



**AGENDA
BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Monday, October 17, 2011**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
4. PUBLIC HEARINGS
 - a. **2012 HOME Investment Partnerships Proposed Budget** (Christensen)
Community Development Authority recommendation for approval 6-0
 - b. **2012 Community Development Block Grant (CDBG) Proposed Budget and Annual Action Plan** (Christensen)
Community Development Authority recommendation for approval 5-0-1
 - c. **2012 Operating, Library, and Capital Improvements Proposed Budgets** (Arft/York)
(Budget available for review at www.ci.beloit.wi.us)
5. CITIZENS' PARTICIPATION
6. CONSENT AGENDA

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

 - a. Approval of the **Minutes** of the Regular Meeting of October 3, 2011 (Houseman)
 - b. Application for a **Condominium Plat** for the Fuller Woods Condominiums Addendum No.1, for properties located on the 2700 block of East Ridge Road (Christensen) Refer to Plan Commission
 - c. Resolution authorizing Final Payment of **Public Works Contract C11-20 Barrett Place Rehabilitation** (Flesch)
7. ORDINANCES
 - a. Proposed Ordinance to Repeal and Recreate Sections 1.10 and 1.11 and to amend 25.04(4)(c) of the Code of General Ordinances of the City of Beloit pertaining to **Emergency Management and Continuity of Government** (Krueger) 2nd reading,
8. APPOINTMENTS
9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS
10. CITY MANAGER'S PRESENTATION

11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Resolution awarding **Composting Bid** and authorizing City Manager to enter into a Contract for Services (Walsh)
- b. Resolution providing for the Sale of Approximately **\$4,325,000 Taxable General Obligation Refunding Bonds 2011B**(York)
- c. Resolution approving **Farm Leases** between the City of Beloit and Walsh Agricultural Holding, LLC (Janke)

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: October 12, 2011
Rebecca S. Houseman
City of Beloit City Clerk
<http://www.ci.beloit.wi.us>

You can watch this meeting live on Charter PEG channel 98 or 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.

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Public Hearing on the 2012 HOME Investment Partnerships Proposed Budget

Date: October 17, 2011

Presenter(s): Julie Christensen
Authority

Department: Community Development

Overview/Background Information:

In July 2001, the City of Beloit, Rock County and City of Janesville formed the Rock County HOME Consortium. This allows us to receive HOME funds directly from the Department of Housing and Urban Development (HUD) similar to CDBG. We are required to hold a public hearing to seek community input on the proposed use(s) of the HOME funds awarded to the City.

Key Issues (maximum of 5):

1. According to HOME Investment Partnership Program guidelines, 15 percent of the HOME funds must be allocated to a Community Housing Development Organization (CHDO). In this HOME agreement, it was determined that this 15 percent would be allocated to a CHDO in Beloit. This agreement also established that the City of Beloit would receive 19 percent of the Consortium dollars awarded.
2. For 2012, we are estimating that the Consortium will receive \$557,294. Based on that budget, the City of Beloit's share would be \$105,886, and the CHDO share would be \$83,594.
3. On September 28, the Community Development Authority (CDA) recommended that the City's dollars be used to fund the City's Housing Rehabilitation Revolving Loan Fund for both owner-occupied and renter-occupied properties. Additionally, the CDA recommended that the CHDO dollars be used by NHS for its acquisition-rehabilitation program.

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.

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** – Not applicable
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – Not Applicable
- **Reduce dependence on activities that harm life sustaining eco-systems** – Not Applicable

- **Meet the hierarchy of present and future human needs fairly and efficiently** – The CDA has proposed funding projects which meet the present and future housing needs of our community.

Action required/Recommendation:

No Action – Hold Public Hearing Only

Fiscal Note/Budget Impact:

This action does not have any impact on the City's operating budget. The entire program is funded with HOME and CDBG funds.

Attachments:

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Public Hearing on the 2012 Community Development Block Grant (CDBG) Proposed Budget and Annual Action Plan

Date: October 17, 2011

Presenter(s): Julie Christensen

Department: Community Development Authority

Overview/Background Information:

To maintain its eligibility for CDBG funding, each year, the City must submit an Annual Action Plan and CDBG budget. Both plans include specific objectives for housing, homelessness, public housing, and community development. The Plan also includes information on the CDBG process, affordable housing, and special needs populations.

Key Issues (maximum of 5):

1. The Annual Plan submitted to HUD must include how the City intends to allocate its CDBG funds. The process for preparing the CDBG budget includes the following steps: applications are available to agencies interested in applying for the CDBG funds; each applicant is required to present its application to the Community Development Authority (CDA); the CDA makes its recommendation to the City Council on how the CDBG funds should be allocated; a public hearing is held by the City Council; and adoption of the CDBG budget.
2. All recommended projects are consistent with the 2010-2014 Consolidated Plan and Annual Action Plan. The proposed budget is attached to this report.
3. All recommended projects are eligible CDBG activities and meet one of the three national objectives.
4. All projects will be incorporated into the 2012 Annual Action Plan which is submitted to HUD.
5. A notice was published in the Beloit Daily News announcing the beginning of the 30-day review period and the date of the public hearing. A mailed notice was sent out to the City's CDBG mailing list. No comments have been submitted to the Planning Department at this time.

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.

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** – Not applicable
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – Not Applicable

- **Reduce dependence on activities that harm life sustaining eco-systems** – Not Applicable
- **Meet the hierarchy of present and future human needs fairly and efficiently** – The CDA has proposed funding projects which meet the present and future needs of our low and moderate income population.

Action required/Recommendation:

No Action – Hold Public Hearing Only

Fiscal Note/Budget Impact:

Not Applicable

Attachments:

Proposed 2012 CDBG budget, Public Hearing Notice, and Annual Action Plan

2012 Community Development Block Grant Budget Spreadsheet

	Amount Funded in 2011	Amount Requested for 2012	Staff Recommendation	CDA Recommendation 9/28/11
Public Service: 15% cap = \$132,795				
1 Community Action, Inc. of Rock & Walworth Counties - Supportive Services	\$24,625	\$60,000	\$20,000	\$20,000
2 Family Services - The Key: Case Management for Survivors of Domestic Violence	\$7,000	\$8,000	\$7,000	\$7,000
3 Family Services - Emergency Housing & Case Management for Homeless Victims of Domestic Violence	\$7,000	\$8,000	\$7,000	\$7,000
4 Family Services - Greater Beloit Home Companion Registry	\$20,000	\$20,000	\$20,000	\$20,000
5 Family Services - Homelessness Prevention and Rehousing Project	\$3,500	\$15,000	\$5,000	\$5,000
6 Hands of Faith - Emergency Shelter for Homeless Families	\$7,500	\$12,500	\$7,500	\$7,500
7 Merrill Community Center - MCC Youth and Senior Programs	\$24,625	\$30,000	\$20,000	\$20,000
8 Meals on Wheels - Home Delivered Meal Service to Scoville Hall	n/a	\$10,000	\$0	\$0
9 NHS - Promoting and Preserving Homeownership Through Education and Counseling	\$15,000	\$68,750	\$19,295	\$19,295
10 Stateline Literacy Council - Hispanic Outreach	\$20,000	\$30,000	\$20,000	\$20,000
11 Voluntary Action Center - Beloit Senior Chore Service	\$7,000	\$7,400	\$7,000	\$7,000
12 YWCA - Women's Empowerment Center - Beloit	\$0	\$10,000	\$0	\$0
Total Public Services	\$136,250	\$279,650	\$132,795	\$132,795
Planning and Program Administration: 20% cap = \$191,965				
13 Program Administration (No Application Needed)	\$140,000	\$191,965	\$191,965	\$191,965
Total Planning and Program Administration	\$140,000	\$191,965	\$191,965	\$191,965
Code Enforcement				
17 Community Development Dept. - Code Enforcement / Inspection Program	\$236,771	\$130,625	\$130,625	\$130,625
Total Code Enforcement	\$236,771	\$130,625	\$130,625	\$130,625
Housing Rehabilitation				
19 Community Action - Merrill Housing Initiative	\$0	\$60,000	\$60,000	\$60,000
20 Community Development Dept. - Housing Rehabilitation Revolving Loan	\$81,882	\$74,470	\$84,615	\$84,615
Total Housing Rehabilitation	\$81,882	\$134,470	\$144,615	\$144,615
GRAND TOTAL	\$594,903	\$736,710	\$600,000	\$600,000
Estimated 2012 CDBG Funds Available		\$600,000	\$600,000	\$600,000
Surplus/Deficit		(\$136,710)	\$0	\$0

2012 Community Development Block Grant Budget Spreadsheet

	2011 Actual	Proposed 2012	Staff Recommendation	CDA Recommendation 9/28/2011
Estimated Program Income				
23 Economic Development Revolving Loan Fund	\$45,000	\$40,000	\$40,000	\$40,000
24 Code Enforcement	\$167,000	\$209,825	\$209,825	\$209,825
25 Housing Rehabilitation Revolving Loan Fund	\$65,000	\$100,000	\$100,000	\$100,000
26 Neighborhood Housing Services	\$8,300	\$10,000	\$10,000	\$10,000
Total Estimated Program Income	\$285,300	\$359,825	\$359,825	\$359,825
Total 2012 CDBG Budget	\$880,203	\$959,825	\$959,825	\$959,825



Third Program Year 2012 Action Plan

The CPMP 2012 Annual Action Plan includes the [SF 424](#) and Narrative Responses to Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations. As of May 2006, the Executive Summary narratives are required.

Narrative Responses

GENERAL

GRANTEE: City of Beloit

CON PLAN PERIOD: 2010 to 2014

Executive Summary (92.220(b))

1. **The Executive Summary is required. Include the objectives and outcomes identified in the plan and an evaluation of past performance.**

PY 2012 Action Plan Executive Summary:

Specific Housing Objectives

- Develop a variety of housing alternatives in order to satisfy a wider range of housing needs.
- Use the existing programs and resources to improve Beloit's older housing stock.
- Promote the conversion of rental to owner-occupied housing in neighborhoods with unusually high percentages of rental properties.
- Promote homeownership as an alternative to renting for qualified households.
- Support programs that enable homeowners to retain their homes, including foreclosure prevention programs.
- Support programs that enable elderly and disabled families to sustain and maintain homes.
- Support neighborhood revitalization efforts.

Evaluation of Past Performance

- The City of Beloit provided housing rehabilitation loans to low to moderate income homeowners and landlords renting to low to moderate income tenants. This program generates income and consequently continues to be available each year.
- The City of Beloit supported Neighborhood Housing Services' Foreclosure Prevention Program, which helps people stay in their homes.
- The City of Beloit supported the Senior Chore Service program and the Home Companion Registry which helps the elderly and disabled live independently in their homes.

Public Housing Strategies

- The BHA will work with Neighborhood Housing Services (NHS) to provide homeownership opportunities for its clients.
- The BHA will work with community partners to provide volunteer opportunities for BHA residents and applicants, which exposes the extremely low-income, low-income and moderate-income households to opportunities to increase their job training skills, people skills and self-esteem.
- The BHA will conduct strategic planning to address immediate capital needs with HUD's Capital Funds Program grant money. The BHA may have the opportunity to use other resources such as CDBG funds, HOPE VI funds, and WHEDA funds for longer-term projects such as the tax credit project now underway.
- The BHA will encourage extremely low-income, low-income and moderate-income families to utilize the least resistive housing opportunities available to them. They have a choice of programs that include public housing, Section 8 rental assistance, Section 8 homeownership and Family Self-Sufficiency.

Evaluation of Past Performance

- The Beloit Housing Authority has partnered with NHS over the past several years to provide training and education opportunities for its Family Self-Sufficiency and Homeownership Voucher program participants.
- The Beloit Housing Authority contracted with Voluntary Action Center to provide volunteer opportunities for its public housing residents.

Specific Homeless Strategies

- The City will continue to support and strengthen the limited resources of agencies that provide services and facilities for homeless persons in the City of Beloit.
- The City will continue to support Family Services Association and Community Action, Inc. and their transitional housing programs.

- The City will continue to support non-profits such as NHS and Family Services Association that provide programs to prevent foreclosures such as credit counseling and foreclosure prevention grants.
- The City will support programs that provide a comprehensive strategy to address clients' needs including case management, supportive housing, and client advocacy.

Evaluation of Past Performance

- The City of Beloit continued to provide CDBG funding to homeless programs and services that meet critical needs.

Action Plan Required Elements:

Geographic Distribution/Allocation Priorities:

1. **Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year.**

*Please note that maps or other attachments may be included as additional files within the CPMP Tool.

PY 2012 Action Plan Geographic Distribution/Allocation response:

CDBG programming will be provided City-wide, with priority given to areas with minority or low-income concentrations. Minority concentrations are census tracts in which the total percentage of minority households is higher than would be expected based upon average racial distributions. Census tracts 16, 17, 18 and 23 are classified as areas of minority concentration. The U.S. Department of Housing and Urban Development has created new "Special Income Limit" estimates based on Census 2000 data. Five block groups in the City have the distinction of having over half of their households classified as "low income" including tracts 15, 16 and 18. Nearly half of the block groups in the City (18/38) have over fifty percent of their households earning "moderate" incomes. In fact, 45 percent of all households in the City of Beloit fall into the "moderate" income category and 53 percent of all persons living in Beloit are low- to moderate-income. However, the City will not be dedicating a set percentage of funds to any minority or low-income area.

2. **Describe the reasons for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a)(1)) during the next year and the rationale for assigning the priorities.**

PY 2012 Action Plan Geographic Distribution/Allocation response:

Priority is given to those serving minority or low-income populations. The City also attempts to fund activities each year in the City's targeted neighborhoods, which include the Near Westside, Merrill and Shore Drive neighborhoods. The relative priority of needs was determined based on public comment received over the past five years. The City will not be dedicating a set amount of funds to any geographic area of the City. The majority of the programs funded are provided on a City-wide basis.

3. **Describe actions that will take place during the next year to address obstacles to meeting underserved needs.**

PY 2012 Action Plan Geographic Distribution/Allocation response:

One of the key obstacles to meeting the underserved needs in Beloit is lack of adequate funding or other non-financial resources to adequately address a particular problem. Insufficient funding precludes the City from appropriately addressing every worthy project and often includes allocating funding at less than an optimal amount. The City does not fund programs which duplicate the work of other programs.

Non-financial resource limitations include insufficient numbers of trained volunteers or staff to provide expertise and support for programs and language barriers. The City will also partner with the non-profits and others to consolidate resources. The City is part of the Rock County Homeless Intervention Task Force which works to consolidate resources, financial and non-financial, to meet the needs of all of Rock County.

Sources of Funds:

4. **Identify the federal, state, and local resources the jurisdiction expects to receive to address the needs identified in the plan. Federal resources should include Section 8 funds made available to the jurisdiction, Low-Income Housing Tax Credits, and competitive McKinney-Vento Homeless Assistance Act funds expected to be available to address priority needs and specific objectives identified in the strategic plan. (92.220(c)(1))**

PY 2012 Action Plan Sources of Funds response:

\$600,000 in Community Development Block Grant, \$189,480 in HOME Investment Partnerships program funds, \$475,745 (available in October) in Low Income Public Housing Operating Subsidy, approximately \$3,135,000 in Housing Choice Voucher Housing Assistance Payment Subsidy, \$339,758 in Housing Choice Voucher Administrative Subsidy, and \$203,033 (TBD) in Capital Fund Program dollars are expected to be available in 2012. The Community Development Authority's LLC was awarded Low Income Housing Tax Credits in the amount of \$1,101,102 for 2010. Additionally, the Community Development Authority's LLC was awarded \$1,215,118 in Low Income Housing Tax Credits which are expected to be expended in 2011 and 2012.

5. **If you plan to dedicate funds within a local targeted area, provide the boundaries of the targeted area and an estimate of the percentage of funds you plan to dedicate to target area(s). (91.220(f))**

PY 2012 Action Plan Sources of Funds response:

We do not intend to dedicate funds within a local targeted area in 2012.

6. **If your plan includes a Neighborhood Revitalization Strategy Area or Areas, please identify the census tracts for each NRSA and an estimate of the percentage of funds you plan to dedicate to the NRSA(s).**

PY 2012 Action Plan Sources of Funds response:

Our plan does not include a Neighborhood Revitalization Strategy Area.

7. **Explain how federal funds will leverage resources from private and non-federal public sources.**

PY 2012 Action Plan Sources of Funds response:

The Community Development Block Grant funds used by local agencies are only a small portion of their overall budgets. However, these funds allow them to leverage other local dollars, including United Way funds, and other state, federal and private funds.

8. **Provide a description of how matching requirements of HUD's programs will be satisfied.**

PY 2012 Action Plan Sources of Funds response:

There are no matching requirements for Community Development Block Grant Program. Janesville is the PJ for our HOME dollars, so the match requirements for the HOME program will be reflected in its Annual Action Plan. We do not receive any other federal funds with match requirements.

9. **If the jurisdiction deems it appropriate, indicate publicly owned land or property located within the jurisdiction that may be used to carry out the plan.**

PY 2012 Action Plan Sources of Funds response:

There is no publicly owned land or property which will be used to carry out the plan.

Managing the Process

10. **Identify the significant aspects of the process, by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.**

PY 2012 Action Plan Managing the Process response:

Preparation of the Consolidated Plan included meeting with a steering committee (the Consolidated Planning Committee) which included members of the following organizations:

Beloit Youth Place
Caritas
Community Action, Inc.
Habitat for Humanity
Homeless Intervention Task Force
Home Companion Registry

Merrill Community Center
Neighborhood Housing Services
Stateline Literacy Council
Stateline United Way
Voluntary Action Center

The Committee met three times over a 10 week period to discuss informational needs, develop formal strategies, and discuss public meetings. The City also held public hearings and hosted public meetings.

For the Annual Plan, a public hearing was held on July 18 to solicit citizen input on community development, housing, public housing and homeless needs in the City of Beloit. A notice was published in the newspaper and a notice was mailed to the City's CDBG mailing list which includes service providers, citizens, neighborhood representatives, and business advocates. No one spoke at the public hearing.

- 11. Describe actions that will take place during the next year to enhance coordination between public and private housing, health, and social service agencies.**

PY 2012 Action Plan Managing the Process response:

The City is an active participant on several committees and boards including Neighborhood Housing Services of Beloit, African American Infant Mortality Coalition, Homeless Education Action Team, and the Homeless Intervention Task Force. Additionally, a City Council member is appointed to the Community Action Board. The City also has a good relationship with Rock County's Community Development and Health departments, and the City Manager meets with Rock County officials on a regular basis.

Citizen Participation (91.220(b))

- 12. Provide a description of the process used to allow citizens to review and submit comments on the proposed consolidated annual plan, including how the plan (or a summary of the plan) was published for review; the dates, times and locations of a public hearing, or hearings; when and how notice was provided to citizens of the hearing(s); the dates of the 30 day citizen comment period, and if technical assistance was provided to groups developing proposals for funding assistance under the consolidated plan and how this assistance was provided.**

PY 2012 Action Plan Citizen Participation response:

The City of Beloit gave its citizens the opportunity to participate in an advisory role in planning, implementing, and assessing CDBG programs. Information about the goals of the CDBG program and the activities it funds was provided to all interested stakeholders. Public hearings were held to gauge the views of citizens. The City held a public hearing on July 18, 2011 to give citizens an opportunity to identify issues which needed to be identified in the Annual Plan. A notice was published in the Beloit Daily News on July 16 notifying the public of the public hearing. Additionally, the City put the notice on the City's website, and the City Manager discussed the public hearing in his weekly e-newsletter to the citizens. The notice was also mailed to the CDBG mailing list, which includes the non-profit organizations and other interested agencies which provide services to low income people in Beloit.

The CDBG budget process began in late July when a notice was published on July 18, 2011 in the Beloit Daily News, The Stateline News, and The Chronicle that applications were available. A notice was also mailed to the CDBG mailing list on July 16, 2011 notifying agencies and interested parties that applications

were available. Anyone needing assistance with filling out an application, determining the eligibility of a project or other CDBG assistance was helped.

The CDA reviewed the Annual Plan and budget on September 28, 2011 and recommended approval of both the plan and the budget. This meeting was provided to the media and posted on the City's website on September 23. A notice was published in the Stateline News on October 2, 2011 and in the Beloit Daily News on October 3, 2011 notifying the public of the 30-day public review period which began on October 3, 2011 and ended on November 3, 2011. This notice also notified the public that the plan and budget were available on the City's website, at City Hall and at the Beloit Public Library. It also informed the public that a public hearing would be held on October 17 and that final City Council action would take place on November 7, 2011. This notice was also mailed to the CDBG mailing list.

On October 17, a public hearing was held to give citizens an opportunity to comment on the proposed Annual Plan and proposed 2012 CDBG budget. On November 7, the Annual Plan, and 2012 CDBG budget were reviewed and approved at a City Council meeting.

The Beloit Daily News, Stateline News, The Chronicle, WCLO, City Hall, the Public Library, and the City of Beloit's website were also utilized to disseminate information to the public. The Beloit Daily News ran an article in the newspaper as the Community Development Authority began the process of developing the CDBG budget, outlining the public comment process. The Beloit Daily News also included the CDBG Budget in its article about the City's budget before it was approved on November 7. WCLO interviewed staff about the first public hearing and ran a story on the public hearing. Citizens were able to review the Annual Plan at City Hall or the Beloit Public Library, and it was also posted on the City's website. Staff was available to provide assistance to Spanish-speaking residents who were interested in the plan documents. The City has bi-lingual staff in the Department who can provide this assistance.

- 13. Provide a summary of efforts made to broaden public participation in the development of the consolidated annual plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.**

PY 2012 Action Plan Managing the Process response:

The annual plan was developed using the information and priorities established in the five-year plan. The process for developing the five-year plan included the establishment of a Steering Committee comprised of representatives from a range of homeless and minority programs.

Organizations which provide assistance to person with disabilities including Home Companion Registry, the Beloit Housing Authority, and Senior Chore Service were represented on the committee. Stateline Literacy Council which provides services to the growing Hispanic population was also involved in the process. Hands of Faith, an organization which provides services to homeless families, and Community Action, which provides a multitude of housing and homeless programs, was represented on the committee. For the 2012 Annual Plan, objectives and goals were reflective of the original five-year plan, which included input from a broad array of groups.

Staff was available to provide assistance to Spanish-speaking residents who were interested in getting involved in the planning process. The City has bilingual staff in the Department who can provide this assistance.

14. Provide a summary of citizen comments or views on the annual plan.

PY 2012 Action Plan Managing the Process response:

No one spoke during the public hearings on July 18. No written comments were filed at the time this document was put into the City Council agenda packet.

15. Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.

*Please note that Citizen Comments and Responses may be included as additional files within the CPMP Tool.

PY 2012 Action Plan Managing the Process response:

All public comments are always accepted and reviewed for inclusion into the Strategic Plan and Annual Plan.

Institutional Structure

16. Describe actions that will take place during the next year to develop institutional structure.

PY 2012 Action Plan Institutional Structure response:

The City of Beloit will work with non-profits, public institutions and the private sector to implement the Consolidated Plan and Annual Plan. The City will continue to utilize the Community Development Authority (CDA) for review of the Consolidated Plan, annual action plans, proposed CDBG funding and any CDBG budget amendments.

The entire Community Development Department, including the Beloit Housing Authority, is now located on the third floor of City Hall. Therefore, the City and the Housing Authority are now able to work more closely together and are striving to partner, where it is appropriate.

Monitoring

17. Describe actions to be taken that will take place during the next year to monitor your performance in meeting goals and objectives set forth in your Consolidated Plan.

PY 2012 Action Plan Monitoring response:

On a quarterly basis, all CDBG applicants submit quarterly reports to the City, which are reviewed by City staff. Additionally, the City of Beloit will review the plan on a quarterly basis to ensure that goals and objectives are being addressed.

18. Describe steps/actions to be taken during the next year to ensure compliance with program requirements, including requirements involving the timeliness of expenditures.

PY 2012 Action Plan Monitoring response:

CDBG Subgrantees will continue to be required to submit quarterly reports, which contain information on the number of people served, progress made toward meeting their objectives and their financial status. Community Development staff will monitor the Subgrantees on an annual basis to ensure compliance with HUD regulations. Their financial reports are also reviewed at this time. Following these visits, letters are sent to Subgrantees when any problems are identified. Monitoring summaries are shared with the CDA and the City Council when they review and approve the CDBG budget.

On an annual basis, the City reviews the Consolidated Plan and Annual Action Plan to determine the progress made toward the goals, objectives and activities listed in the reports.

Mid-year, City staff reviews expenditure levels to ensure that caps are not exceeded. At this time, City staff also reviews current and prior year contracts to ensure that funds are expended in a timely manner.

The City of Beloit will monitor the progress of subgrantees throughout the year to ensure that they are expending their funds in a timely manner and providing the data required by the CDBG program. Additionally, the City will reallocate funds which are not being expended in a timely manner and/or work with subgrantees to ensure that funds are spent.

19. Describe steps/action you will use to ensure long-term compliance with housing codes, including actions or on-site inspections you plan to undertake during the program year.

PY 2012 Action Plan Monitoring response:

The City of Beloit has a construction specialist who monitors the housing rehab projects to ensure that all projects meet housing codes. Before any pay requests are processed for a grant, an on-site inspection is completed to ensure work is completed and housing codes are complied with. Additionally, construction work is always inspected by a building inspector.

The City also ensures that Neighborhood Housing Services obtains the required building permits for their new construction and housing rehab projects and provides on-site inspections of the projects. Additionally, the City has a fair housing code, and the Equal Opportunities and Human Relations Commission is responsible for any fair housing cases submitted to the City.

20. Describe actions to be taken to monitor subrecipients (including sponsors or administering agents) during the next program year. This includes the monitoring of all programs, CDBG, HOME, ESG, or HOPWA, as applicable.

PY 2012 Action Plan Monitoring response:

CDBG subgrantees will submit quarterly reports, which contain information on the number of people served, progress made toward meeting their objectives and their financial status. Staff will review the quarterly reports and ensure that subgrantees are meeting the goals and objectives outlined in their contracts and completing the tasks in a timely basis. Community Development staff monitor the subgrantees on an annual basis to ensure compliance with HUD regulations.

Their financial reports will also be reviewed at this time. Following these visits, letters will be sent to subgrantees when any problems are identified. Monitoring summaries will be shared with the Community Development Authority and the City Council when they review and approve the CDBG budget.

On an annual basis, the City reviews the Consolidated Plan and Annual Action Plan to determine the progress made towards the goals, objectives and activities listed in the reports.

The City receives its HOME dollars through the Rock County HOME Consortium. Janesville is the PJ for this consortium, so all HOME activities are reported through Janesville. The City does not receive ESG or HOPWA funds.

Description of Activities

****If not using the CPMP Tool:** Complete and submit Table 3C*

****If using the CPMP Tool:** Complete and submit the Projects Worksheets and the Summaries Table.*

21. **The action plan must provide a summary of the eligible programs or activities that will take place during the program year to address the priority needs and specific objectives identified in the strategic plan.**

PY 2012 Action Plan Description of Activities response: (Use of the Summaries Table and Project Worksheets or Table 3C/2A will be sufficient. No additional narrative is required.)

The Projects Worksheets and Summaries Table provide information on the proposed projects for the 2012 Program Year.

In the project worksheets, projects are grouped under five projects: Code Enforcement, Economic Development, Housing Rehabilitation, Planning-Program Administration, and Public Services. The Code Enforcement Project includes the City's Code Enforcement and systematic Rental Inspection program in our deteriorated and deteriorating areas. The Housing Rehabilitation project includes the City's Housing Rehabilitation Revolving Loan Fund, and Community Action's Merrill Housing Initiative Program. The Planning-Program Administration project includes program administration activities. Finally, the Public Services project includes the following activities:

- Community Action – Supportive Services
- The Key – A Transitional Housing Program for Survivors of Domestic Violence
- Domestic Violence Center – Emergency Housing for Homeless Victims of Domestic Violence
- Greater Beloit Home Companion Registry
- Family Services – Homelessness Prevention and Rehousing Project
- Hands of Faith – Emergency Shelter for Homeless Families
- Merrill Community Center
- NHS – Foreclosure Prevention

- Stateline Literacy Council – Hispanic Outreach
- Beloit Senior Chore Service

Summary of Specific Annual Objectives and Outcome Measures

**If not using the CPMP Tool: Complete and submit Table 2C and Table 3A.*

**If using the CPMP Tool: Complete and submit the Summary of Specific Annual Objectives Worksheets or Summaries.xls*

22. Provide a summary of specific objectives that will be addressed during the program year. (91.220(c)(3))

PY 2012 Action Plan Summary of Specific Annual Objectives response:

(Use of the Summaries Table and Project Worksheets or Table 3C/2A will be sufficient. No additional narrative is required.)

A summary of the specific objectives is addressed in the Summaries Table and Project Worksheets

23. Describe the Federal Resources, and private and non-Federal public resources expected to be available to address priority needs and specific objectives during the program year.

PY 2012 Action Plan Summary of Specific Annual Objectives response:

(Use of the Summaries Table and Project Worksheets or Table 3C/2A will be sufficient. No additional narrative is required.)

A summary of the specific objectives is addressed in the Summaries Table and Project Worksheets

24. Describe the outcome measures for activities in accordance with Federal Register Notice dated March 7, 2006, i.e., general objective category (decent housing, suitable living environment, economic opportunity) and general outcome category (availability/accessibility, affordability, sustainability). 91.220(e)

PY 2012 Action Plan Summary of Objectives/Outcomes response: (Use of the Summaries Table or Table 2C/Table 3A will be sufficient. No additional narrative is required.)

This information is provided in the Summaries Table and Table 2C/3A.

HOUSING

Annual Affordable Housing Goals (91.220(g))

**If not using the CPMP Tool: Complete and submit Table 3B Annual Housing Completion Goals.*

**If using the CPMP Tool: Complete and submit the Table 3B Annual Housing Completion Goals.*

25. **Describe the one-year goals for the number of homeless, non-homeless, and special-needs households to be provided affordable housing using funds made available to the jurisdiction and one-year goals for the number of households to be provided affordable housing through activities that provide rental assistance, production of new units, rehabilitation of existing units, or acquisition of existing units using funds made available to the jurisdiction. The term affordable housing shall be defined in 24 CFR 92.252 for rental housing and 24 CFR 92.254 for homeownership.**

PY 2012 Action Plan Annual Affordable Housing Goals response:
The information is provided in Table 3B.

Needs of Public Housing (92.220(b))

26. **Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake during the next year to encourage public housing residents to become more involved in management and participate in homeownership.**

PY 2012 Action Plan Needs of Public Housing response:

The Beloit Housing Authority (BHA) will network with local agencies, departments and businesses to inform the public of available services for extremely low-income, low-income and moderate-income individuals.

- The BHA will partner with NHS to provide homeownership opportunities for its residents.
- The BHA will work with community partners to provide volunteer opportunities for BHA residents and applicants, which exposes the extremely low-income, low-income and moderate-income households to opportunities to increase their job training skills, people skills and self-esteem.
- The BHA will market available programs through local newspapers and radio stations. BHA staff will attend area Senior, Health, and Family events.
- The BHA will conduct strategic planning to address immediate capital needs with HUD's Capital Fund Program. The BHA may have the opportunity to use other resources such as HOPE VI funds, CDBG funds, and WHEDA funds for longer-term projects such as the tax credit project now underway.
- The BHA will encourage extremely low-income, low-income and moderate-income families to utilize the least resistive housing opportunities available to them. They have a choice of programs that include public housing, Section 8 rental assistance, Section 8 homeownership and Family Self-Sufficiency.

The Housing Authority will also encourage residents to participate in the management of BHA through opportunities to serve on a resident council or the governing board, the CDA. There is currently one Section 8 participant on the CDA board who also purchased a home through the Homeownership Voucher program.

The Beloit Housing Authority maintains 131 public housing units and 598 Section 8 vouchers. As of November 2010, there were 568 housing applicants on the waiting list: 269 for public housing and 299 for Section 8 vouchers. The condition of the units is about average. Overall, the public housing stock is older. Some units have undergone rehabilitation in the last several years. All of the units are in need of some modernization and restoration. The units are more than 30 years old but structurally sound.

Of the 131 Public Housing units, 65 units have undergone major rehab which was completed in early 2011. Major rehab will begin on the remaining units in late-2011. This project is possible due to tax credits obtained by the Housing Authority.

It is not expected that any units will be removed from the public housing inventory in the near future, but some may be downsized due to the need of smaller units rather than the larger 4-bedroom units. Given the length of the waiting lists, we do not anticipate a decrease in the number of public housing units.

27. **If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation during the next year.**

PY 2012 Action Plan Needs of Public Housing response:

The Beloit Housing Authority is not a "troubled" public housing agency.

Antipoverty Strategy

28. **Briefly describe the actions that will take place during the next year to reduce the number of poverty level families (as defined by the Office of Management and Budget and revised annually), taking into consideration factors over which the jurisdiction has control.**

PY 2012 Action Plan Antipoverty Strategy response:

Through local partnerships, the City is increasing employment while educating citizens and providing life improvement skills.

- The City will support programs that provide assistance to persons to increase their job skills and marketability.
- The Beloit Housing Authority will continue its Family Self-Sufficiency Program in 2012.
- The Beloit Housing Authority will continue to provide homeownership opportunities to Section 8 participants in cooperation with NHS in 2012.
- The City will support non-profit organizations that provide assistance and advocacy to low- and moderate-income residents.

- The City will use the Economic Development Revolving Loan Fund to increase the number of living wage jobs to low- and moderate-income persons in the community.

The Housing Authority requires all public housing residents to perform 8 hours of community service per month when the participating adult is unemployed. By doing this, adults are learning new skills, acquiring self confidence and opening doors for new opportunities.

The Housing Authority offers intensive case management to families which includes budgeting classes, mentors, educational opportunities, and preferences with local employers. Through local partnerships, the City is increasing employment while educating citizens and providing life improvement skills.

Barriers to Affordable Housing

29. Describe the actions that will take place during the next year to remove barriers to affordable housing.

PY 2012 Action Plan Barriers to Affordable Housing response:

1. Although the City's 2004 Analysis of Impediments to Fair Housing Report has concluded that the City has met and continues to meet the goals of affordable and fair housing, the City has begun updating its Analysis of Impediments to Fair Housing in 2010 to ensure that it reflects the current state of the economy. With the increase of foreclosures in the last several years, there could have been a change in the impediments impacting the City. The completed Analysis of Impediments to Fair Housing will be completed and submitted with this Action Plan.

The City hired MSA to complete Fair Housing outreach and education on a quarterly basis throughout the City of Beloit. City staff will continue this activity in 2012.

The City's zoning and development regulations are comprehensive and progressive and pose no barrier to affordable and fair housing goals for the City.

30. Describe the actions that will take place during the next year to foster and maintain affordable housing.

PY 2012 Action Plan Barriers to Affordable Housing response:

The City of Beloit will ensure that the affordable rental units are decent, safe and sanitary and meet local codes through its systematic rental inspection program.

The City of Beloit will support efforts by others to rehabilitate current tax credit projects.

The City of Beloit will provide financial resources for owner-occupants to maintain their homes.

The City of Beloit will provide financial resources for landlords to upgrade their rental units.

Lead-based Paint

31. **Describe the actions that will take place during the next year to evaluate and reduce the number of housing units containing lead-based paint hazards in order to increase the inventory of lead-safe housing available to extremely low-income, low-income, and moderate-income families, and how the plan for the reduction of lead-based hazards is related to the extent of lead poisoning and hazards.**

PY 2012 Action Plan Lead-based Paint response:

The Rock County Health Department will continue to refer families of children with high lead levels to the City of Beloit's program. We work jointly to solve these problems.

The City of Beloit will use its Lead Hazard Control Grant funds in concert with its housing rehabilitation funds. The lead funds will be used for the lead elements to make the house lead safe, and then the housing rehabilitation funds are used for other rehabilitation work needed to bring the home up to code. The City received additional lead dollars in 2009, through the stimulus bill to make additional houses lead safe. The City applied for lead funding in 2011 and is awaiting response.

The City of Beloit Housing Services Division requires all contractors hired through the Housing Rehabilitation Loan program to be certified lead safe, ensuring all work completed in project homes is performed in a lead safe manner and with lead-free replacement products.

The City will continue to operate the Rental Inspection program. Every rental unit in the City is inspected at least once every three years by inspection officials who are trained as Lead Hazard Investigators to look for lead risk in all units. If orders are written to correct a lead hazard, information is sent explaining how to fix the problem in a lead safe manner, and the property owner is cited if the lead issue is not corrected.

HOMELESS

Specific Homeless Prevention Elements

*Please also refer to the Homeless Needs Table in the Needs.xls workbook.

32. **Please describe, briefly, the jurisdiction's plan for the investment and use of available resources and describe the specific planned action steps it will take over the next year aimed at eliminating chronic homelessness by 2012. Again, please identify barriers to achieving this.**

PY 2012 Action Plan Specific Homeless Prevention response:

The City will provide funding through the CDBG program to programs that help chronically homeless individuals and families move into permanent housing and assist with any other issues they may have. Specifically, the City will support programs that provide:

- Outreach and assessment

- Supportive services
- Long-term case management and client advocacy
- Transitional housing
- Stabilization strategies to move homeless individuals into economic independence

The Beloit Housing Authority has established a local preference for individuals and families who are participants in the transitional living program for housing rental assistance and those who are victims of domestic violence.

A potential barrier to accomplishing these activities would be the financial viability of the agencies which provide homeless programs. For example, the Domestic Violence Center has struggled over the past several years financially, and continuing the transitional portion of the program, which provides the longer-term support and ensures that people stop the homeless cycle, is essential to achieving the goal of ending homelessness. Another barrier is the public support for these programs. If the public does not support these programs, the City Council could quit funding these programs with CDBG funds.

33. Homelessness Prevention—The jurisdiction must describe its planned action steps over the next year to address the individual and families with children at imminent risk of becoming homeless.

PY 2012 Action Plan Specific Homeless Prevention response:

The City will continue to fund programs that provide financial assistance to individuals and families to prevent them from becoming homeless such as foreclosure prevention and emergency rental assistance identified through supportive case management.

The City will continue to support programs that provide rental assistance and supportive services to homeless persons or persons at risk of becoming homeless, such as Hands of Faith and Community Action.

The City will continue to support programs that provide credit counseling and foreclosure prevention programs.

The City will also continue serving on the Homeless Intervention Task Force Displacement Action Response Team, which provides a planned emergency response to mobilize resources in the event of a mass displacement of residents due to unfit conditions or condemnations.

34. Discharge Coordination Policy—The jurisdiction must certify it established a policy for discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care, or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons. (91.225 (c)(10))

PY 2012 Action Plan Specific Homeless Prevention response:

The City will continue its involvement in the Homeless Intervention Task Force and its Resources Subcommittee, which continually addresses coordination of services and discharge as well as promotes the implementation of universal forms and participation in the State's homeless database, WI ServicePoint.

Emergency Shelter Grants (ESG)

35. If applicable, describe how the ESG matching requirements will be met.

PY 2012 Action Plan ESG response:

This is not applicable. The City of Beloit does not received ESG dollars.

36. (States only) Describe the process for awarding grants to State recipients, and a description of how the allocation will be made available to units of local government.

PY 2012 Action Plan ESG response:

Not Applicable.

NON-HOMELESS SPECIAL NEEDS HOUSING

Non-homeless Special Needs (91.220 (c) and (e))

**If not using the CPMP Tool: Complete and submit Table 1B.*

**If using the CPMP Tool: Complete and submit Needs Table/Non-Homeless Needs.*

37. Please describe any supportive housing activities being undertaken to address the priority housing needs of persons who are not homeless (elderly, frail elderly, persons with disabilities, persons with HIV/AIDS, persons with alcohol or other substance abuse problems).

PY 2012 Action Plan Non-homeless Special Needs response:

The City will continue to support programs for seniors such as the Home Companion Registry, Senior Chore Service and Grinnell Hall.

The City will provide deferred housing rehab loans to special needs populations.

The Beloit Housing Authority has 40 housing units for the elderly and disabled, and has established a local preference for elderly and disabled residents.

The City will make special needs issues a priority when budgeting CDBG funds. The Beloit Housing Authority will continue to use its funds to provide services and housing to these populations.

COMMUNITY DEVELOPMENT

Community Development Block Grant

**If not using the CPMP Tool: Complete and submit Table 2B, Table 1C Summary of Specific Objectives.*

**If using the CPMP Tool: Complete and submit the Needs Worksheets/Non-Housing Community Development and Summary of Specific Annual Objectives Worksheets or Summaries.xls*

- 38. Identify the estimated amount of CDBG funds that will be used for activities that benefit persons of low- and moderate-income (an amount generally not to exceed ten percent of the total available CDBG funds may be excluded from the funds for which eligible activities are described if it has been identified as a contingency for cost overruns.)**

PY 2012 Action Plan Community Development response:

\$600,000 in 2012 new grant dollars and an estimated \$359,825 in program income will be used for activities that benefit person of low- and moderate-income.

- 39. CDBG resources must include the following in addition to the annual grant:**

- a. **Program income expected to be received during the program year, including:**
- i. **The amount expected to be generated by and deposited to revolving loan funds;**

PY 2012 Community Development response:

\$140,000 is expected to be generated by and deposited to revolving loan funds.

The total amount expected to be received during the current program year from a float-funded activity described in a prior statement or plan.

PY 2012 Community Development response:

No funds are expected to be received during the program year from a float-funded activity described in a prior statement or plan.

- b. **Program income received in the preceding program year that has not been included in a statement or plan;**

PY 2012 Community Development response:

There is not any program income that has been received in the preceding program year that has not been included in a statement or plan.

- c. **Proceeds from Section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives in its strategic plan;**

PY 2012 Community Development response:

The City of Beloit does not have any Section 108 loan guarantees.

- d. **Surplus funds from any urban renewal settlement for community development and housing activities; and**

PY 2012 Community Development response:

The City of Beloit does not have any surplus funds from an urban renewal settlement.

- e. **Any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.**

PY 2012 Community Development response:

The City of Beloit does not have any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.

- 41. **NA If a jurisdiction intends to carry out a new CDBG float-funded activity, the jurisdiction's plan must include the following information:**

- a. **For the program income included in 1(b) above, the jurisdiction should identify the month(s) and year(s) in which the program income will be received; and which of the following options it will take for each float-funded activity to address the risk that the activity may fail to generate adequate program income:**
 - i. **amend or delete activities in the amount equal to any amount due from default or failure to produce sufficient income in a timely manner. (If this option is chosen, the action plan must include a description of the process it will use to select activities to be amended or deleted and how it will involve citizens in that process), OR**
 - ii. **obtain an irrevocable line of credit from a commercial lender for the full amount of the float-funded activity. (If this option is chosen, information on the float-funded activity in the action plan must include the lender and the terms of the irrevocable line of credit), OR**
 - iii. **agree to transfer general local government funds to the CDBG line of credit in the full amount of any default or shortfall within 30 days of the float-funded activity's failure to generate projected program income on schedule.**

PY 2012 Community Development response:

The City of Beloit is not carrying out any float-funded activities.

- 40. **Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs, public facilities, public improvements, public services and economic development. (Use of Table 2B or the Community Development Needs Table is sufficient, additional narrative is not required)**

- a. **For activity for which the jurisdiction has not yet decided on a specific location, such as when a jurisdiction is allocating an amount of funds to be used for making loans or grants to businesses or for residential rehabilitation, provide a description of who may apply for the assistance, the process by which the grantee expects to select who will receive the assistance (including selection criteria), and how much and under what terms the assistance will be provided.**

PY 2012 Community Development response:

Economic Development Revolving Loan Fund: This loan fund provides loans to for-profit commercial, industrial or service sector businesses that will locate or expand in the City of Beloit by creating or retaining jobs.

Program funds are used to assist a business to finance exterior and interior building improvements, purchase land and building, new construction, purchase of machinery and equipment, land improvements, demolition, and leasehold improvements.

The program will loan a business up to 30 percent of the total project cost. The interest rate is as follows:

- If loaned in conjunction with a bank loan, 75 percent of the bank rate.
- Stand alone loans will be set at 75 percent of the Wall Street Prime rate at time of loan approval for projects with loan term greater than 10 years. 65 percent of Wall Street Prime rate for 1-10 year loan term.

The repayment terms are up to 25 years for land and buildings and 10 years for machinery and equipment.

The criteria used are the following:

- Ratio of Program dollars to the number of full-time equivalent (FTE) jobs created or retained, not to exceed \$35,000 per job. For FTE calculations, a full-time position will be employed 35 hours per week.
- At least 51 percent of the jobs created or retained must be available for low- to moderate-income persons.
- Ratio of Program dollars to private dollars in a project cannot be less than two private dollars for each Program dollar.
- Only those expenditures made within 18 months after approval of the Program loan shall be counted in the public/private dollar match.
- Applicant must contribute at least 10 percent equity into the project.

Housing Rehab Revolving Loan Fund: Housing rehab loans are available to any low- to moderate-income homeowner in the City of Beloit and any investor-owned rental units in the City of Beloit which is occupied by a low- to moderate-income family.

Additional Criteria: For homeowner loans, applicants must have equity in their homes, be free and clear of any judgments, and be current with their property taxes, with no delinquencies.

The individual loans available to owner-occupied properties are tailored to meet the applicant's financial needs and resources. Owner-occupied interest rates are 0 percent deferred payment loans or a 3 percent amortized loan. Investment property loans are offered at a fixed 3 percent rate.

The maximum loan amount for rehabilitation loans is \$20,000 for one dwelling unit, \$25,000 for two units and \$8,000 for additional dwelling units.

Owner-occupied property loans are available up to a 15-year term or can be deferred as long as the owner occupies the home. Investment property loans are available for ten years.

The Housing Rehab program consists of four loan programs: Owner-occupied Low Interest and Deferred Payment Loans, Rental Housing Rehab Program, Distressed Property Loan Program, and Construction Loan Program.

41. **Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.**

(Use of Table 2B or the Community Development Needs Table and Summaries Table is sufficient, additional narrative is not required)

PY 2012 Community Development response:

This information is provided in Table 2B.

42. **An "urgent need" activity may be included in the action plan only if the jurisdiction certifies that the activity is designed to meet other community development needs having a particular urgency because existing conditions pose a serious and imminent threat to the health or welfare of the community and other financial resources are not available.**

PY 2012 Community Development response:

The City of Beloit is not providing any funding for "urgent needs".

HOME/ American Dream Down payment Initiative (ADDI)

NA

43. **Describe other forms of investment not described in § 92.205(b).**

PY 2012 Action Plan HOME/ADDI response:

Not applicable.

44. **Describe how HOME matching requirements will be satisfied?**

PY 2012 Action Plan HOME/ADDI response:
Not applicable.

45. **If the participating jurisdiction (PJ) will use HOME or ADDI funds for homebuyers, it must state the guidelines for resale or recapture, as required in § 92.254 of the HOME rule.**

PY 2012 Action Plan HOME/ADDI response:
Not applicable.

46. **Describe the policy and procedures the PJ will follow to affirmatively market housing containing five or more HOME-assisted units.**

PY 2012 Action Plan HOME/ADDI response:
Not applicable.

47. **Describe actions to be taken to establish and oversee a minority outreach program within the jurisdiction to ensure inclusion, to the maximum extent possible, of minority and women, and entities owned by minorities and women, including without limitation, real estate firms, construction firms, appraisal firms, management firms, financial institutions, investment banking, underwriters, accountants, and providers of legal services, in all contracts, entered into by the PJ with such persons or entities, public and private, in order to facilitate the activities of the PJ to provide affordable housing under the HOME program or any other Federal housing law applicable to such jurisdiction.**

PY 2012 Action Plan HOME/ADDI response:
Not applicable.

48. **NA If you intend to use HOME funds for Tenant-Based Rental Assistance, describe the local market conditions that led to the use of the HOME funds for a tenant-based rental assistance program.**

PY 2012 Action Plan HOME/ADDI response:
Not applicable.

49. **NA If the TBRA program will target or provide preference for a special needs group, identify that group from the Consolidated Plan as having an unmet need and show that the preference is needed to narrow the gap in benefits and services received by that population?**

PY 2012 Action Plan HOME/ADDI response:
Not applicable.

50. **NA If the PJ will use HOME funds to refinance existing debt secured by multifamily housing that is that is being rehabilitated with HOME funds, it must state its refinancing guidelines required under § 92.206(b). The guidelines shall describe the conditions under which the PJ will refinance existing debt. At a minimum these guidelines must:**

- a. **Demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing.**
- b. **Require a review of management practices to demonstrate that disinvestments in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving the targeted population over an extended affordability period can be demonstrated.**
- c. **State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.**
- d. **Specify the required period of affordability, whether it is the minimum 15 years or longer.**
- e. **Specify whether the investment of HOME funds may be jurisdiction-wide or limited to a specific geographic area, such as a neighborhood identified in a neighborhood revitalization strategy under 24 CFR 91.215(e)(2) or a Federally designated Empowerment Zone or Enterprise Community.**
- f. **State that HOME funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.**

PY 2012 Action Plan HOME/ADDI response:

Not applicable.

51. **NA If the PJ is going to receive American Dream Down payment Initiative (ADDI) funds, please complete the following narratives:**

- a. **Describe the planned use of the ADDI funds.**
- b. **Describe the PJ's plan for conducting targeted outreach to residents and tenants of public housing and manufactured housing and to other families assisted by public housing agencies, for the purposes of ensuring that the ADDI funds are used to provide down payment assistance for such residents, tenants, and families.**
- c. **Describe the actions to be taken to ensure the suitability of families receiving ADDI funds to undertake and maintain homeownership, such as provision of housing counseling to homebuyers.**

PY 2012 Action Plan HOME/ADDI response:

Not applicable

Housing Opportunities for People with AIDS **NA**

**If not using the CPMP Tool: Complete and submit Table 1B.*

**If using the CPMP Tool: Complete and submit Needs Table/HOPWA.*

52. **Provide a Brief description of the organization, the area of service, the**

name of the program contacts, and a broad overview of the range/ type of housing activities to be done during the next year.

PY 2012 Action Plan HOPWA response:

Not applicable.

53. **Specify the one-year goals for the number of low-income households to be provided affordable housing using HOPWA funds for short-term rent, mortgage, and utility payments to prevent homelessness; tenant-based rental assistance, units provided in housing facilities that are being developed, leased, or operated.**

PY 2012 Action Plan HOPWA response:

Not applicable.

54. **Please describe the expected trends facing the community in meeting the needs of persons living with HIV/AIDS and provide additional information regarding the administration of services to people with HIV/AIDS.**

PY 2012 Action Plan HOPWA response:

Not applicable.

55. **Identify the method for selecting project sponsors (including providing full access to grassroots, faith-based and other community organizations).**

PY 2012 Action Plan HOPWA response:

Not applicable.

56. **Please note any evaluations, studies or other assessments that will be conducted on the local HOPWA program during the next year.**

PY 2012 Action Plan HOPWA response:

Not applicable.

Other Narrative

Include any Action Plan information that was not covered by a narrative in any other section.

No Additional Narrative will be provided.

2012 BUDGET SUMMARY

- The City's proposed Budget for all funds, including the capital improvements budget, is \$92.1 million. This is a decrease of \$ 1.1 million or -1.23% from the 2011 Revised Budget.
- The General Fund Budget totals \$29.7 million. This is a decrease of \$458,493 or -1.52% from the 2011 Budget.
- The Budgets for the Enterprise Funds total \$17.9 million, which is a decrease of \$138,828 or -.77% from the 2011 Budget.

Summary of 2012 Budget

	2011 Adopted Budget	2012 Proposed Budget	Change Amount	Percent Change
General Fund	\$ 30,142,264	\$ 29,683,771	\$ (458,493)	-1.52%
Debt Service Fund	\$ 6,863,449	\$ 7,008,638	\$ 145,189	2.12%
Special Revenue Funds	\$ 15,564,947	\$ 14,375,472	\$ (1,189,475)	-7.64%
Enterprise Funds	\$ 18,040,451	\$ 17,901,623	\$ (138,828)	-0.77%
Total Operating Budget	\$ 70,611,111	\$ 68,969,504	\$ (1,641,607)	-2.32%
Internal Service Funds	\$ 10,928,003	\$ 12,257,593	\$ 1,329,590	12.17%
Total Budget with Internal Service Fund	\$ 81,539,114	\$ 81,227,097	\$ (312,017)	-0.38%
Capital Improvements Budget	\$ 11,760,984	\$ 10,924,024	\$ (836,960)	-7.12%
Grand Total Budget	\$ 93,300,098	\$ 92,151,121	\$ (1,148,977)	-1.23%

**2012 BUDGET SUMMARY - REVENUE/EXPENDITURE
BY CATEGORY**

GENERAL FUND

	2010 ACTUALS	2011 BUDGET	2012 BASELINE	2012 PRELIMINARY	Allocated Deficit	Proposed Adjustments	2012 Proposed	AMOUNT CHANGE
REVENUES								
TAXES	(\$6,920,733)	(\$7,080,253)	(\$7,114,253)	(\$7,114,253)		(\$32,613)	(\$7,146,866)	(\$66,613)
LICENSES & PERMITS	(\$588,907)	(\$590,102)	(\$577,409)	(\$583,997)			(\$583,997)	\$6,105
FINES & FORFEITURES	(\$1,282,100)	(\$1,264,090)	(\$1,255,000)	(\$1,255,000)		(\$10,000)	(\$1,265,000)	(\$910)
INTERGOVT AIDS/GRANT	(\$19,389,230)	(\$19,615,401)	(\$19,002,588)	(\$19,002,588)		(\$84,299)	(\$19,086,887)	\$528,514
CASH & PROPERTY INC.	(\$156,797)	(\$289,200)	(\$271,796)	(\$271,796)			(\$271,796)	\$17,404
DEPARTMENTAL EARNING	(\$615,952)	(\$672,441)	(\$653,142)	(\$658,479)		(\$20,225)	(\$678,704)	(\$6,263)
OTHER REVENUES	(\$69,819)	(\$40,200)	(\$45,200)	(\$45,200)			(\$45,200)	(\$5,000)
OTHER FINANCING SRCE	\$0	(\$590,577)	(\$600,000)	(\$600,000)		(\$5,321)	(\$605,321)	(\$14,744)
TOTAL REVENUES	(\$29,023,538)	(\$30,142,264)	(\$29,519,388)	(\$29,531,313)		(\$152,458)	(\$29,683,771)	\$458,493
EXPENDITURES								
NO SPECIFIC DEPARTMENT	\$257	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CITY COUNCIL	\$53,932	\$54,230	\$52,044	\$52,044	\$0	(\$5,558)	\$46,486	(\$7,744)
CITY MANAGER	\$319,334	\$368,887	\$367,525	\$365,145	(\$14,558)	(\$5,279)	\$359,866	(\$9,021)
CITY ATTORNEY	\$363,166	\$395,396	\$402,482	\$400,357	(\$15,961)	(\$7,150)	\$393,207	(\$2,189)
ECONOMIC DEVELOPMENT	\$197,117	\$249,029	\$251,493	\$250,193	(\$9,975)	(\$13,000)	\$237,193	(\$11,836)
FINANCE & ADMINISTRATION	\$3,111,053	\$3,460,791	\$3,400,854	\$3,286,389	(\$131,021)	(\$25,134)	\$3,261,255	(\$199,536)
POLICE DEPARTMENT	\$10,811,732	\$11,265,513	\$12,059,807	\$11,910,367	(\$750,935)	(\$577,919)	\$11,332,448	\$66,935
FIRE DEPARTMENT	\$7,087,961	\$7,337,416	\$7,903,506	\$7,788,321	(\$531,930)	(\$585,416)	\$7,202,905	(\$134,511)
COMMUNITY DEVELOPMENT	\$887,235	\$940,542	\$1,010,182	\$996,977	(\$39,747)	(\$66,926)	\$930,051	(\$10,491)
DEPARTMENT OF PUBLIC WORKS	\$5,836,087	\$6,070,460	\$6,641,536	\$6,223,775	(\$248,128)	(\$303,415)	\$5,920,360	(\$150,100)
TOTAL EXPENDITURES	\$28,667,874	\$30,142,264	\$32,089,429	\$31,273,568	(\$1,742,255)	(\$1,589,797)	\$29,683,771	(\$458,493)
NET TOTAL	(\$355,665)	\$0	\$2,570,041	\$1,742,255	(\$1,742,255)	(\$1,742,255)	\$0	\$0



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit, WI 53511
Monday, October 3, 2011

Presiding: Kevin D. Leavy
Present: Sheila De Forest, Charles Haynes, David F. Luebke, Eric Newnham, and Mark Spreitzer
Absent: James E. Van De Bogart

1. The meeting was called to order at 7:00 p.m. in the Forum at Beloit City Hall
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. Councilor De Forest presented a Proclamation declaring October 9-15, 2011 **National Fire Prevention Week** to Fire Chief Brad Liggett. Chief Liggett accepted the proclamation and thanked the Council. He indicated that this is an annual event and that the Fire Department will visit all the schools to present information regarding fire prevention and education. File 7148
 - b. Councilor De Forest presented a Proclamation declaring October 15, 2011 **White Cane Safety Day**. File 7148
4. PUBLIC HEARINGS
 - a. Community Development Director Julie Christensen presented a resolution authorizing a **Conditional Use Permit** to allow Indoor Alcohol Sales in a C-2, Neighborhood Commercial District, for the property located at 1407 Liberty Avenue. It was noted that the Plan Commission recommended approval 5-1 at meeting on September 21, 2011. President Leavy opened and closed the public hearing without participation. Councilor Newnham moved to approve, and Councilor Luebke seconded. The motion carried by a vote of 4-2, with Councilors De Forest and Haynes voting in opposition. File 8107
5. CITIZENS' PARTICIPATION – none.
6. CONSENT AGENDA

Councilor Deforest requested that item 6.b. be removed from the Consent Agenda. Councilor Haynes moved to adopt the Consent Agenda, excluding item 6.b., and Councilor Spreitzer seconded. The motion carried that the Consent Agenda, excluding item 6.b., be accepted, approved, adopted, or referred and acted upon as required by state and local codes by a vote of 6-0.

 - a. **Minutes** of the Regular and Special Meetings of September 19, 2011 were approved.
 - c. Resolution approving a **Certified Survey Map** for the property located at 1452 Townhall Road was adopted. File 8036
 - d. Resolution rejecting the single bid received for **Public Works Contract C11-28**, Addition to the Public Works Operations Salt Shed Facility, was adopted. File 8513
 - e. Resolution authorizing **Final Payment of Public Works Contract C11-22 Clary Street Water Main** was adopted. File 8498
 - b. City Clerk Rebecca Houseman presented a resolution approving a **Class "A" Beer License** for Shree Raj LLC, d/b/a Liberty Quick N Save, Saroj V. Patel, Agent, located at 1407 Liberty Avenue, and noted that the ABLCC recommended approval 3-1. Ms. Houseman also presented a history of the sale of alcohol at this location. Councilor De Forest commented that holding a liquor license is a privilege, and that the license holder, agent, and manager have not proved that they are responsible enough to have a license. Councilor Spreitzer asked the applicant to explain the underage sales in 2009. Attorney Lane Fitzgerald and the business manager, Rishi Patel, 1226 McKinley Avenue, discussed the tickets and explained how they intend to ensure that minors are not served in the future. Councilor Luebke asked the applicant to explain the drug

paraphernalia charge from 2003. Mr. Patel indicated that all of the individual pieces he sold were legal and that other stores were selling the same items and did not get tickets. Councilor Luebke moved to adopt the resolution, and Councilor Newnham seconded. The motion failed 2-4, with Councilors De Forest, Haynes, Leavy, and Spreitzer voting in opposition. File 8497

7. ORDINANCES

- a. Proposed Ordinance to Repeal and Recreate Sections 1.10 and 1.11 and to amend 25.04(4)(c) of the Code of General Ordinances of the City of Beloit pertaining to **Emergency Management and Continuity of Government** was given a first reading. Assistant City Attorney Elizabeth Krueger presented an overview of the proposed changes. Councilor Haynes moved to lay the item over for a second reading and possible action at the October 17, 2011 regular Council meeting, and Councilor Spreitzer seconded. The motion carried 6-0. File 6543
- b. Proposed Ordinance to amend Section 1.14 of the Code of General Ordinances Pertaining to **Polling Places** was given a first reading. Councilor Haynes moved to suspend the rules and allow a second reading, and Councilor Luebke seconded. The motion carried 6-0. Councilor Newnham moved to enact the Ordinance, and Councilor De Forest seconded. The motion carried 6-0. File 5826 Ordinance 3452

8. APPOINTMENTS – none

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- a. Councilor Spreitzer indicated that he welcomes feedback from the public regarding the proposed 2012 budget and requested that the City provide additional opportunities for public participation.
- b. Councilor De Forest requested that the City schedule workshops to encourage public participation regarding the 2012 Budget.
- c. Councilor Haynes indicated that he would like to hear from more residents regarding the budget.
- d. President Leavy expressed condolences to Councilor Luebke for his recent loss and thanked City staff for all of their hard work on the budget and in general.

10. CITY MANAGER'S PRESENTATION

- a. City Manager Larry Arft presented the **Proposed 2012 Operating, Library, and Capital Improvement Budgets**. Finance Director Paul York presented the highlights of the proposed budgets. Councilor De Forest requested that a hard copy of the presentation, along with the glossary and the fund accounting information sheet, be placed at the Library. She also indicated that she would like to discuss budget priorities at the upcoming budget workshops. Councilor Newnham thanked staff and indicated that he would like more public input in the process. Councilor Haynes requested that the budget workshop presentation include services provided by the general fund and all other funds. File 8514
- b. Councilor Newnham moved to schedule **Council Budget Workshops** for 8:00 a.m., Monday, October 10, 2011 in the Large Conference Room at 2400 Springbrook Court and 8:00 a.m., Monday October 17, 2011 in the Community Room at the Beloit Public Library. Councilor De Forest seconded, and the motion carried 6-0.

11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. City Attorney Tom Casper presented a resolution authorizing Acorn Development, LLC, an extension for outstanding **Special Assessments in Deerfield Estates Subdivision**. Attorney Casper explained that the City received a request from Acorn Development, LLC, for a three-year deferment of these special assessments. Councilor Luebke moved to adopt the resolution, and Councilor Newnham seconded. The motion carried 6-0. File 7258

12. At 8:50 p.m. Councilor De Forest moved to adjourn the meeting, and Councilor Haynes seconded. The motion carried 6-0.

Rebecca S. Houseman, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Fuller's Woods Condominiums Addendum No. 1 for properties located on the 2700 block of East Ridge Road – Council Referral to the Plan Commission

Date: October 17, 2011

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

R.H. Batterman & Co., Inc., on behalf of the Fuller's Woods Condominium Association, has submitted the attached Condominium Plat, which is officially known as Fuller's Woods Condominiums Addendum No. 1, for properties located on the 2700 block of East Ridge Road.

Key Issues (maximum of 5):

- The attached plat removes 6 planned but not yet constructed dwelling units (units 31 – 36) from the previously approved plat.
- This development, which consists of 15 duplexes (30 units) under condominium ownership, was approved in 2003.
- The owners of the 30 units that were constructed have voted to remove the final six units from the plat, which will ensure that the existing open space between unit 30 and Cranston Road remains undeveloped.

Conformance to Strategic Plan:

- Consideration of this request supports Strategic Goal #4.

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

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

Action required/Recommendation:

- Referral to the Plan Commission for the October 19, 2011 meeting.
- This item will most likely return to the City Council for possible action on November 7, 2011.

Fiscal Note/Budget Impact: N/A

Attachments: Proposed Plat, Previously Approved Plat, and Application.

EXHIBIT "A"
ANNEXED TO AND MADE A PART OF THE
"DECLARATION"

BY
FULLER'S WOODS CONDOMINIUM ASSOCIATION

LOTS 1, 2, 3 AND OUT-LOT 1 OF CERTIFIED SURVEY MAP DOC. #1618290 AS RECORDED IN VOLUME 28 OF PAGES 162-185 OF CERTIFIED SURVEY MAPS, BEING ALL A PART OF THE S.W. 1/4 AND S.E. 1/4 OF THE S.W. 1/4 OF SECTION 26, T. 1 R. N. 13 E. OF THE 4TH P.M., CITY OF BELLEVILLE, ROCK COUNTY, WISCONSIN

THIS PLAT IS BEING REVISED TO REMOVE UNITS 31, 32, 33, 34, 35 AND 36.

SURVEYOR'S CERTIFICATE

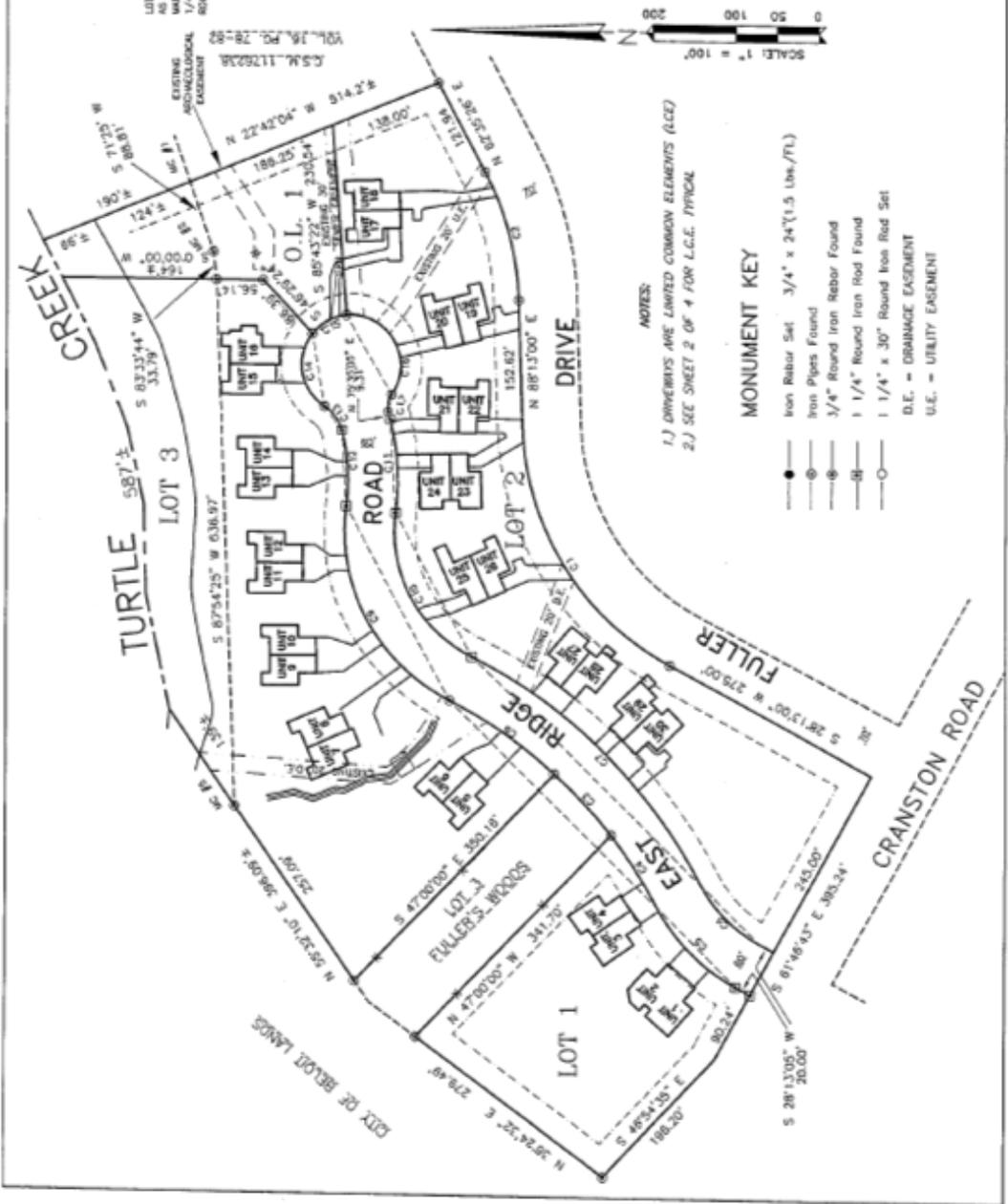
State of Wisconsin }
 County of Rock } ss.
 I, Kerney Conley, being the duly sworn Surveyor in a correct representation of the condominium described (taken from the original plat and common elements) can be attested from the plat.
 Done under my hand and seal this 10th day of December 2010 A.D. at Beloit, Wisconsin.
 Robert W. Lueschberger - Wisconsin
 Registered Land Surveyor No. 5-1244

ADDENDUM NO. 1

FULLER'S WOODS CONDOMINIUMS

PREPARED BY
R.H. BATTERMAN & CO., INC.
 LAND SURVEYORS - ENGINEERS - PLANNERS
 2857 BARTLETT DRIVE, BELLEVILLE, WI 53511

DRAWN BY: D.H.L.	ORDER NO. 31699
DATE: OCTOBER 10, 2010	FOR:
File Name:	SHEET 1 OF 2



- NOTES:**
 1.) DRIVEWAYS ARE LIMITED COMMON ELEMENTS (L.C.E.)
 2.) SEE SHEET 2 OF 4 FOR L.C.E. TYPICAL

MONUMENT KEY

- Iron Rebar Set 3/4" x 24"(1.5 Lbs./Ft.)
- Iron Pipes Found
- ⊖ 3/4" Round Iron Rebar Found
- ⊕ 1 1/4" Round Iron Rod Found
- ⊙ 1 1/4" x 30" Round Iron Rod Set
- D.E. = DRAINAGE EASEMENT
- U.E. = UTILITY EASEMENT



EXHIBIT "A"

ANNEXED TO AND MADE A PART OF THE
"DECLARATION"

BY

FULLER'S WOODS CONDOMINIUM ASSOCIATION

LOTS 1, 2, 3 AND OUT-LOT 1 OF CERTIFIED SURVEY MAP DOC. #1018280
AS RECORDED IN VOLUME 26 ON PAGES 163-165 OF CERTIFIED SURVEY
MAPS, BEING ALL A PART OF THE S.W. 1/4 AND S.E. 1/4 OF THE S.W.
1/4 OF SECTION 20, T. 1 N., R. 13 E. OF THE 4TH P.M., CITY OF BELLEVUE,
ROCK COUNTY, WISCONSIN

Approved by the City of Beloit, Division of Neighborhood Planning,
this _____ day of _____, 2011.

By: _____
Community Development Director

APPENDUM NO. 1

FULLER'S WOODS CONDOMINIUMS

PREPARED BY
R.H. BATTERMAN & CO., INC
LAND SURVEYORS - ENGINEERS - PLANNERS
2857 BAYFELLS DRIVE, BELLEVUE, WI 53511

DRAWN BY: R.H.L.	ORDER NO. 31050
DATE: DECEMBER 10, 2010	FOR:
File Name:	SHEET 2 OF 2

CURVE TABLE

NUMBER	DELTA	RADIUS	ARC LENGTH	CHORD	DIRECTION	CHORD LENGTH
C1	60°00'00"	338.11	1384.07	N 58°13'00" E		338.11
C2	25°37'34"	386.67	181.31	N 75°24'33" E		159.37
C3	10°05'27"	570.00	100.39	N 47°08'53" E		100.36
C4	10°23'23"	570.00	103.36	N 57°21'18" E		103.22
C5	34°19'56"	250.00	137.82	N 45°23'00" E		135.77
C6	34°19'56"	170.00	101.87	N 45°22'57" E		100.35
C7	35°49'50"	630.00	393.98	N 44°38'05" E		387.59
C8	15°20'50"	570.00	152.71	N 34°73'40" E		152.25
C9	70°32'00"	230.00	283.14	N 61°59'10" E		285.60
C10	70°32'00"	170.00	209.28	N 61°59'10" E		196.31
C11	21°40'00"	305.00	115.34	N 88°28'10" E		114.65
C12	21°40'00"	245.00	92.65	N 88°25'10" E		92.10
C13	42°47'24"	50.00	37.34	N 54°11'29" E		36.48
C14	95°40'43"	60.00	100.19	N 80°38'08" E		88.95
C15	46°05'48"	60.00	48.27	N 28°28'37" W		46.98
C16	131°19'52"	60.00	137.53	N 60°14'13" E		109.34
C17	50°18'59"	25.00	21.95	N 79°15'21" W		21.26

NOTE:
A SIGNED DRAWER IS ON FILE WITH R.H. BATTERMAN & CO., INC., AND
FULLER'S WOODS CONDOMINIUM ASSOCIATION, AS AGREED TO EXCLUDE
THE MONUMENTATION REQUIREMENTS FOR THIS PROPERTY SURVEY AS
SET FORTH IN CHAPTER A-E 7.01 THE WISCONSIN ADMINISTRATIVE CODE
FOR THE MINIMUM STANDARDS FOR PROPERTY SURVEYS.

ORNAMENTS ARE LIMITED COMMON ELEMENTS (LCE)
10' LIMITED COMMON ELEMENTS
SHOWN BY HATCHING



TYPICAL

CITY of BELOIT
Neighborhood Planning Division

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

Application for a Final Subdivision or Condominium Plat

(Please Type or Print) File Number: FS-2011-01

1. Proposed subdivision name: Fuller's Woods Condominium Addendum No. 1, Amending FS-2008-05

2. Address of property: 2700 Block of East Ridge Road

3. Tax Parcel Number(s): 2205 Parcels 0405 through 0585

4. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
 In the SW Quarter of Section 30, Township 1 North, Range 15 East of the 4th P.M.

5. Owner of record: Fuller's Woods Condo Assoc. c/o Marty Densch Phone: 365-5839
2796 East Ridge Road Beloit WI 53511
(Address) (City) (State) (Zip)

6. Applicant's Name: RH Batterman & Co., Inc
2857 Bartells Drive Beloit WI 53511
(Address) (City) (State) (Zip)
365-4464 / /
(Office Phone #) (Cell/Bees #) (E-mail Address)

7. Present zoning classification is: PUD

8. Is the proposed use permitted in this zoning district: Yes

9. THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:
- Copy of Preliminary Plat to Utility Providers: A written statement confirming that the developer submitted copies of the approved preliminary plat to all utility providers as per section 12.03(2).
 - ~~Covenants and Deed Restrictions: copies of any covenants or deed restrictions~~ AMENDMENT
 - Development Agreement & Fee: a copy of a Final Draft or Approved Development Agreement;
 - Contract: A contract for construction of required utilities and public improvements or;
 - A Bond; guarantying the contract for construction or;
 - Letter from the City Engineer; stating that the developer has constructed the required improvements and the City has found they are acceptable to the City Engineer and;
 - Final Plat Map; 10 copies as required by section 12.04(1) including all information required by section 12.04(2) of the Subdivision Ordinance.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct. The undersigned does hereby respectfully make application for and petition the City Plan Commission and City Council to review and approve the Preliminary Subdivision Plat for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

[Signature] RH BATTERMAN 9/8/11
(Signature of applicant) (Print name of applicant) (Date)

This application must be submitted at least 30 days prior to the Plan Commission meeting date.

Review fee: <u>\$300 plus \$15 per lot; \$100 Development Agreement Fee</u>	Amount paid: <u>\$360.00</u>
Scheduled meeting date: <u>October 19, 2011</u>	
Application accepted by: <u>Dr. Jernigan</u>	Date: <u>9/8/11</u>

**RESOLUTION
AUTHORIZING FINAL PAYMENT OF
PUBLIC WORKS CONTRACT C11-20,
BARRETT PLACE REHABILITATION**

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

WHEREAS, the City Engineer, Comptroller, and Attorney recommend final payment to the contractor.

NOW, THEREFORE BE IT RESOLVED, that E & N Hughes Co., Inc., be paid \$2,213.75 as the final payment for Contract C11-20, Barrett Place Rehabilitation, as recommended by the City Engineer.

Dated this 17th day of October 2011.

City Council of the City of Beloit

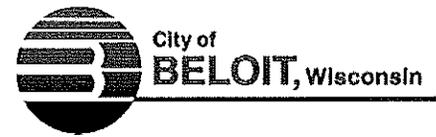
Kevin D. Leavy, President

ATTEST:

Rebecca S. Houseman, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Final Payment for Contract C11-20, Barrett Place Rehabilitation

Date: October 17, 2011

Presenter(s): Michael F. Flesch P.E., City Engineer

Department(s): Public Works/ Engineering

Overview/Background Information:

This project replaced broken curb & gutter, and pavement slabs on Barrett Place between Fourth Street and Third Street.

Key Issues (maximum of 5):

1. The requirements of the contract have been completed to the satisfaction of the City.
2. The awarded contract amount was \$ 16,690.00
Quantity increases and change orders \$ 1,796.50
Net payment due contractor \$ 18,486.50
3. The City Engineer, City Attorney, and Director of Accounting recommend that a final payment be made to E. & N. Hughes Co. in the amount of \$2,213.75.

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

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**
 - This project enhanced the quality of life in Beloit by improving the appearance and quality of ride on this street while lowering street maintenance costs.

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

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

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

Action required/Recommendation:

Approval of the Resolution authorizing the Final Payment.

Fiscal Note/Budget Impact:

Adequate funding is available in the 2011 Capital Improvement Plan.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch

FROM: Andy Hill, Project Engineer 

DATE: September 21, 2011

SUBJECT: Final Payment Contract C11-20
Barrett Place Rehabilitation

The work on this project was completed on August 10, 2011. I have inspected the work and find it to be satisfactory and in compliance with the requirements of the contract. The contractor has asked for final payment. The project was inspected by city staff. The final payment quantities have been approved by the contractor.

The original contract amount was for \$16,690.00, and the final contract amount is \$18,486.50. The increase in cost was due to extension of the original project boundary for correction of adjacent pavement flaws. Payments to date under this contract total \$16,272.75, and all lien waivers from subcontractors are on file.

Therefore, I recommend a final payment in the amount of \$2,213.75 be made to E. & N. Hughes Co.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Andy Hill

FROM: Thomas R. Casper 

DATE: September 28, 2011

SUBJECT: **Public Works Contract C11-20**
Barrett Place Rehabilitation
E&N Hughes Co.

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

/tdh
encs.

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 1.10 AND 1.11 AND TO AMEND 25.04(4)(c) OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO EMERGENCY MANAGEMENT AND CONTINUITY OF GOVERNMENT

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

Section 1. Section 1.10 of the Code of General Ordinances of the City of Beloit is hereby repealed and recreated to read as follows:

“1.10 EMERGENCY MANGEMENT.

- (1) AUTHORITY. This ordinance is enacted pursuant to the provisions of Chapter 323 of the Wisconsin Statutes.
- (2) POLICY AND PURPOSE.
 - (a) Emergency Management requires the preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to minimize and repair injury and damage resulting from disasters of all kinds, including enemy action and natural and unforeseen disasters. It is, therefore, necessary to:
 1. Establish a local Emergency Management Plan.
 2. Provide for the exercise of necessary powers during emergencies resulting from disaster; and
 3. Provide for cooperation and mutual assistance between the City of Beloit and other political subdivisions.
 4. Collaborate with private individuals and entities for the purpose of preparing for, responding to, and recovering from such disasters and emergencies.
 - (b) It is further declared to be the purpose of this ordinance and the policy of the City that all emergency management functions of the City shall be carried out pursuant to this ordinance and the Emergency Management Plan developed hereunder, as part of a countywide emergency management program to the maximum extent practicable. Existing services and resources of this City shall be used as needed. All of this shall be carried out within the framework of Chapter 323 of the Wisconsin Statutes.

(3) DEFINITIONS. Except as otherwise specifically provided in this section, the definitions outlined in Chapter 323 of the Wisconsin Statutes are hereby adopted and, by reference, made a part of this ordinance as if fully set forth herein, including any subsequent amendments or revisions thereto.

(4) EMERGENCY MANAGEMENT COORDINATOR.

(a) Appointment. The City Manager shall be the Emergency Management Coordinator for the City of Beloit.

(b) Duties and Authority.

1. The Emergency Management Coordinator shall have direct responsibility for the organization, administration, and operation of emergency management within the framework of the City's Emergency Management Plan, subject to the direction of the City Council.

2. The Emergency Management Coordinator shall serve as chairperson for the Emergency Management Committee. The Emergency Management Coordinator may establish subcommittees and/or task forces at any time to enhance training, planning, or to prepare various prevention and response strategies to individual risks. Subcommittees and task forces may contain members of the Emergency Management Committee as well as other selected individuals having specialized knowledge, skills, or training that can assist the City in assessing risk and preparing appropriate responses.

3. The Emergency Management Coordinator shall coordinate all activities for emergency management within the City and shall maintain liaison and cooperate with emergency management in local, state and federal governments.

4. The Emergency Management Coordinator shall prepare a comprehensive plan for the emergency management of the City.

5. The Emergency Management Coordinator shall participate in county and state emergency management activities when requested, and shall have such additional responsibilities as may from time to time be required by the City Council.

(5) EMERGENCY MANAGEMENT COMMITTEE.

(a) Membership. There is hereby created a City of Beloit Emergency Management Committee. The Emergency Management Committee shall consist of the City Manager, the Assistant to the City Manager, the City Council President, the Director of General Services/Risk Manager, the Finance and Administrative

Services Director, the City Attorney, the Chief of the Police Department, the Chief of the Fire Department, and the Public Works Director.

- (b) Powers and Duties. The Emergency Management Committee shall be an advisory and planning group and shall advise the City Council in all matters pertaining to emergency management.
- (c) Meetings. The Emergency Management Committee shall meet periodically to coordinate emergency preparedness and shall convene as soon as possible upon the declaration of an emergency. Special meetings may be called at the direction of the committee chairperson.
- (d) Response. Upon notice of a declaration of emergency, each committee member shall respond immediately to the Emergency Operations Center to await further instructions.

(6) EMERGENCY GOVERNMENT DIRECTOR.

- (a) Appointment. The Director of General Services/Risk Manager shall be the Emergency Government Director for the City of Beloit.
- (b) Powers and Duties. The Emergency Government Director shall be under the supervision of the Emergency Management Coordinator and shall perform such day to day duties as are necessary to support planning, training and coordination of emergency management activities. During times of emergency, the Emergency Government Director shall be in charge of the Emergency Operations Center. The Emergency Government Director shall serve as the secretary for the Emergency Management Committee.

(7) EMERGENCY MANAGEMENT PLAN. The Emergency Management Coordinator shall prepare a comprehensive plan for the emergency management of the City of Beloit. Each department of the City shall collaborate with the Emergency Management Coordinator for the purpose of creating an Emergency Management Plan. The Emergency Management Plan created hereunder is hereby approved and adopted herein by reference, including all amendments and revisions thereto. The plan shall be filed with the City Clerk and shall be reviewed and updated at least once every three years. It shall be the duty of all municipal departments of the City to perform the duties and functions prescribed by the Plan.

(8) DECLARATION OF EMERGENCIES.

(a) Declaration of Emergency by the City.

- 1. The City Council is empowered by section 323.11, Wis. Stats., to declare, by ordinance or resolution, an emergency existing within the City of Beloit whenever conditions arise by reason of a riot or civil commotion, a disaster, or an imminent threat of a disaster, that impairs

transportation, food or fuel supplies, medical care, fire, health or police protection, or other critical systems of the City of Beloit.

2. The City Council may, by ordinance or resolution, promulgate any orders, rules, and regulations relating to the conduct of persons and the use of property as shall be necessary and expedient to protect the public peace, health, safety, protection and welfare of persons or property, including prohibiting, restricting, and removing all unnecessary traffic, both vehicular and pedestrian, from highways within the City, and to insure the cooperation necessary in emergency management activities.
3. The period of the emergency shall be limited by the ordinance or resolution to the time during which the emergency conditions exist or are likely to exist.

(b) Declaration by the Governor. The Governor for the State of Wisconsin is empowered by section 323.10, Wis. Stats., to issue an executive order declaring a state of emergency for the State of Wisconsin, or any portion thereof, if the Governor determines that an emergency resulting from a disaster or the imminent threat of a disaster exists. The state of emergency shall not exceed 60 days, unless the state of emergency is extended by joint resolution of the Wisconsin State Legislature. The executive order may be revoked at the discretion of either the Governor by executive order or the Wisconsin State Legislature by joint resolution.

(9) EMERGENCY MANAGEMENT OPERATIONS AND ORGANIZATION.

(a) Emergency Management Coordinator.

1. The Emergency Management Coordinator shall oversee all operations at the Emergency Operations Center and shall have final decision-making authority throughout the state of emergency.
2. Whenever necessary to respond to an emergency for which adequate ordinances or resolutions have not been adopted by the City Council, the Emergency Management Coordinator, or in his/her absence, the person in charge as determined by the order of succession established in subsection (11), below, may, by proclamation, promulgate and enforce such orders, rules, and regulations that appear necessary and expedient. Any proclamation issued hereunder shall be subject to ratification, alteration, modification or repeal by the City Council as soon as the Council can meet. Subsequent action taken by the City Council shall not affect the validity of the proclamation issued by the Emergency Management Coordinator.

3. The Emergency Management Coordinator shall issue all necessary proclamations, warnings, and alerts as required by the Emergency Management Plan.
 4. In preparing and executing the Emergency Management Plan, the Emergency Management Coordinator shall utilize the services, equipment, supplies, and facilities of existing departments of the City to the maximum extent practicable. Officers and personnel of all City departments are directed to cooperate with and extend such services and facilities to the Emergency Management Coordinator.
- (b) Operations Section Chief. The Operations Section Chief will be the member of the Emergency Management Committee and will be determined by whose response discipline would be the primary responder to the emergency (i.e. SWAT incident—Police Chief, snow emergency—Public Works Director).
- (c) Operations.
1. Upon declaration of a state of emergency affecting the City of Beloit, members of the Emergency Management Committee shall serve as the Emergency Management Operations Command Staff under the direction of the Emergency Management Coordinator.
 2. Normal City operations shall continue unless suspended by order or directive of the Emergency Management Coordinator. The Emergency Management Operations Coordinator may require City personnel to perform services performed in the normal and general course of employment to address the state of emergency.
 3. The Emergency Management Operations Command Staff shall plan, direct, coordinate, and control all facets of emergency management operations from the moment an emergency has been formally declared and until the state of emergency is formally lifted.
 4. During a state of emergency declared by the Governor, the Emergency Management Coordinator, on behalf of the City Council, may contract with any person to provide equipment or services to be used to respond to a disaster, or the imminent threat of a disaster.
- (d) Advisory Command Staff Personnel. The City Attorney and the City Council President shall be included as members of the Emergency Management Operations Command Staff as advisors. The City Attorney shall provide all legal advice requested in conjunction with the implementation of emergency procedures. The City Council President shall act as a liaison between the Command Staff and the City Council.
- (10) LOCATION OF EMERGENCY OPERATIONS CENTER. The Emergency Operations Center shall be located the Beloit Police Department Briefing Room at 100 State Street in the

City of Beloit unless that site becomes unsuitable or unusable. In the event that the primary Emergency Operations Center becomes unsuitable or unusable, the Emergency Operations Center shall be located at the Fire Department Headquarters at 1111 Church Street in the City of Beloit. The Emergency Operations Center shall serve as the primary location and control facility from which members of the Emergency Management Committee and their designees shall direct emergency management activities within the City.

- (11) SUCCESSION TO OFFICE. During an emergency, and in the absence of the City Manager, interim successors to the Office of the City Manager shall be in the order listed below:
 - (a) Fire Chief
 - (b) Police Chief
 - (c) Assistant Fire Chief
 - (d) Deputy Police Chief
 - (e) Finance and Administrative Services Director
 - (f) Director of General Services/Risk Manager
 - (g) Assistant to the City Manager

- (12) MUTUAL AID AGREEMENTS. The Emergency Management Coordinator may, subject to the approval of the City Council, enter into mutual aid agreements with other political subdivisions, agencies, and federally recognized American Indian tribes and bands of this state, and, upon prior approval of the Adjutant General, with such entities in bordering states. A copy of each agreement shall be filed with the Office of the Adjutant General of the Department of Military Affairs within 10 days after execution of the agreement.

- (13) PROHIBITED CONDUCT. No person shall willfully obstruct, hinder, or delay any member of the emergency management organization in the enforcement of any order, rule, regulation, or plan issued pursuant to this section, or violate any order, rule, regulation, or plan issued pursuant to the authority contained in this section. Any person who shall violate any provision of the section shall upon conviction thereof be subject to a penalty as provided in 25.04 of this code.”

Section 2. Section 1.11 of the Code of General Ordinances of the City of Beloit is hereby repealed and recreated to read as follows:

“1.11 CONTINUITY OF GOVERNMENT.

- (1) AUTHORITY. This ordinance is enacted pursuant to the provisions of Chapter 323 of the Wisconsin Statutes.

- (2) POLICY AND PURPOSE. Because of the existing possibility of a disaster or imminent threat of a disaster of unprecedented size and destructiveness, and in order, in the event of such disaster, to assure the continuation of effective, legally constituted leadership, authority, and responsibilities in the offices of the government of the City of Beloit, it is necessary to provide for emergency interim officers who can exercise the

powers and discharge the duties of the City Manager, the City Council, and Department Heads in the event that the incumbents are killed, missing, disabled, or for some other cause unable to perform the duties and functions of their offices during and immediately after a disaster.

(3) DEFINITIONS. Except as otherwise specifically provided in this section, the definitions outlined in Chapter 323 of the Wisconsin Statutes are hereby adopted and, by reference, made a part of this ordinance as if fully set forth herein, including any subsequent amendments or revisions thereto. For the purposes of this section, "Duly Authorized Deputy" means a person who is presently authorized to perform all of the functions, exercise all of the powers and discharge all of the duties of an office in the event the office is vacant or at such times as it lacks administration due to the death, absence or disability of the incumbent officer.

(4) EMERGENCY TEMPORARY LOCATIONS OF CITY GOVERNMENT.

(a) Designation of Emergency Temporary Locations. Whenever during a state of emergency it becomes imprudent, inexpedient, or impossible to conduct the affairs of the City at the regular or usual place, the City Council may meet at any place within or without the territorial limits of the City of Beloit on the call of the City Council President or his or her successor, and shall proceed to establish and designate by ordinance, resolution, or other manner, alternate or substitute places as the temporary locations of government where all, or any part, of the public business may be transacted and conducted during the emergency situation. Such alternate or substitute places may be within or without the territorial limits of the City of Beloit and may be within or without the territorial limits of the State of Wisconsin. If practicable, the temporary locations shall be the places designated as the temporary locations of government in the current Emergency Management Plan.

(b) Exercise of Governmental Authority. While the public business is being conducted at a temporary location, the City Council and other officers of the City of Beloit shall possess and exercise all of the executive, legislative, administrative, and judicial powers and functions conferred upon the City Council and City officers under state law. Those powers and functions, except judicial, may be exercised in the light of the exigencies of the emergency situation without regard to or compliance with time-consuming procedures and formalities prescribed by law. All acts of the City Council and City officers shall be as valid and binding as if performed within the territorial limits of the City of Beloit.

(5) DESIGNATION, STATUS, QUALIFICATIONS, AND TERM OF INTERIM SUCCESSORS. Pursuant to the enabling authority granted by Chapter 323 of the Wisconsin Statutes, the City Council makes the following provisions for emergency succession to City offices:

(a) Elective Offices. During an emergency, and in the absence of a quorum of sitting city councilors, interim successors to the elective office of city councilor shall be as follows and in the following order of rank:

1. Plan Commission Chairperson
2. Police and Fire Commission Chairperson
3. Library Board Chairperson
4. Parks, Recreation and Conservation Advisory Commission Chairperson
5. Community Development Authority Chairperson
6. Appointment Review Committee Chairperson
7. Alcohol Beverage License Control Committee Chairperson
8. Equal Opportunities and Human Relations Commission Chairperson
9. Landmarks Commission Chairperson

(b) City Manager. Succession to the office of the City Manager shall be as provided in section 1.10(11) of the Municipal Code.

(c) Department Heads. Within 30 days after adoption of the ordinance from which this section is derived and within 30 days of being appointed as Department Head, the Department Heads for the Police Department, Fire Department, Finance and Administrative Services Department and Public Works Department shall designate by name and order of rank, two interim successors after any duly authorized deputy so there will not be less than three interim successors for each Department Head. The names and designated order of the interim successors shall be city employees and shall be approved by the City Manager.

(d) Review of Designations. The City Manager, and the incumbent in the case of those Department Heads specified in subsection (c), above, shall review and, as necessary, promptly revise the designations of interim successors to insure that at all times there are at least three such qualified interim successors for each office or department.

(e) Qualifications. No person shall be designated or serve as an interim successor unless he or she may under the Wisconsin Constitution, Wisconsin Statutes, and the ordinances of the City of Beloit hold the office of the person to whose powers and duties he or she is designated to succeed. No provision of any ordinance or law prohibiting an officer or employee of this City from holding another office shall be applicable to an interim successor, provided no person shall be designated as interim successor to more than one office.

(f) Status of Designee. A person designated as interim successor holds that designation at the pleasure of the designating authority and may be removed or replaced by such designating authority at any time, with or without cause, provided he or she must be replaced if removed. He or she retains the designation as interim successor until replaced by another person appointed by the authorized designator.

(6) ASSUMPTION OF POWERS AND DUTIES BY INTERIM SUCCESSORS. If in the event of a disaster or imminent threat of a disaster any officer or his duly authorized deputy is unavailable, his or her interim successor highest in rank in order of succession that is not unavailable shall exercise the powers and discharge the duties of each officer. An

interim successor shall exercise the powers and discharge the duties of the office only until such time as the lawful incumbent officer or any duly authorized deputy or interim successor higher in rank or in order of succession exercises or resumes the exercise of the powers and duties of the office, or until, where an actual vacancy exists, a successor is appointed to fill such vacancy or is elected and qualified as provided by law. The interim successor shall not have the power to appoint interim successors.

- (7) RECORDING AND PUBLICATION. The designation and rank of an interim successor shall become effective when the designator files with the City Clerk the successor's name, address and rank in order of succession. The City Clerk shall keep on file all such data regarding interim successors.
- (8) FORMALITIES OF TAKING OFFICE. Interim successors shall take such oath as may be required to qualify them to exercise the powers and discharge the duties of the officer to whom they may succeed. No person as a prerequisite to the exercise of the power or discharge of the duties of an officer whom he succeeds shall be required to comply with any other provision of law relative to taking office.
- (9) EMERGENCY MEETINGS OF THE CITY COUNCIL. During an emergency resulting from a disaster or an imminent threat of a disaster, the City Council may, notwithstanding any ordinance or bylaw to the contrary, call and conduct regular, special and emergency meetings and reconstitute itself in the following manner:
 - (a) Any member of the City Council, including any acting interim successor, or the City Manager may call a meeting of the Council by notifying every other available member or acting interim successor personally or by leaving written notice at his place of abode of the time and place of such meeting. The place of meeting may be within or without the City or State as provided by Ch. 323, Wis. Stats.
 - (b) Whenever the number of members of the City Council, including their acting interim successors, are less than a quorum or less than the number required by law to approve any ordinance, resolution, or other action pending before the Council, any number of members or their acting interim successors may meet for the purpose of reconstituting the Council and may designate interim successors to succeed to the powers and duties of any unavailable councilor in accordance with the provisions of this section. The President of the City Council or his or her acting interim successor shall set the place of meeting and preside there. If they are unavailable, the member or interim successor calling the meeting shall be deemed to be the presiding officer of the Council for these purposes until the City Council selects a new presiding officer and acting interim successors.”

Section 3. Section 25.04(4)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to add in numerical order to the Schedule of Cash Deposits the following penalty provision for violations of the Emergency Management Ordinance:

Section	Offense	First Offense	Second Offense	Third and Subsequent Offense
1.10(13)	Obstructing Emergency Management Personnel or Violation of Emergency Management Order/Rule/Regulation	200	200	200

Section 4. This ordinance shall be in force and take effect upon passage and publication.

Adopted this _____ day of October, 2011.

BELOIT CITY COUNCIL

By: _____
Kevin D. Leavy, President

ATTEST:

By: _____
Rebecca S. Houseman, City Clerk

PUBLISHED: _____
EFFECTIVE DATE: _____
01-611100-5231- _____

tdh/ordinances/1.10, 1.11, 25.04(4)(c) = ORD 111011 (11-1165)

October 17, 2011

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

The undersigned Kevin D. Leavy, duly elected President of the Beloit City Council, subject to confirmation by the Beloit City Council, does hereby appoint the following citizen members to the vacancies and terms indicated below, said appointments being pursuant to nominations made and approved by the Appointment Review Committee at the regular meeting held October 10, 2011:

Kevin D. Leavy, President
Beloit City Council

Appointments

Alcohol Beverage License Control Committee

Frank J. Marsden, 1525 Lincoln Heights for a term expiring June 30, 2014

Board of Appeals

Charles Kincaid, 1611 Emerson (replacing Brenda Jensen) for a term ending May 31, 2013

Merlin L. Bussan, 3479 Field Crest Ct. (replacing Randall Fiore) as First Alternate for a term ending May 31, 2014

Disabled Parking Enforcement Assistance Council

Incumbent **Roger Spenle** to a term ending October 31, 2014

Landmarks Commission

Incumbent **Rick McGrath** to a term ending October 31, 2014

Incumbent **Shari Carley** to a term ending October 31, 2014

PLEASE ANNOUNCE THE FOLLOWING VACANCIES

Alcohol Beverage License Control Committee (1 vacancy for School Board Representative)
Board of Ethics (1 vacancy for former City Councilor)
Board of Review (1 vacancy [as Alternate] for resident)
Disabled Parking Enforcement Assistance Council (3 vacancies for residents with disabled plates)
Equal Opportunities and Human Relations Commission (2 vacancies for residents)
Municipal Golf Committee (1 vacancy for youth representative)
Municipal Library Board (1 vacancy for resident of Beloit or town adjacent to the City)
Park, Recreation & Conservation Advisory Commission (1 vacancy for resident and 1 vacancy for youth)
Traffic Review Committee (1 vacancy for resident)

**RESOLUTION
AWARDING COMPOSTING BID AND AUTHORIZING CITY MANAGER TO
ENTER INTO A CONTRACT FOR SERVICES**

WHEREAS, this CONTRACT is programed as part of the 2011 operating Budget; and

WHEREAS, two responsible proposals were received in response to the advertisement for bids; and

WHEREAS, the proposal is for a 3 year agreement in order to have a stable Yard Waste Drop Off Facility for the City of Beloit; and

WHEREAS, the City has contracted with Leaflan Compost Center since 1991; and

WHEREAS, the contractor submitting the low bid was Leaflan Compost Center.

NOW, THEREFORE BE IT RESOLVED that the Composting Yard Waste Contract be, and hereby is, awarded to Joseph Perkins d.b.a. Leaflan Compost Center, 7519 West St. Lawrence Road, Beloit, Wisconsin, 53511.

Bid is at \$16.00/ton of yard waste annual cost reflected as approximate.

Year:	2012	2013	2014
	\$16,000	\$16,000	\$16,000

FURTHER, LET IT BE RESOLVED that the amounts shown are approximate and will be based on exact tonnage.

Dated at Beloit, Wisconsin, this 17th day of October, 2011.

BELOIT CITY COUNCIL

Kevin D. Leavy, President

Attest:

Rebecca S. Houseman, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Award for Public Works Contract – Composting Yard Waste

Date: October 17, 2011

Presenter(s): Chris Walsh

Department(s): Public Works

Overview/Background Information:

The city collects approximately 1,000 tons of yard waste annually from its curbside collection program. A Request for Proposals was issued for a 5 year composting, yard waste program. All bids were rejected, the second RFP reflects a 3 year contract, for the processing of the curbside yardwaste only.

Key Issues:

1. Compost residential yard waste generated by the residents of the City of Beloit delivered by the City of Beloit crew per the yard waste stickers program and fall clean up.
 2. This program change reflects an annual savings to the city of \$52,000.00 or \$156,000.00 over the three year contract.
 3. Provide up to 50 yards of mulch for the City of Beloit Department of Public Works at no charge as needed.
 4. Two proposals were received including Bedrock Grinding and Leafan Compost Center.
 5. Residents will have the option of utilizing both Bedrock Grinding and Leafan Compost Center separate from contract price if any to be determined by these vendors with the residents.
-

Conformance to Strategic Plan:

1. Promotes a safe and healthy community.
 2. Protects our natural resources.
-

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

- **Reduce dependence upon fossil fuels**
Energy savings by reusing yard waste.
 - **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
Materials will be processed into mulch an organic material to be incorporated into the soil.
 - **Reduce dependence on activities that harm life sustaining eco-systems**
Recycling and reuse of yard waste saves landfill space prevents air, water and soil pollution.
 - **Meet the hierarchy of present and future human needs fairly and efficiently**
Usable organic materials will be recycled for reuse.
-

Action required/Recommendation:

- Allow City Manager to enter into a contract with the successful low bidder, Leafan Compost Center.
-

Fiscal Note/Budget Impact:

Annual cost is at \$16.00/ton or \$16,000.00 three years of the contract will cost the city approximately \$48,000.00.

**RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY
\$4,325,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011B**

WHEREAS, the City Council of the City of Beloit, Rock County, Wisconsin (the "City") is presently in need of approximately \$4,325,000 for the public purpose of refunding obligations of the City, including interest on them (the "Refunding");

WHEREAS, the City Council deems it to be necessary, desirable and in the best interest of the City to undertake the Refunding to refund the City's Taxable General Obligation Refunding Bonds, Series 2003C, dated July 1, 2003, State Trust Fund Loan, dated November 23, 2005, State Trust Fund Loan, dated January 26, 2007, and State Trust Fund Loan, dated June 30, 2008 (collectively, the "Refunded Obligations") for the purpose of achieving debt service cost savings;

WHEREAS, due to certain provisions contained in the Internal Revenue Code of 1986, as amended, it is necessary to issue such general obligation refunding bonds on a taxable rather than tax-exempt basis; and

WHEREAS, the City Council of the City hereby finds and determines that taxable general obligation refunding bonds in an amount of approximately \$4,325,000 should be issued for that purpose pursuant to Section 67.04, Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City that:

Section 1. Issuance of the Bonds. The City shall issue Taxable General Obligation Refunding Bonds, Series 2011B (the "Bonds") in an amount of approximately \$4,325,000 for the purpose above specified.

Section 2. Sale of the Bonds. The City Council hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the City Council shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Sale. The City Clerk (in consultation with the City's financial advisor, Ehlers & Associates, Inc. ("Ehlers")) is hereby authorized and directed to cause the sale of the Bonds to be publicized at such times and in such manner as the City Clerk may determine and to cause copies of a complete official Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk (in consultation with Ehlers) may determine.

Section 4. Official Statement. The City Clerk (in consultation with Ehlers) shall also cause an Official Statement to be prepared and distributed. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Section 5. Award of the Bonds. Following receipt of bids for the Bonds, the City Council shall consider taking further action to provide the details of the Bonds; to award the Bonds to the lowest responsible bidder therefor; and to levy a direct annual irrepealable tax sufficient to pay the principal of and interest on the Bonds as the same becomes due as required by law.

Section 6. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the City Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded October 17, 2011.

Kevin D. Leavy
City Council President

ATTEST:

Rebecca S. Houseman
City Clerk

(SEAL)

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Resolution Providing for the Sale of Approximately \$4,325,000 Taxable General Obligation Refunding Bonds, Series 2011B

Date: October 17, 2011

Presenter(s): Paul York, Finance, and Administrative Services Director

Department(s): Finance and Administrative Services

Overview/Background Information: The city recently contacted its financial advisor Ehlers and Associates, about the potential opportunity to refinance some of its outstanding general obligation debt to take advantage of recently declining interest rates. During their review they concluded that outstanding debt from 2003 and the 2005, 2007 and 2008 State Trust Fund Loans are candidates for consideration of a refunding. Their analysis indicates that based on recent interest rates a savings in excess of \$250,000 is possible by refunding these bond issues. This will involve the issuance of up to \$4,325,000 in replacement debt on these bonds. It is staff's recommendation to proceed with this refunding. A representative from Ehlers will be attending the council meeting to present their findings on this refunding opportunity.

Key Issues (maximum of 5):

1. The city has an opportunity to save over \$250,000 in debt service costs by advance refunding its outstanding 2003 general obligation bonds and 2005, 2007 and 2008 State Trust Fund Loans.

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

N/A

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

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

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

Action required/Recommendation:

Staff recommends approval of the resolution providing for the sale of up to \$4,325,000 in taxable general obligation refunding bonds.

Fiscal Note/Budget Impact:

A potential debt service savings in excess of \$250,000 can be realized by issuing these refunding bonds.

**RESOLUTION
APPROVING FARM LEASES
BETWEEN THE CITY OF БЕЛОIT
AND WALSH AGRICULTURAL HOLDINGS, LLC**

The City Council of the City of Beloit, Rock County, Wisconsin, hereby resolves that the attached Farm Leases between the City of Beloit and Walsh Agricultural Holdings, LLC be, and the same is hereby, approved.

BE IT FURTHER RESOLVED that the City Manager of the City of Beloit be, and he is hereby, authorized to enter into the Farm Leases on behalf of the City of Beloit.

Adopted at Beloit, Wisconsin this 17th day of October, 2011.

City Council of the City of Beloit

Kevin D. Leavy, President

ATTEST:

Rebecca S. Houseman, City Clerk

Topic: Resolution approving farm leases between Walsh Agricultural Holdings LLC and the City of Beloit.

Date: 10/17/11

Presenter(s): Andrew Janke

Department(s): Economic Development

Overview/Background Information:

Staff is recommending a Lease to Walsh Agricultural Holdings LLC for the City and GBEDC owned land.

Gateway Farmland: For 2012, we have farmland in the Gateway development area available for lease – 231 acres. The acreage lies east of I-90, north and south of Colley Road. Note the total revenue from this lease is forwarded in its entirety to the landowner, the Greater Beloit Economic Development Corporation.

Parcels 9-11: The lease is for 112.6 acres. The acreage surrounds the wastewater treatment plant in TID #8.

It is noted the highest proposal on both leases is from Walsh Agricultural Holdings, LLC. One of the members of the LLC is the adult son of a city employee, Christine Walsh. Ms. Walsh holds no ownership interest in the LLC and the City Attorney has reviewed applicable City and State ethics requirements and this transaction is consistent with all the provisions therein.

Furthermore this was a public RFP process with a significant number of responses and more than doubles the prior per acre lease fees being paid.

Key Issues (maximum of 5):

1. RFPs were sent September 20, 2011, to 14 farming operations; with the deadline of 5:00 PM, September 30, 2011, the following bids for each farm lease were received.
2. Gateway:
 - Bid A: \$231.00 per acre for \$51,774.00 – (Twin Oaks Farm)
 - Bid B: \$188.00 per acre for \$42,112 - (Nick Venable Farms)
 - Bid C: \$120.00 per acre for \$26,880.00 - (Robert Lang)
 - Bid D: \$285.00 per acre for \$63,840 – (Walsh Agricultural Holdings, LLC)
 - Bid E: \$276.51 per acre for \$61,938.24 (Gary and Michelle Hahn)
3. Parcels 9-11:
 - Bid A: \$211 per acre for \$23,770.99 – (Shepherds Seed Farm)
 - Bid B: \$231.00 per acre for \$26,010.60 – (Twin Oaks Farm)
 - Bid C: \$192.00 per acre for \$21,619.20 - (Nick Venable Farms)
 - Bid D: \$120.00 per acre for \$13,512.00 – (Robert Lang)
 - Bid E: \$285.00 per acre for \$32,091.00 – (Walsh Agricultural Holdings)
 - Bid F: \$276.51 per acre for \$31,135.03 – (Gary and Michelle Hahn)

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.): As the leased land is zoned for future industrial development, it supports Goal #2 since it could result in the creation of new jobs and leverage new private investment.

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** – These leases reduce the dependence on fossil fuel as some of the harvested corn is used in the production of ethanol.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – NA
- **Reduce dependence on activities that harm life sustaining eco-systems** – The proposed activity will not impact wetlands or sensitive wildlife.
- **Meet the hierarchy of present and future human needs fairly and efficiently** – Some of the corn harvested will meet human needs by being put into food production.

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

Action required/Recommendation: Staff recommends approval of the resolution.

Fiscal Note/Budget Impact: Rental income for the Gateway property is directed to the land's owner the Greater Beloit Economic Development Corporation. Rental income for the wastewater property is directed to TID # 8.

GATEWAY FARM

LEASE

THIS LEASE is made this 1st of November, 2011, by and between the **City of Beloit**, a Wisconsin municipal corporation, with its principal place of business located at 100 State Street, Beloit, Wisconsin 53511 (hereinafter referred to as "**Lessor**"), and Walsh Agricultural Holdings, LLC, with a principal place of business located at 11817 S. Stateline Rd., Beloit, WI 53511 (hereinafter referred to as "**Lessee**").

1. **Leased Premises:** **Lessor** hereby leases to **Lessee** the property described on Exhibit A (map) which is attached hereto. The leased premises consist of approximately 224 tillable acres of farmland. There are no buildings on the leased premises as shown on Exhibit A.

2. **Term:** This Lease shall commence upon the date of execution hereof and end on December 31, 2012.

3. **Rent:** **The Lessee** shall pay to the **Lessor** as rent for the Lease of the property described above the sum of \$63,840 payable at the Office of the City Treasurer, City Hall (Attn: Finance), 100 State Street, Beloit, Wisconsin, as follows:

\$31,920 on or before May 20, 2012; and

\$31,920 on or before November 18, 2012.

4. **Rent Abatement:** **Lessor** shall have the right to sell any portion of the leased premises during the term of this lease and upon closing of such sale, this Lease shall automatically terminate with respect to that portion of the Premises that is sold. **Lessee** hereby permits the **Lessor**

and any prospective buyer or their agents or designees of the leased premises to enter upon the same for the purpose of conducting soil borings and/or surveying the leased premises, provided that buyer gives **Lessee** five days' notice of buyer's intent to enter thereon. Neither **Lessor nor** the prospective buyer shall be liable for any crop damage resulting from soil borings or surveying activities, provided that such damage is kept to the minimum amount necessary to accomplish the same. If **Lessor** sells any portion of the leased premises during the term of this lease, **Lessor** shall require the buyer, as a condition of sale, to either:

- (a) Permit **Lessee** to harvest the crops during the term of this lease; or
- (b) Pay **Lessee** for any crops damaged by buyer upon such terms and conditions the **Lessee** and buyer shall agree.

5. **Condition of Premises:** **Lessee** has examined the premises and knows the condition thereof. No representations have been made to **Lessee** by **Lessor** regarding the condition of the property.

6. **Permitted Uses:** The leased premises shall be used solely for the purpose of growing crops. **Lessee** agrees that it will not permit any hazardous substance or hazardous materials to be discharged upon the leased premises and will not commit waste upon the premises.

7. **Indemnification:** **Lessee** agrees to hold **Lessor** harmless and to indemnify **Lessor** for any liability arising from **Lessee's** use of the premises during the term of this Lease.

8. **Sublease and Assignment Prohibited:** **Lessee** may not assign this Lease or sublet the premises without the written consent of the **Lessor**.

9. **Best Management Practices:** Lessee agrees to control soil erosion and to use best management practices during the term of this lease.

10. **Insurance - Certificate of Insurance:** Lessee shall, at Lessee's expense, procure the following insurance policies from insurance companies licensed to do business in the State of Wisconsin, in amounts and coverages not less than hereinafter set forth:

(a) **General Liability Insurance:**

(1) Each Occurrence Limit \$1,000,000.00

(b) **Automobile Liability Insurance:** The Lessee shall provide Automobile Liability insurance covering all vehicles used by Lessee in the amount of \$500,000.00.

Lessee shall provide Lessor with a certificate of insurance. The certificate shall name the Lessor as certificate holder and shall unequivocally provide that the policies of insurance shall not be canceled or altered without sixty (60) days prior written notice to Lessor. Said certificate shall be provided to Lessor at the time of execution hereof and further certificates shall be provided immediately upon expiration of any policy or policies subject to the initial certificate.

11. **Removal of Crops:** Lessee shall remove all crops from the leased premises prior to the expiration of this Lease. Any crops or equipment remaining on the leased premises at the time of expiration of this Lease shall be deemed abandoned and become the property of the Lessor.

12. **Storage of Farm Equipment:** Lessee shall not store farm equipment or other moveable property on the leased premises at any time. However, during the planting and harvesting seasons, farm equipment may be kept on the premises overnight, but only while the Lessee is actively engaged in planting or harvesting.

13. **Hunting Prohibited:** Neither party shall permit any person to enter the leased premises for the purpose of hunting, shooting or capturing any wild animals during the term of this Lease. Lessee may, as Lessor's agent, post "No Hunting" signs on the property.

14. **Default:** If Lessee commits waste or stores any farm equipment or moveable property upon the leased premises in violation of this Lease, Lessor shall give Lessee five (5) days' notice to cure Lessee's default. If Lessee does not cure the default within five (5) days, Lessee shall pay to Lessor a penalty of \$100.00 per day for each day that Lessee continues to commit waste or continues to store equipment or moveable property on the leased premises in violation of this agreement.

15. **Access To Property:** Lessee shall access the leased premises from that portion of Colley Road and from County P adjacent to the leased premises.

16. **Affirmative Action:** Lessee agrees to adopt an affirmative action plan to increase in its partners, associates, and employees members of under-represented groups in all of its departments, job classifications, and salary categories. In the event that Lessee subcontracts any portion of this Lease, Lessee will include, in its subcontracts, a requirement that its subcontractors adopt an affirmative action plan. Lessee will also include a requirement that its subcontractors include a similar requirement in their contracts with their subcontractors. This provision is inserted herein in compliance with Section 1.09 of the Code of General Ordinances of the City of Beloit,

and shall be interpreted so as to carry out the intent of that ordinance.

17. **Nondiscrimination:** Lessee will not discriminate against any qualified employee or qualified applicant for employment because of race, color, national origin, ancestry, religion, age, marital status, disability, sex, or sexual orientation. In the event any portion of this Lease is subcontracted by Lessee, Lessee shall include in such subcontract, a provision prohibiting the subcontractor from discriminating against any qualified employee or qualified applicant for employment because of race, color, national origin, ancestry, religion, age, marital status, disability, sex, or sexual orientation. This provision is inserted herein in compliance with Section 1.09 of the Code of General Ordinances of the City of Beloit, and shall be interpreted so as to carry out the intent of said ordinance.

18. **Amendments:** This Lease may be amended only by written mutual agreement of the Lessor and Lessee.

19. **Notices:** Notices to the parties to this Lease shall be as follows:

To Lessor: City of Beloit

Attn: Andrew L. Janke, CPM

100 State Street

Beloit WI 53511

To Lessee: Walsh Agricultural Holdings, LLC

Aaron Walsh

11817 S. Stateline Rd.

Beloit, WI 53511

IN WITNESS WHEREOF, the parties have executed this Lease as of the date first written above.

LESSOR: CITY OF BELOIT

LESSEE:

By: _____
Larry N. Arft, City Manager

By: _____
Aaron Walsh

Attest:

By: _____
Rebecca S. Houseman, City Clerk

Approved as to Form:

By: _____
Thomas R. Casper, City Attorney

LAND OWNER:

GREATER BELOIT ECONOMIC DEVELOPMENT CORPORATION

By: _____

John Nicholas, Chairman

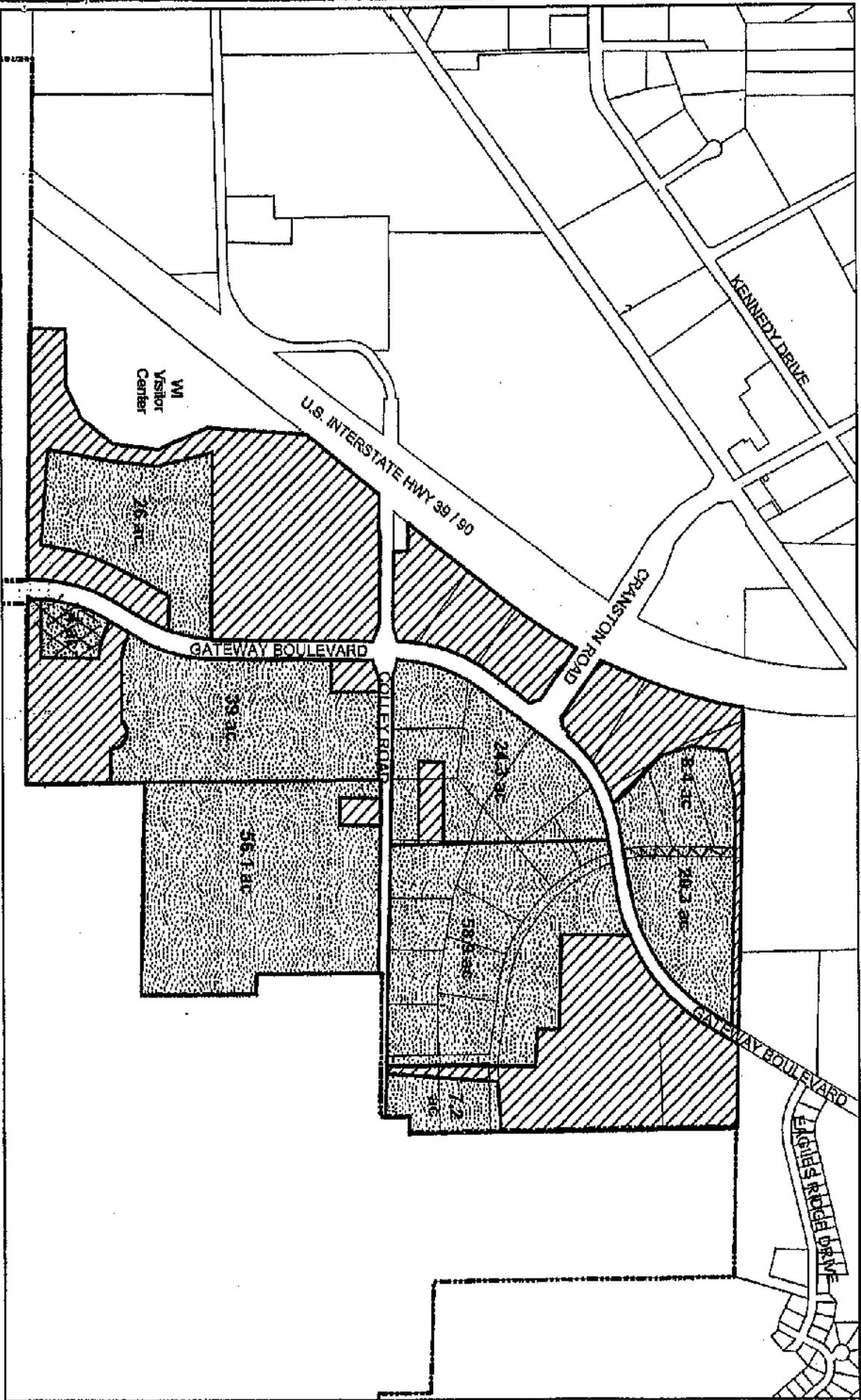
OPTION HOLDER:

MLG COMMERCIAL

By: _____

Andy Teske, Corporate Council

CITY OF BELOIT GATEWAY AREA FARMING MAP



Legend

-  Non Farmed
-  Farmable
-  City Limits



THIS MAP IS INTENDED TO BE AN INDICATOR OF FARM, NONFARM, AND FARMABLE LAND. THE CITY OF BELOIT AND ITS ENGINEERING DIVISION DO NOT WARRANT THE ACCURACY OF THE DATA OR THE RESULTS OF THE ANALYSIS. THE CITY OF BELOIT AND ITS ENGINEERING DIVISION ARE NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR IN THE USE OF THIS MAP. THE CITY OF BELOIT AND ITS ENGINEERING DIVISION ARE NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, THAT MAY BE INCURRED BY ANY USER OF THIS MAP.

Drawn by: Kathy Benz
 Engineering Division
 December 2, 2005



CITY OF BELOIT, WISCONSIN
 Superior Planning. Superior Service.

WILLOWBROOK FARM

LEASE

THIS LEASE is made this 1st of November, 2011, by and between the **City of Beloit**, a Wisconsin municipal corporation, with its principal place of business located at 100 State Street, Beloit, Wisconsin 53511 (hereinafter referred to as "**Lessor**"), and Walsh Agricultural Holdings, LLC with a principal place of business located at 11817 S. Stateline Rd., Beloit, WI 53511 (hereinafter referred to as "**Lessee**").

1. **Leased Premises:** **Lessor** hereby leases to **Lessee** the property described on Exhibit A (map) which is attached hereto. The leased premises consist of approximately 112.6 tillable acres of farmland. There are no buildings on the leased premises as shown on Exhibit A.

2. **Term:** This Lease shall commence upon the date of execution hereof and end on December 31, 2012.

3. **Rent:** The **Lessee** shall pay to the **Lessor** as rent for the Lease of the property described above the sum of \$32,091 payable at the Office of the City Treasurer, City Hall (Attn: Finance), 100 State Street, Beloit, Wisconsin, as follows:

\$16,045.50 on or before May 20, 2012; and

\$16,045.50 on or before November 18, 2012.

4. **Rent Abatement:** **Lessor** shall have the right to sell any portion of the leased premises during the term of this lease and upon closing of such sale, this Lease shall automatically terminate with respect to that portion of the Premises that is sold. **Lessee** hereby permits the **Lessor** and any prospective buyer or their agents or designees of the leased premises to enter upon the same for the purpose of conducting soil borings and/or surveying the leased premises, provided that buyer gives **Lessee** five days' notice of buyer's intent to enter thereon.

Neither **Lessor** nor the prospective buyer shall be liable for any crop damage resulting from soil borings or surveying activities, provided that such damage is kept to the minimum amount necessary to accomplish the same. If **Lessor** sells any portion of the leased premises during the term of this lease, **Lessor** shall require the buyer, as a condition of sale, to either:

- (a) Permit **Lessee** to harvest the crops during the term of this lease; or
- (b) Pay **Lessee** for any crops damaged by buyer upon such terms and conditions the **Lessee** and buyer shall agree.

5. **Condition of Premises:** **Lessee** has examined the premises and knows the condition thereof. No representations have been made to **Lessee** by **Lessor** regarding the condition of the property.

6. **Permitted Uses:** The leased premises shall be used solely for the purpose of growing crops. **Lessee** agrees that it will not permit any hazardous substance or hazardous materials to be discharged upon the leased premises and will not commit waste upon the premises.

7. **Indemnification:** **Lessee** agrees to hold **Lessor** harmless and to indemnify **Lessor** for any liability arising from **Lessee's** use of the premises during the term of this Lease.

8. **Sublease and Assignment Prohibited:** **Lessee** may not assign this Lease or sublet the premises without the written consent of the **Lessor**.

9. **Best Management Practices:** **Lessee** agrees to control soil erosion and to use best management practices during the term of this lease.

10. **Insurance - Certificate of Insurance:** **Lessee** shall, at **Lessee's** expense, procure the following insurance policies from insurance companies licensed to do business in the State of Wisconsin, in amounts and coverages not less than hereinafter set forth:

(a) **General Liability Insurance:**

(1) Each Occurrence Limit \$1,000,000.00

(b) **Automobile Liability Insurance:** The Lessee shall provide Automobile Liability insurance covering all vehicles used by Lessee in the amount of \$500,000.00.

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Aaron Walsh
11817 S. Stateline Rd.
Beloit, WI 53511

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LESSOR: CITY OF BELOIT

LESSEE:

By: _____

By: _____

Larry N. Arft, City Manager

Aaron Walsh

Attest:

By: _____

Rebecca S. Houseman, City Clerk

Approved as to Form:

By: _____

Thomas R. Casper, City Attorney

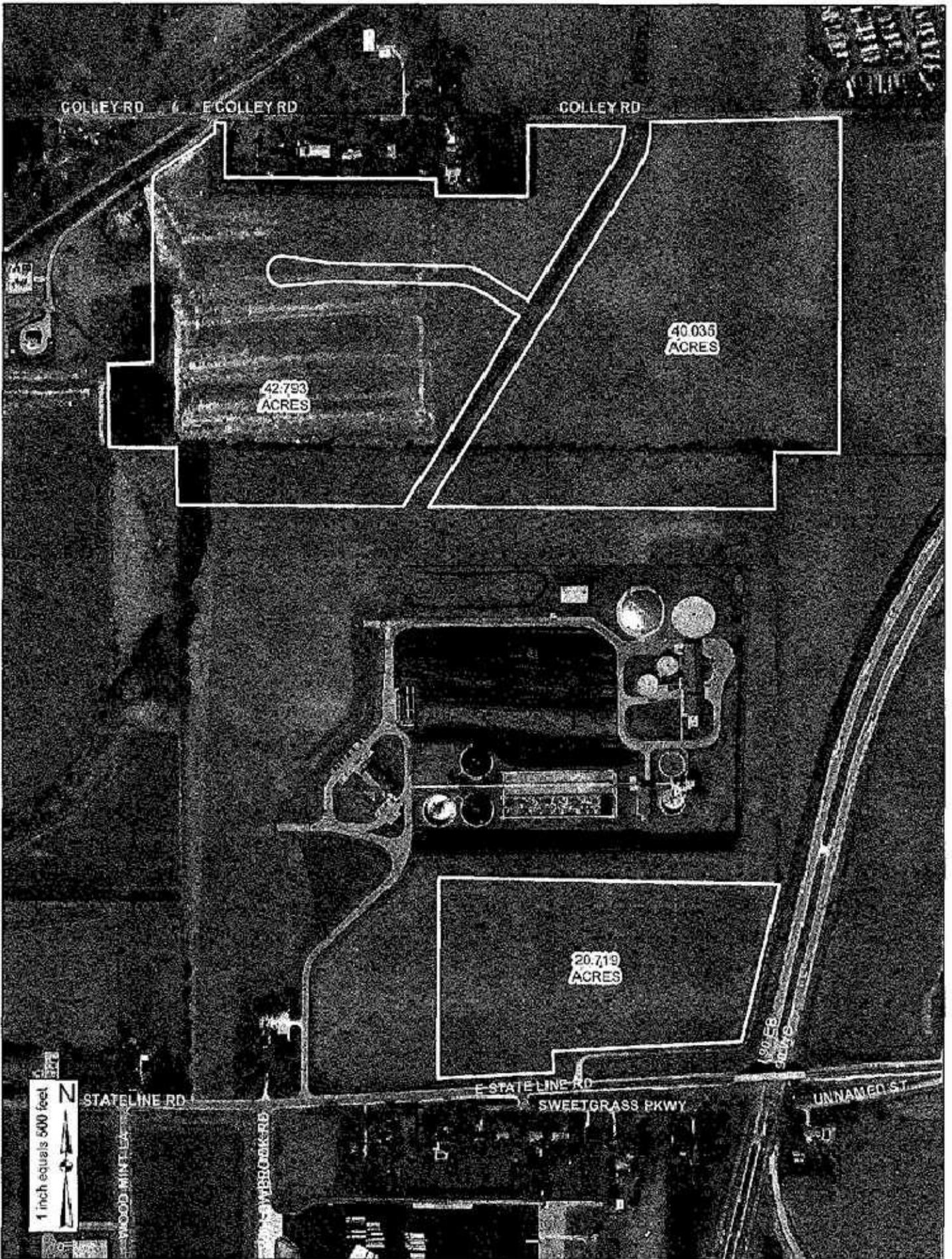


Exhibit A