



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

Presiding: David F. Luebke
Present: Sheila De Forest, Regina Dunkin, Regina Hendrix, Kevin Leavy, Mark Preuschl, Marilyn Sloniker
Absent: None

1. President Luebke called the meeting to order at 7:00 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS - None
4. PUBLIC HEARINGS
 - a. Community Development Director, Julie Christensen, presented a resolution authorizing a Conditional Use Permit to allow Indoor Entertainment-Oriented Venue for the purpose of a banquet hall facility, in a C-2, Neighborhood Commercial District, for the property located at 1703 Park Avenue in the City of Beloit. Mario Mendoza has filed an application for a Conditional Use Permit to allow an indoor entertainment-oriented venue in a C-2, Neighborhood Commercial District, for a proposed banquet hall/event space within the building located at 1703 Park Avenue. The proposed use is classified as "Entertainment-Oriented Retail Sales/Service," which requires a Conditional Use Permit to operate in a C-2 District. If the Conditional Use Permit is approved, the City Council is authorized to impose conditions it deems necessary to reduce or minimize any potential adverse effects on surrounding properties. The subject property is located at the NE corner of the intersection of Park Avenue and Summit Avenue. There are residential uses to the north, east, and south of the subject property. There is a bank to the west of the subject property, located on the opposite side of Park Avenue. The subject building is the former Gearhart's TV repair business, which includes vacant commercial space and two dwelling units. The building has 2,720 square feet of floor area. There are approximately 10 unstriped parking stalls on the subject property, which are accessible from Summit Avenue. Planning staff has been contacted by five neighboring property owners (including First Community Credit Union) who are opposed to the use due to concerns about traffic, parking, noise, and loitering. The City Engineer has reviewed this request and expressed concern regarding the lack of off-street parking, which would cause customers to park on-street in the adjacent residential neighborhood. The proposed indoor entertainment-oriented venue would likely draw large groups of people to special events at various times of the day. Given that the subject property is surrounded by residential uses on three sides, the noise, light, and overall increase in commercial activity within or immediately adjacent to a single-family neighborhood would be problematic, and may be detrimental to public comfort and welfare. The Plan Commission reviewed this item on November 22, 2016 and voted unanimously (6-0) to recommend denial of the Conditional Use Permit. President Luebke opened the public hearing. Mr. Mendoza spoke to the council asking for their consideration but explained that even if the council votes this request down, he will continue to explore options for proper use of the building. President Luebke closed the public hearing. Councilor De Forest expressed several concerns revolving around Mr. Mendoza's understanding of the zoning use and business purposes for his building and said she was uncomfortable moving ahead with denial because he wasn't offered a translator and wanted to be sure he understood everything in entirety. Councilor Preuschl encouraged Mr. Mendoza to seek resources through the City or the Chamber of Commerce who may be able to help him explore the various uses for the building so he can be successful in a business plan in finding tenants. Councilor Leavy explained that he was at the meeting and believed 100% that Mr. Mendoza understood the discussion and decision in entirety and was comfortable moving forward. Councilors Preuschl and Dunkin made a motion to approve the resolution as presented. Motion failed 0-7. File 8288

plan or seek additional private resources. They will return at a later date when they secure a new plan and successful bids. Councilors Preuschl and Sloniker made a motion to approve the resolution as presented. Motion carried. File 8737

7. ORDINANCES - None

8. APPOINTMENTS - None

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest attended the Community Action Thanksgiving meal and as a mentor of youth twice per week throughout the year, it was nice to meet many other mentors and volunteers. She thanked them for their work. She enjoyed judging the lighted holiday parade. Holidazzle had a great turnout and was fun. She thanked everyone at the DBA for their efforts and organizing. She met with Pastor Raabe at Atonement Lutheran Church to discuss their support efforts in the Merrill neighborhood and support of the forthcoming NRSA grant.
- Councilor Sloniker attended Holidazzle and enjoyed a great night. She went to the Fine Arts Incubator and enjoyed the art on display there. She went to a meet and greet at the library to meet local authors.
- Councilor Dunkin echoed comments complimenting the DBA efforts for the Holidazzle event. She is excited to participate in the implicit bias training on Tuesday.
- Councilor Preuschl also attended the lighted parade and loved the size of the crowd. He expressed gratitude for the safety. Last week the new smaller waste containers have arrived and he received his and really likes it.
- Councilor Leavy had a great time at the parade this year as he does every year. He hopes that a message of safety can be delivered to caution parents to keep their children further back off the curb as the fire trucks and trailers go by to ensure no one gets hurt. He also shared that some local hotel guests were complimenting what a great city Beloit is and that they really enjoyed coming for these events. He congratulated Councilor Hendrix on her award as an up and coming community member.
- Councilor Hendrix traveled to her alma mater in New Orleans to accept her award and she had a great time catching up with classmates and being recognized.
- President Luebke also attended Holidazzle and was reminiscent of the years past where everyone comes together downtown to celebrate and get to know one another as a community.
- City Manager Luther announced the upcoming listening session with the Police Department that will be at St. Thomas Catholic Church at 822 E. Grant Street on December 8th.

10. CITY MANAGER'S PRESENTATION - None

11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Chief of Police, David Zibolski, presented a resolution approving the State Plan of Operations Agreement between the State of Wisconsin and the City of Beloit related to the LESO Program. The U.S. Department of Defense 1033 Program permits the Secretary of Defense to transfer excess Department of Defense supplies and equipment to local law enforcement agencies for use in their law enforcement duties. This property is procured at no cost to the agency with the exception of any shipping or transportation costs. The Beloit Police Department received four - 7.62 MM rifles through the 1033 program several years ago. The rifles are fully functional and assigned to the department's honor guard. The City is required to execute the attached agreement with the State of Wisconsin as part of this program. The State Plan of Operation (SPO) Agreement is entered into between the State of Wisconsin and the Chief Law Enforcement Official of the Law Enforcement Agency (LEA), to set forth the terms and conditions which will be binding on the parties with respect to excess Department of Defense (DOD) personal property which is transferred pursuant to Title 10 USC § 2576a and to promote the efficient and expeditious transfer of the property and to ensure accountability. The only equipment the City has under the 1033 program is four rifles assigned and used by the honor guard. The program requires an agreement between the state and recipient agency as a condition of receipt of the DOD property. Councilors Hendrix and De Forest made a motion to adopt the resolution as presented. Motion carried. File 8738
- b. Chief of Police, David Zibolski, presented a resolution authorizing the City of Beloit to apply for the 2017 Alcohol Enforcement Task Grant from the State of Wisconsin Department of Transportation-Bureau of Transportation Safety. The Beloit Police Department has received and administered an

Alcohol Enforcement Grant for over ten years. In 2017 the Wisconsin DOT will be changing the grant administration process by seeking different agencies to administer each grant offered through its Bureau of Traffic Safety (BOTS). The Beloit Police Department is seeking approval to apply for a \$50,000 Alcohol Enforcement (OWI) Taskforce Grant for 2017. As administrators of the grant, the City will coordinate deployment strategies and fund disbursement with task force members throughout Rock County, complete activity reports, and submit and process reimbursement claims for member agencies. The grant requires a local soft match of 25%. The Grant also requires the department to participate in High Visibility Enforcements (Drive Sober Winter – 12/15/16-1/1/2-17, Click It or Ticket National Mobilization 5/22 –June 4, 2017 and Drive Sober Labor Day – 8/18 -9/3/2017. The local match for the City of Beloit would be a total of approximately \$5,000 over the twelve month period. The grant assists the department in expanding and sustaining its goals related to public safety through an intelligence-led approach to reduce alcohol and traffic related incidents, public education, voluntary compliance to drive sober, and enforcement action. The grant funds will be used to target identified accident locations and locations where alcohol and vehicles are involved in criminal activity in the City of Beloit. A memorandum of understanding will be signed by each participating sub-recipient member of the task force. Councilors Sloniker and Hendrix made a motion to adopt the resolution as presented. Motion carried. File 7335

- c. Councilors Leavy and Dunkin made a motion to adjourn into closed session pursuant to Wis. Stats. §19.85 (1)(e) to discuss potential real estate transaction, the discussion of which would harm the City's competitive or bargaining interest if held in open session, namely the potential sale of a portion of 1801 Gateway Boulevard. Motion carried and the council proceeded into closed session at 7:42 p.m. File 8642

12. Councilors Leavy and Hendrix made a motion to adjourn at 7:53 p.m. Motion Carried.



Lorena Rae Stottler, City Clerk

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Date approved by City Council: December 19, 2016