OF BELOIT**

Non-Transferable

**PITCHERS MOUND LTD LLC ~ ROBERT L. LEWIS, AGENT**

Having paid to the City of Beloit, the sum of \$600.00

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*Within this City, subject to the Ordinances thereof and to the laws of this State, unless previously relinquished or revoked.*

This License expires: **June 30, 2017**

Approved by the Beloit City Council

Issued this 30th day of June, 2016

CITY CLERK

**EXHIBIT**  
tabbies  
1  
City of Beloit



# RENEWAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 7-1-16 ending: 6-30-16  
(MM DD YYYY) (MM DD YYYY)

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

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

CHECK ONE  Individual  Partnership  Limited Liability Company  
 Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name) Lewis Robert L. Home Address 1924 Grandview Dr Post Office & Zip Code Beloit WI 53511 AP-10 25.00  
4-15-16

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company Pitchers Mound LTD LLC

Address of Corporation/Limited Liability Company (if different from licensed premises) 2745 Prairie Ave

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

Title Name (Inc. Middle Name) Home Address Post Office & Zip Code

President/Member Owner Robert Lee Lewis 1924 Grandview Dr 53511

Vice President/Member \_\_\_\_\_

Secretary/Member \_\_\_\_\_

Treasurer/Member \_\_\_\_\_

Agent Robert L. Lewis

Directors/Managers Donna Turnbull *disconnected*

C. 1. Trade Name Pitchers mound Business Phone Number 608-257-3024

2. Address of Premises 2745 Prairie Ave Post Office & Zip Code 53511

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

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

5. Legal description (omit if street address is given above): \_\_\_\_\_

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

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

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

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

9. Does the applicant understand they must hold a Wisconsin Seller's Permit? (phone (608) 266-2776)  Yes  No

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

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

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

## SUBSCRIBED AND SWORN TO BEFORE ME

this 15th day of April, 20 16

Julene J. Ahrens  
(Clerk/Notary Public)

My commission expires 10-12-16

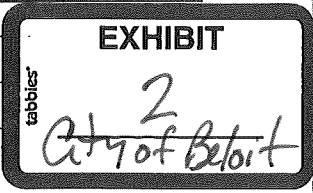
Robert L. Lewis  
(Officer of Corporation/Member/Manager of Limited Liability Company /Partner/Individual)

Donna Turnbull  
(Officer of Corporation/Member/Manager of Limited Liability Company /Partner)

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

## TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>4-15-16</u>	Date reported to council/board <u>5-2-16</u>	Date license granted <u>6-6-16</u>
License number issued _____	Date license issued _____	Signature of Clerk / Deputy Clerk _____



Applicant's WI Seller's Permit No.:	FEIN Number:
<u>456-10383644702</u>	<u>410-476-460</u>
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>100</u>
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$ <u>500</u>
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>25</u>
TOTAL FEE	\$

Attorney Krueger asked Mr. Samra to reaffirm his understanding that he can be personally held responsible for any violations that occur on the property, even if he is not physically present on the premises. Mr. Samra reaffirmed that he understood this responsibility.

Tilly and Baskin moved to recommend approval to the City Council of this application **contingent upon the successful sale and relinquishment of the license for Madison Road BP, Pyarali Punjwani – agent**. The city clerk is only to issue the license upon receipt of proof of sale and relinquished license. Motion carried 7-0.

9. Consideration of a renewal application for Class "A" Beer and "Class A" Liquor License of ND Gas, LLC, d/b/a Beloit Mobil on the Run, 2883 Milwaukee Road, Syed Saiful Jawad Hussaini, Agent for license period 7/1/16 to 6/30/17.

Captain Risse stated municipal and state records were checked and the Police Department has no objection to the applicant.

Attorney Krueger inquired about the pending sale of the business. Mr. Ahmed explained it is still pending and taking longer than expected because the property is owned by McDonalds Corporation and the oil supplier needs to approve. The new owner will reapply with the clerk when the sale is closer to being finalized and will come back to ABLCC for approval. Attorney Krueger asked Mr. Hussaini to reaffirm his understanding that he can be personally held accountable for any violations that occur on the property, even if he is not physically present on the premises. Mr. Hussaini reaffirmed that he understood this responsibility.

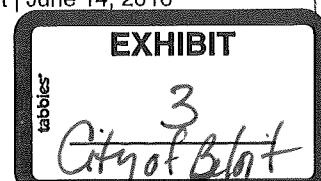
Tilley and Jennings moved to recommend approval to the City Council of this application. Motion carried 7-0.

10. Consideration of a renewal application for Class "B" Beer and "Class C" Wine Liquor License of Royal Enterprizes LLC d/b/a Mama Lou's Shrimp & BBQ Smokehouse, 315 State Street, James H. Bennett, Jr., Agent for license period 7/1/16 to 6/30/17. No representative for the license was present to represent. No action was taken by the committee and this item will not move to the June 20<sup>th</sup> Council meeting. Due to failure to appear, the existing license expires at midnight June 30<sup>th</sup> and he must appear at the July 12<sup>th</sup> ABLCC meeting and be recommended to the July 18<sup>th</sup> Council meeting for final approval. This business will be informed that between July 1, 2016 and at least July 18<sup>th</sup>, until a license is approved. Without a license, no alcohol can be sold or consumed on premise until the application has been fully approved and issued by the City Clerk.
11. Consideration of Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor licenses for Pitcher's Mound LTD, LLC, 2745 Prairie Avenue, Robert L. Lewis, Agent.

Attorney Krueger explained that the business applied for their 2016-2017 license and has since closed their business. The only way to make the license available again is to begin the revocation proceedings process and Attorney Krueger needs their recommendation before doing so.

Tinder and Barnett moved to recommend revocation of the license. Motion carried 7-0.

12. Consideration of an incident May 4, 2016, at Tobacco Shack, 1212 Cranston Road, Jignesh Desai, Agent for a sale to an underage person during an alcohol compliance check.





Bob Lewis Donna  
Timblin

Add Friend

Message

Timeline

About

Friends

Photos

More

DO YOU KNOW DONNA TIMBLIN?

To see what he shares with friends, send him a friend request.

Add Friend



Bob Lewis Donna Timblin shared Rico Rossi's video.  
Yesterday at 7:48am ·

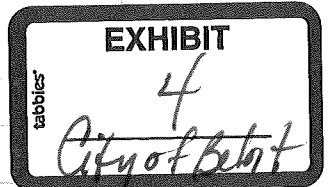
17,179,396 Views

Rico Rossi with Rico Rossi.  
August 21, 2015 ·

things that make you say HELL NAW part 1 lol

Share

2





Share

24

View 1 more comment



Robert J Valliant Looks good  
May 14 at 7:02pm



Bob Lewis Donna Timblin Donna's  
1 · May 14 at 8:43pm



Steve Zierfuss Sweet  
May 14 at 8:45pm



Bob Lewis Donna Timblin Thank you.  
2 · May 14 at 8:45pm



Bob Lewis Donna Timblin  
May 11 · Beloit, WI, United States ·

Does anyone have a 50 gallon aquarium with heater and lamp for sale?

Share

1 share



Joe Flynn Get to Alabama fast... crawfish boil is this weekend lol  
May 11 at 8:19am



Robin Paulson Isely Go check with Jim at J&S, he may have a used one cheap.  
What ya wantn it for?  
May 11 at 12:42pm



Bob Lewis Donna Timblin  
May 3 · Beloit, WI, United States ·

Hey Friends! We decided to Retire from the bar. A special thanks to our Great Staff and wonderful customers. The bar is in great shape and looking for a new ower. It could be you:)! Hope to see you all soon! Bob and Donna Timblin Bob Lewis are out!

Share

48

1 share



Amy Dick We were just there Sunday!!  
May 3 at 8:56am



Gary Koeberl Are you closed as of today?  
May 3 at 9:01am · Edited



Heather Lynn Sympson When are you closing?  
May 3 at 9:29am



Sandra Manning Can I have your liquor and beer lol  
2 · May 3 at 9:30am



Misty Skrede-Bomkamp Good for you. Wish you the best!  
May 3 at 9:33am

2



Melissa Bach I hope the new owners are as awesome as you guys & the quality of food stays great! I wish you guys the best. Ps - If you're moving to Alabama I'm coming with!

1 · May 3 at 9:45am



Betty Shaw Good luck guys.

May 3 at 9:59am



Darin R. Van Fleet I want video arcade machine! How much???

1 · May 3 at 11:18am



Anne Haeberlin Good luck to u both. We really enjoyed the time we spent there. Made a lot of new friends. If u need anything or just out for a beer give us a shout.

2 · May 3 at 11:22am



Brenda Bach Capps Good luck to both of you:)

May 3 at 11:30am



David Cook Good luck to you both

May 3 at 12:00pm



Shannon Carlyle Enjoy retirement

May 3 at 12:10pm



Kelly Voth too much drama?

May 3 at 1:43pm



Renee Davenport Lambert Don't know what your future plans are but you know if yall decide to come visit down south you have somewhere to stay for as long as you want!

1 · May 3 at 2:37pm



Tina Flory OMG sad news...you two are going to be missed dearly!! BEST OF LUCK!

1 · May 3 at 3:07pm



Jason Squires Retirement party?

2 · May 3 at 3:27pm



Florence Johnson Wht ur kidding right

May 3 at 3:41pm



Pamela Lewis Donna Timblin Bob Lewis can I get some food lol

May 3 at 4:00pm



Jason Dygart Was good times and great food...will be missed ....hope the bar gets reopened. Love the place .long time memories

1 · May 3 at 7:54pm



Amy Bishop Did you forget to come back from Florida????? Darn!

May 3 at 10:34pm



Christina Bown Williams It was a good run! Love you guys!!! ♥♥♥

2 · May 3 at 10:55pm



Paul Merkle Will miss all of you. Need to find a new place that serves Glenlevit

2 · May 4 at 11:15pm



Steve Fields Is this true?

May 5 at 8:03pm

Pamela Lewis Yes

May 5 at 9:31pm



Kerry Timblin Sorry to hear that me and my friends were gonna go there Saturday and was shocked to see it closed but wish u to the best we should get together sometime

June 6 at 12:46am



Bob Lewis Donna Timblin with Kevin Olson and Christina Bown Williams.

May 2 ·

Steve Zierfuss wood



3

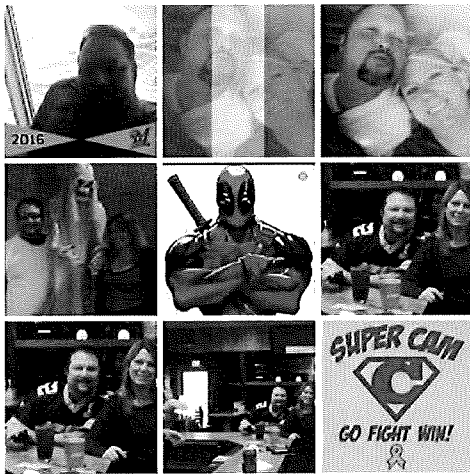
Intro

Lives In Beloit, Wisconsin

Engaged

From Janesville, Wisconsin

Photos



Friends

English (US) · Español · Português (Brasil) · Français (France) · Deutsch

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IN THE MATTER OF THE  
SUSPENSION OR REVOCATION  
OF THE ALCOHOL BEVERAGE  
LICENSE OF  
PITCHER'S MOUND LTD LLC  
D/B/A PITCHER'S MOUND  
2745 PRAIRIE AVENUE  
BELOIT, WI 53511  
ROBERT L. LEWIS, AGENT

**SUMMONS**

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THE CITY OF БЕЛОIT TO:           PITCHER'S MOUND LTD LLC  
  D/B/A PITCHER'S MOUND  
  2745 PRAIRIE AVENUE  
  BELOIT, WI 53511  
  ROBERT L. LEWIS, AGENT

You are hereby summoned and required to appear before the City Council for the City of Beloit, Rock County, Wisconsin on the **August 23, 2016 at 6:00 p.m.** in the Forum, City Hall, 100 State Street, Beloit, Wisconsin regarding the attached Complaint.

The hearing will be held in accordance with the provisions of Section 31.01 of the Beloit Code of General Ordinances, which adopts by reference Section 125.12 of the Wisconsin Statutes.

At said hearing, you will be expected to be present to admit or deny the allegations of the Complaint. If you do not appear, the allegations of the Complaint shall be taken as true, and should the City Council deem said allegations sufficient, your license shall be revoked. Should you appear and deny the Complaint, the City Council will proceed to a hearing at said time and you will be required to show cause as to why the relief requested in the Complaint should not be granted.

You are further notified that the City Council will consider evidence regarding the allegations alleged in the Complaint at said hearing.

You are notified that at said hearing you have the right to be personally present and represented by counsel. You will have the right to confront any sworn witnesses under oath who support the aforementioned charges. You will have the right to present evidence on your own behalf by witnesses that you choose to present under oath. If you desire, you may have subpoenas issued requiring the attendance of witnesses on your behalf.

The hearing will be recorded. You have the right to have a verbatim record of the hearing proceeding made at your own expense. Should you desire a stenographic transcript, you have the right to have a stenographer present, but the arrangement and expenses, therefore, shall be your responsibility.

Dated this 15<sup>th</sup> day of August, 2016.

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Lorena Rae Stottler  
City of Beloit City Clerk