



**AGENDA  
BELOIT CITY COUNCIL  
100 State Street, Beloit WI 53511  
City Hall Forum – 7:00 p.m.  
Monday, May 2, 2011**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDER OF THE DAY/ANNOUNCEMENTS
  - a. Recognition of Beloit Transit System for Receipt of the **2010 Statewide Transit Safety Award** – Presented by Representative Amy Loudenberg
  - b. Proclamation Declaring April 29, 2011 **Arbor Day** (Botts)
  - c. Proclamation Declaring May 1 through May 7, 2011 **Municipal Clerks Week** (Houseman)
4. PUBLIC HEARINGS
  - a. Public Hearing regarding a Resolution authorizing **Sanitary Sewer and Water System Improvements and Levying Specials Assessments** Against Benefited Property (Resolution to be acted upon under Section 11) (Botts)
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 April 18 and Reorganizational Meeting of April 19, 2011 (Houseman)
- b. Applications for **Renewal Alcohol Beverage Licenses** for License Period July 1, 2011- June 30, 2012 (Houseman) Refer to ABLCC
- c. Application for a **Class A Beer and Liquor License** for Dollar General located at 1520 Madison Road (Houseman) Refer to ABLCC
- d. Application for a **Class A Beer and Liquor License** for Dollar General located at 2240 Prairie Avenue (Houseman) Refer to ABLCC
- e. Application for a **Class "A" Beer and "Class A" Liquor License** for Prairie Beverage Mart located at 2705 Prairie Avenue (Houseman) Refer to ABLCC
- f. Application for a **Class "B" Beer and "Class C" Wine License** for Atlanta Bread Beloit LLC, d/b/a Atlanta Bread Beloit located at 2747 Milwaukee Road (Houseman) Refer to ABLCC

- g. Application for a **Class “B” Beer and “Class B” Liquor License** for HRNS V Entertainment, d/b/a La Movida located at 1310 Cranston Road (Houseman) Refer to ABLCC
- h. Application for a **Class “A” Beer and “Class A” Liquor License** for Akshar Brahma Inc., d/b/a Tobacco Shack located at 1212 Cranston Road (Houseman) Refer to ABLCC
- i. Application for a **Class “B” Beer and “Class C” Wine License** for El Rancho Restaurant LLC, d/b/a El Rancho Restaurant located at 2648 Prairie Avenue (Houseman) Refer to ABLCC
- j. Resolution authorizing Final Payment of **Public Works Contract C09-24 Water Street, Shirland Avenue, and City Hall Parking Lot Reconstruction** (Botts)
- k. Application for a **Planned Unit Development – Master Land Use Plan** for the properties located at 220 Portland Avenue and 840 Fifth Street (Christensen) Refer to Plan Commission
- l. Application for a **Zoning Map Amendment** for the properties located at 220 Portland Avenue and 840 Fifth Street (Christensen) Refer to Plan Commission

## 7. ORDINANCES

- a. Ordinance to Amend Sections 27.16, 29.045(3), 33.01, 33.08(2)(f), 33.08(3)(f) and 33.08(7)(f) and to Create Section 33.08(9) of the Code of General Ordinances of the City of Beloit Pertaining to the Deferral of Special Assessments for Water and Sewer Mains (Arft/Casper) 1<sup>st</sup> and 2<sup>nd</sup> Readings

## 8. APPOINTMENTS

- a. Council President **Committee/Board/Commission Appointments**

## 9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

## 10. CITY MANAGER'S PRESENTATION

## 11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Resolution authorizing **Sanitary Sewer and Water System Improvements and Levying Special Assessments Against Benefited Property** (Botts)
- b. Resolution approving a **Relocation Order** to acquire a Construction Access and Utility Easement over portions of the Properties located at 2555 White Oaks Drive and 2536 & 2542 Hawthorne Drive to allow for the Extension of Gravity Sanitary Sewer and Potable Water to Twelve (12) Properties on Hawthorne Drive (Botts)  
Plan Commission recommendation for approval 6-0
- c. Resolution awarding **Contract C11-02** for the Hawthorne Drive Sewer and Water Extension (Botts)
- d. Resolution accepting the **Wisconsin Neighborhood Stabilization Program Grant and Appropriating Funds** (Christensen)

- e. Resolution approving **Mutual Cooperation Agreement with Neighborhood Housing Services of Beloit, Inc.** for the administration of the Wisconsin Neighborhood Stabilization Program Grant (Christensen)
- f. Resolution approving **Mutual Cooperation Agreement with the City of Janesville** for the administration of the Wisconsin Neighborhood Stabilization Program Grant (Christensen)
- g. Resolution amending the **2010 Capital Improvement Budget** for Well 11 Nitrate Mitigation and Water Systems Improvements (Botts)
- h. Resolution awarding **Contract C11-15** for Construction of Weiser Station (Botts)
- i. Resolution approving a **Jurisdictional Transfer** of the Henry Avenue Bridge (Botts)

## 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: April 27, 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.
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**WHEREAS**, in 1982 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

**WHEREAS**, this holiday, called Arbor Day, was first observed with the planting of trees in Nebraska; and

**WHEREAS**, Arbor Day is now observed throughout the nation and the world; and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

**WHEREAS**, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

**WHEREAS**, Beloit has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree planting ways;

**NOW THEREFORE**, I, Kevin D. Leavy, President of the Beloit City Council do hereby proclaim April 29, 2011 as

### **ARBOR DAY**

in the City of Beloit and urge all citizens to support efforts to protect our trees and woodlands and to support our city's urban forestry program.

**AND BE IT FURTHER PROCLAIMED** that all Beloit citizens are encouraged to plant trees to gladden the hearts and promote the well-being of present and future generations.

Dated this 2<sup>nd</sup> day of May, 2011.

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Kevin D. Leavy, President  
Beloit City Council

ATTEST:

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Rebecca S. Houseman, City Clerk

**Municipal Clerks Week  
May 1 through May 7, 2011**

**WHEREAS**, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

**WHEREAS**, the Office of the Municipal Clerk is the oldest among public servants; and

**WHEREAS**, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels; and

**WHEREAS**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality rendering equal service to all; and

**WHEREAS**, The Municipal Clerk serves as the information center on functions of local government and community; and

**WHEREAS**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops, and the annual meetings of their state, county, and international professional organizations; and

**WHEREAS**, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Beloit recognize the week of May 1 through May 7, 2011, as Municipal Clerks Week, and further extend appreciation to our Clerk, Deputy Clerk, and Assistant Deputy Clerk, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 2<sup>nd</sup> day of May, 2011.

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Kevin D. Leavy, President  
Beloit City Council

ATTEST:

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Rebecca S. Houseman, City Clerk



**PROCEEDINGS OF THE BELOIT CITY COUNCIL**  
**100 State Street, Beloit WI 53511**  
**Monday, April 18, 2011**

Presiding: Kevin D. Leavy  
Present: Sheila De Forest, Martin Densch, Charles Haynes, Heidi Johns, Eric Newnham, and James Van De Bogart

1. The meeting was called to order at 7:08 p.m.

2. SPECIAL ORDER OF THE DAY/ANNOUNCEMENTS

- a. Vice-President James Van De Bogart presented a Proclamation Supporting the **YWCA's Stand Against Racism** to Jane McCauley and Latreece Sandlin from the Rock County YWCA. Ms. McCauley thanked the members of the City Council for the Proclamation and invited the Council and the public to view a documentary at the Job Center in Janesville on April 29<sup>th</sup> at 12:00 pm. File 7148

3. PUBLIC HEARINGS

- a. Public Work Director Dave Botts presented a Resolution approving the **Widening of Cranston Road** from Milwaukee Road Frontage Road to Canadian/Pacific Railroad. Mr. Botts indicated that all of the affected property owners were invited to two public hearing regarding this project. President Leavy opened and closed the public hearing without participation. Councilor De Forest commented that she does not understand why sidewalk is necessary on both sides of this street. She also said that several businesses requested that the switchgear and electrical equipment along Cranston Road be moved to accommodate the truck traffic, and she expressed concern about the removal of trees. Councilor Johns also expressed concern about the removal of trees along Cranston Road required for the widening project. Mr. Botts indicated that the project contractors would make every attempt to save and replant the trees. He also stated that the project will not impact the Alliant switchgear and moving the gear is not part of this project. Councilor De Forest moved to amend the Resolution to require sidewalks on only one side of Cranston Road. The motion failed due to lack of a second. Councilor Haynes moved to adopt the Resolution as presented, and Councilor Densch seconded the motion. The motion carried 5-2 with De Forest and Johns voting in opposition. File 7510

4. CITIZENS' PARTICIPATION – none

5. CONSENT AGENDA

Councilor De Forest requested that items e., f., and g. be removed from the Consent Agenda. Councilor De Forest moved to adopt, Councilor Densch seconded, and the motion carried that the following items from the Consent Agenda be accepted, approved, adopted, or referred and acted upon as required by state and local codes except items e., f., and g.

- a. **Minutes** of the Regular Meeting of April 4, 2011 were approved.
- b. Resolution approving **Class "B" Beer and "Class C" Wine** License for Midwest Adventure Group, LLC, d/b/a Paddle and Trail, 110 West Grand Avenue, Dan Boutelle, Agent was adopted. File 8449
- c. Resolution awarding **Public Works Contract C11-12, Bushnell, College, Prospect Reconstruction** was adopted. File 8493
- d. Resolution authorizing Final Payment of **Public Works Contract C10-04 Eastside Initiative** was adopted. File 8329
- h. Report of **Election Board of Canvassers** was accepted. File 6057
- e. Resolution rejecting all bids for the **Public Works Contract C11-24, Gantry Structure and Gantry Plaza**. Mr. Botts indicated that the bids submitted for this project were much higher than the estimate. He asked that the Council reject all of the bids and, after a redesign and rebid, the project would come

back to the Council. Councilor De Forest requested that the project be brought back to the Council before it is let for bid. President Leavy and Councilors Van De Bogart Haynes indicated that they felt comfortable with staff working to scale back and rebid the project. Manger Arft indicated that, because of the divergent viewpoints, staff would work with the Downtown Beloit Association and the designer to scale back the project and bring it back to the Council before it is bid again. Councilor Haynes moved to adopt the Resolution and reject all the bids. Councilor Densch seconded, and the motion carried. File 8494

- f. Application for a **Conditional Use Permit** to allow indoor alcohol sales in a C-2, Neighborhood Commercial District, for the property located at 412 Liberty Avenue. Community Development Director Julie Christensen stated that this item is on the April 20<sup>th</sup> Plan Commission and the May 10<sup>th</sup> Alcohol Beverage License Control Committee agendas. The recommendations from these two bodies will come back to the Council on the May 16<sup>th</sup> Council agenda. Councilor De Forest asked if the Plan Commission has access to police records regarding the subject property. Ms. Christensen indicated that they do but that the data from the police reports is inconsistent. However, she stated that neighbors have indicated that there has been a positive change in the traffic patterns and other issues since alcohol sales were removed from this location. Councilor Van De Bogart moved to refer to Plan Commission. Councilor Johns seconded, and the motion carried. File 8489
- g. Resolution approving **Farm Leases** between the City of Beloit and Gary and Michelle Hahn. Economic Development Director Andrew Janke explained that these leases are for two properties and will serve as one-year extensions of the current leases. He indicated that the lease to farm these properties would be releases for bids this summer. Councilor Densch moved to adopt the Resolution, and Councilor Johns seconded. The motion carried. File 7834

6. ORDINANCES – none

7. APPOINTMENTS

President Leavy announced openings and submitted the following appointments to City Committees, Boards, and Commissions for approval. The appointments were approved on a motion by Councilor De Forest and a second by Councilor Newnham. The motion carried 6-0 with Councilor Densch abstaining from the vote due to a conflict of interest.

- a. **Appointment Review Committee:** Kurt Reynolds and Gary L. Gard to terms expiring December 31, 2013. File 6261
- b. **Equal Opportunities and Human Relations Commission:** Marilyn M. Phaegbulem to a term expiring June 30, 2012. File 7465
- c. **Municipal Golf Committee:** Gary Sherer, representing the Senior Citizens Golf Club. File 7382
- d. **Plan Commission:** Incumbent Mardell Jacobsen to a term expiring April 30, 2014. File 6064
- e. **Police and Fire Commission:** Martin Densch to a term expiring April 30, 2016. File 6114
- f. **Traffic Review Committee:** Dennis J. Walsh to a term ending September 30, 2012. File 7399

8. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- a. Councilor Newnham congratulated all those who ran for City Council during the Spring Election and said that he looks forward to working those who have been elected. He also said that Councilors Densch and Johns have served with great honor.
- b. Councilor Haynes commended the two incoming councilors for excellent campaigns. He thanked Councilor Johns and Densch for their input and service on the Council.
- c. Councilor De Forest said that she appreciates the residents and staff who participated in the town hall budget meetings. She said that the Porter Area Watch Group and the Merrill Neighborhood group will be participating in a clean-up and cook-out in the near future, and those interested may contact Pastor Sanders of the New Life Church for additional information. She thanked Councilors Densch and Johns for their service, and commended Councilor Densch for setting the bar for professionalism on the Council. She also requested a joint meeting between the Janesville and Beloit City Councils to discuss opportunities for shared or joint service provision.
- d. Councilor Van De Bogart congratulated Councilors Densch and Johns and said that the City is better for their service and efforts. He also thanked those who participated in the preliminary budget input meetings.

- e. President Leavy thanked Grants Administrator Teri Downing for her efforts regarding the recent mock hearings and EHORC training for members and the public. He congratulated Director of Operations Chris Walsh on being named one of the nation's Top Ten Public Works Leaders of the Year by the American Public Works Association. He also thanked all those who participated in the budget meetings. President Leavy and Councilor Van De Bogart then presented gifts and plaques to Councilors Densch and Johns and thanked them for their service.
- f. Councilor Johns thanked all those who helped with her campaign.
- g. Councilor Densch extended thanks to all of his fellow Councilors. He said that he attended between 600 and 700 meetings in the eight years he served on the Council, and he enjoyed every single one. He thanked the voters who respected him enough to elect him and for the faith and trust that voters put in him to conduct business on their behalf.

#### 9. CITY MANAGER'S PRESENTATION

- a. Director of Leisure Services Brian Ramsey and Recreation Supervisor Spencer Waite presented the City of Beloit Leisure Services **Summer Activities** Report.

#### 10. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Resolution authorizing the Issuance and Sale of up to \$3,481,777 **Sewerage System Revenue Bonds, Series 2011**, and providing for other details and covenants with respect thereto. Finance Director Paul York discussed the terms and conditions of the loan. Councilor Van De Bogart moved to adopt the Resolution, and Councilor De Forest seconded. The motion carried unanimously through a roll call vote with Councilors De Forest, Densch, Van De Bogart, Leavy, Haynes, Johns, and Newnham voting in favor of adoption. File 8463
- b. Resolution authorizing the Application and Borrowing of up to \$1,500,000 from the State of Wisconsin Board of Commissioners of Public Lands State Trust fund Loan Program for Projects contained in the **2011 Capital Improvement Budget**. Mr. York presented the application for the loan and stated that some of the projects that will be paid for by this loan include radio equipment for the police and fire departments, replacement cardiac defibrillators for all of the ambulances, and design contracts for certain street reconstruction projects. Councilor Johns moved to adopt the Resolution, and Councilor Haynes seconded. The motion carried unanimously through a roll call vote with Councilors De Forest, Densch, Van De Bogart, Leavy, Haynes, Johns, and Newnham voting in favor of adoption. File 8463
- c. Resolution authorizing the City Manager to enter into a revised **State/Municipal Agreement with the Wisconsin Department of Transportation** for the Design and Construction of Henry Avenue Bridge and Approaches. Mr. Botts explained the project and funding. Councilor De Forest noted the discrepancy in cost between the estimate and the cost of the project. She indicated that she supports the bike path and sidewalks on the bridge but does not see the need for additional design upgrades such as under bridge lighting. Councilor Van De Bogart commented that current and future generations will benefit from this capital improvement project and that it is reasonable to pay for it over time through borrowing. Councilor Newnham moved to adopt the Resolution, and Councilor Densch seconded. The motion carried 6-1 with Councilor De Forest voting in opposition.
- d. Resolution authorizing the City Manager to enter into an amended **Development Agreement with Alliance Development Corp.** Mr. Janke presented the Resolution, report, and history of this agreement. Councilor De Forest indicated that she supports Kettle Foods, but she does not understand why the City is offering an incentive for this project. Mike Pokel of Alliance Development Corp. said that Kettle could have built a warehouse and distribution center anywhere in the United States and that this incentive package made Beloit an attractive location. Councilor Newnham moved to adopt the Resolution, and Councilor Haynes seconded. The motion carried 6-1 with Councilor Johns voting in opposition.

- 11. At 9:14 p.m., Councilor Johns moved to adjourn the meeting, second by Councilor De Forest. The motion carried 6-1 with Councilor Haynes voting in opposition.

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Rebecca S. Houseman, City Clerk

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

Date approved by Council:



**PROCEEDINGS OF THE CITY COUNCIL**  
**Organization of the New Council**  
**April 19, 2011**  
**6:00 p.m.**

***Final Meeting of Sitting Council***

Presiding: Kevin Leavy

Present: Sheila De Forest, Martin Densch, Charles Haynes, Heidi Johns, Eric Newnham, James Van De Bogart

Absent: none

1. The meeting was called to order at 6:00 p.m. in the City Hall Forum and roll call was taken.
2. At 6:03 p.m. Councilor Densch moved the adjourn the meeting, and Councilor Johns seconded. The motion carried.

***Organizational Meeting of New City Council***

1. Following the administration of the Oath of Office to reelected Councilor Leavy and newly-elected Councilors David F. Luebke and Mark Spreitzer by City Clerk Rebecca Houseman, members were seated, and the meeting was called to order by City Attorney Tom Casper at 6:06 p.m.

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

Absent: None

2. Attorney Casper announced that nominations for President of the Council were in Order. Councilor Luebke nominated Councilor Leavy for President, and Councilor Newnham nominated Councilor De Forest for President. No other nominations were received, and nominations were declared closed. Attorney Casper noted that the Councilors could vote via secret ballot or by show of hands. Councilor Luebke moved that the Council vote by show of hands. Councilor De Forest seconded, and the motion carried. The Councilors voted by show of hands. Councilors Haynes, Leavy, Luebke, and Van De Bogart voted for Councilor Leavy, and Councilors De Forest, Newnham, and Spreitzer voted for Councilor De Forest. Councilor Leavy was elected President (4-3).
3. President Leavy assumed the position of President and opened nominations for Vice-President. Councilor Newnham nominated Councilor De Forest for Vice-President, and Councilor Haynes nominated Councilor Van De Bogart for Vice-President. No other nominations were received, and nominations were declared closed. Councilor De Forest moved that the Council vote by show of hands. Councilor Luebke seconded, and the motion carried. The Councilors voted by show of hands. Councilors De Forest, Newnham, and Spreitzer voted for Councilor De Forest, and Councilors Haynes, Leavy, Luebke, and Van De Bogart voted for Councilor Van De Bogart. Councilor Van De Bogart was elected Vice-President (4-3).
4. President Leavy asked that the Councilors review the City's Boards/Committees/Commissions and give him their input so that appointments may be made at the May 2<sup>nd</sup> meeting.
5. At 6:16 p.m. Councilor Luebke moved to adjourn, and Councilor Spreitzer seconded. The motion carried.

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Rebecca S. Houseman, City Clerk

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

Date approved by Council:

## NOTICE

### APPLICATIONS FOR BEER/LIQUOR LICENSES 2011-2012

#### CLASS "B" BEER AND "CLASS B" LIQUOR

Alarm Box - Kathleen A. Davis, Business Address: 925 Fourth St., Home Address: 1326 Hackett St.

Alumni House - MTT Enterprises, Ltd. (Teresa L. Grooms, Agent) Business Address: 863 Fifth St., Home Address: 104 S. Wright St., Orfordville, WI

Applebee's Neighborhood Grill & Bar - The Bloomin' Apple Beloit, LLC (Scott Moen, Agent) Business Address: 2680 Cranston Rd., Home Address: 1439 S. Grant Ave., Janesville, WI

Asia Buffet – Asia LLC (May Chen, Agent) Business Address: 2787 Milwaukee Rd., Home Address: 1771 Harrison Ave.

Beloit College - Pearsons Hall – Board of Trustees of Beloit College (Peter J. Kraemer, Agent) Business Address: 700 College St., Home Address: 435 Central Ave.

Beloit Snappers - Beloit Professional Baseball Association, Inc. (Jeffrey S. Vohs, Agent) Business Address: 2301 Skyline Dr., Home Address: 2525 E. Hill Rd.

Bitters Pub – Ming Fong, Business Address: 1309 Madison Rd., Home Address: 1841 Garfield Ave.

The Bop – The Sicilian Restaurant, Inc. (Daniel Ainger, Agent) Business Address: 530 East Grand Ave., Home Address: 2774 Boulder Ct.

The Brass Rail – CPRTB, LLC (Ryan Roberts, Agent) Business Address: 646 Fourth Street, Home Address: 2016 Bradley St.

Bump and Run – Dennis E. Quinn and Georgia A. Quinn, Business Address: 1611 Hackett St., Home Address: 2350 Riverside Dr.

Bushel and Peck's – Jacqueline Gennett & Richard Horbaczewski, Business Address: 328 State St., Home Address: W8473 Smock Valley Rd., Monroe, WI

Café Belwah - Hendricks Riverfront, LLC (Tanya A. Meuret, Agent) Business Address: 500 Pleasant St., Home Address: 1237 Ninth St.

Carom Room – Dave Coles, Inc. (David L. Coles, Sr., Agent) Business Address: 614 East Grand Ave., Home Address: 942 Division St.

Cartunes Grill & Bar - Cartunes Grill & Bar, LLC (Janet Lynn Keeseey, Agent) Business Address: 2640 Prairie Ave., Home Address: 3045 South Petunia Lane

Club Ballyhoo - Tilley Corporation (Teresa M. Donovan, Agent) Business Address: 902-904 Fourth St., Home Address: 17137 Avon Townline Rd., Brodhead, WI

Club Impulse - Aquarius Management Corporation (Wayne J. Pratt, Agent) Business Address: 132 West Grand Ave., Home Address: 3069 Park Ave.

Coyotes Bar and Banquet – Coyotes of Rock Co. LLC (Brad Lawver, Agent) Business Address: 107 Dearborn St., Home Address: 711 Azalea Terr.

Denali's Food & Spirits - Eric Newnham, Business Address: 443 East Grand Ave., Home Address: 443 ½ East Grand Ave.

Diamond Lanes – Diamond Lanes, LLC (Daniel B. Bucholtz, Agent) Business Address: 1218 Cranston Rd., Home Address: 3430 S. Prairie Ave.

Domenico's - Domenico's Pizza and Restaurant, Inc. (Cindy Ross, Agent) Business Address: 547 East Grand Ave., Home Address: 3708 N. Cedar Ridge Dr., Janesville

Eagles Club - Fraternal Order of Eagles Beloit 557, Inc. (Dennis Keeney, Agent) Business Address: 302 State St., Home Address: 817 Bluff St.

End Zone Bar & Grill - Sandra Manning-Brown, Business Address: 616 Fourth St., Home Address: 1127 Ridgeway St.

The Filling Station – Gopher's Filling Station, LLC (Wendy Talignani, Agent) Business Address: 1414 Cranston Rd., Home Address: 1738 Dell Dr.

Grand Slam - Ruckert Investments, Inc. (Thomas A. Ruckert, Agent) Business Address: 173 West Grand Ave., Home Address: 2440 S. Clover Ln.

Holiday Inn Express – Beloit Express, Inc. (Brenda S. Gould, Agent) Business Address: 2790 Milwaukee Rd., Home Address: 1113 Chapin St.

Jersey's Bar & Grill – Jerseys, Inc. (Tiffany Abraham, Agent) Business Address: 2770 Milwaukee Rd., Home Address: 1725 Burton St.

Kline's Club 88 - Kline's Club 88, Inc. (David L. Kline, Sr., Agent) Business Address: 65 Portland Ave., Home Address: 1948 Sun Valley Dr.

LaMovida - DeLara, Inc. (Jaime Hernandez, Agent) Business Address: 1310 Cranston Rd., Home Address: 2137 Deer Run., Delavan, WI **(Will give up license to HRNS V Entertainment LLC if Council grants them a license)**

The Last Lap - Last Lap, Inc. (James W. Sandmire, Agent) Business Address: 1028 Mary St., Home Address: 1206 Townline Ave.

Liberty Inn – Singles Family Enterprises, Inc. (Casey T. Singles, Agent) Business Address: 1901 Liberty Ave., Home Address: 2099 Yorkshire Dr.

Mike's Roadhouse – Cupcake Investments, LLC (Michael J. Fink, Agent) Business Address: 614 Broad St., P. O. Box 272, Home Address: 1940 Fairfax Ave.

The Mouse Tavern & Restaurant - Mickey Mouse Tavern, Inc. (Thomas R. Roehl, Agent) Business Address: 1408 Madison Rd., Home Address: 755 Petunia Ln.

Patti's Road Dawg Pub – PRD Saloon of Beloit, Inc. (Patti Vance, Agent) Business Address: 2956 Milwaukee Rd., Home Address: 5133 E. County Rd. S.

Pitchers Mound – Beloit Neighbors, LLC (Terrence Nass, Agent) Business Address: 2745 Prairie Ave., Home Address: 2942 S. Iris Dr.

Pizza Hut – Rockford Pizza, Inc. (Daniel M. Duffy, Agent) Business Address: 2787 Prairie Ave., Home Address: 1221 Bingham, Janesville

The Rock Bar & Grill - Hospitality on the Rock, Inc. (Jason A. Agate, Agent) Business Address: 101 Maple Ave., Home Address: 2734 Park Avenue

Sara's Pub – Sara's Pub, Inc. (Shpezime Fadilovski, Agent) Business Address: 1565-1567 Madison Rd., Home Address: 3605 Eagles Ridge Dr.

The 615 Club – P and G of Beloit, Inc. (Gregory L. Hatley, Agent) Business Address: 615 Broad St., Home Address: 1710 Morgan Terr.

Suds O'Hanahan's Irish Pub - O'Hanahan's Irish Pub, Inc. (Thomas L. Hankins, Agent) Business Address: 433, 435 East Grand Ave., Home Address: 1804 Henderson Ave.

Town Club – Debra E. Peterson, Business Address: 1900 St. Lawrence Ave., Home Address: 1925 Vernon Ave.

Turtle Tap - Turtle Tap, LTD (Curtis Brannon, Agent) Business Address: 1344 East Grand Ave., Home Address: 2108 East Ridge Rd.

VFW Club - V.F.W. Mead-Allen Post #2306 (Wayne C. Bown, Agent) Business Address: 2711 Afton Rd., Home Address: 2220 West Hart Rd. **NEW AGENT**

### **CLASS "B" BEER AND RESERVE "CLASS B" LIQUOR**

Alibi Bar & Grill – BRBK LLC, Bonnie R. Kunde, Agent, Business Address: 1180 Madison Road, Home Address: 2480 Riverside Dr.

Center Court – Kandu Industries, Inc. (Rodney Oksuita, Agent) Business Address: 100 Eclipse Center, Home Address: 4500 Indian Lake Dr., Janesville

La Casa Grande - Casa Grande, Inc. (Ron Ross, Agent) Business Address: 618 Fourth St., Home Address: 3708 N. Cedar Ridge Dr., Janesville

Rose's Soulfood – Clancy L. Smith, Business Address: 201 Short Street, Home Address: 204 Middle Street

## CLASS "A" BEER AND "CLASS A" LIQUOR

Aldi #48 - Aldi, Inc. (James Crouch, Agent) Business Address: 2780 Milwaukee Rd., Home Address: 946 Elm St.

BP Gas Station – Sembhi, Inc. (Kristin Loehr, Agent) Business Address: 2933 Milwaukee Road, Home Address: 1163 Milwaukee Rd.

Badger Spirits – Badger Spirits LTD (Alice Blue, Agent) Business Address: 2621 Prairie Ave., Home Address: 2077 S. Pow Wow Trail

Beloit Mobil on the Run – NDGAS LLC (Connie M. Gunning, Agent) Business Address: 2883 Milwaukee Rd., Home Address: 1601 E. Ridge Rd.

Cornellier Superstore - Cornellier Limited (Brad Lee Lawver) Business Address: 2909 Ford St., Home Address: 711 Azalea Terrace

CVS Pharmacy #8534 – Wisconsin CVS Pharmacy, LLC. (Judy A. Thomas, Agent) Business Address: 1063 Fourth St., Home Address: 2203 Staborn Dr.

CVS Pharmacy #5600 – Wisconsin CVS Pharmacy, LLC (Jean Ellen Curley, Agent) Business Address: 2149 Prairie Ave., Home Address: 2251 W. Creedy Rd.

Madison Road BP – Beloit Enterprises, Inc. (Gary O. Shoemaker, Agent) Business Address: 1343 Madison Road, Home Address: 14402 W. State Rd. 81, Brodhead

Wal-Mart Supercenter #2532 - Wal-Mart Stores East, LP (Seaborn Attaway, Agent) Business Address: 2785 Milwaukee Rd., Home Address: 3111 Crabapple Lane, Janesville

Walgreens #06096 – Walgreen Co. (Jessica Reavis, Agent) Business Address: 1901 Prairie Ave., Home Address: 128 W. Hidden Tr., #202., Elkhorn

Walgreens #12136 – Walgreen Co. (Brenda Neumann, Agent) Business Address: 910 Broad St., Home Address: 1107 W. State St., Janesville

Walgreens #11528 – Walgreen Co. (Tammy Patterson, Agent) Business Address: 1531 Madison Rd., Home Address: 1969 Virginia St.

Woodman's Food Market - Woodman's Food Market, Inc. (Peter J. Mentele, Agent) Business Address: 1877 Madison Rd., Mailing Address of Corporation: 2631 Liberty Lane., Janesville 53545-0741, Home Address: 2701 S. Paddock Rd.

## **CLASS "A" BEER**

Beloit Citgo – MF Oil, Inc. (Gale Van Marter, Agent) Business Address: 1888 Shopiere Rd., Home Address: 1674 Sheridan Ave.

Beloit Mobil – Samra & Singh, Inc. (Harjinder S. Samra, Agent) Business Address: 1902 Shopiere Rd., Home Address: 1985 Pebble Dr.

Pilot Travel Center #289 – Pilot Travel Centers LLC (William J. Goodwin, Agent) Business Address: 3001 Milwaukee Rd., Home Address: N61W23715 Sumac Lane, Sussex, WI 53089

R & R Quick Marts – R & R Quick Marts, LLC (Narendra Patel, Agent) Business Address: 2158 Prairie Ave., Home Address: 1409 Center Ave., Janesville

Rollette Oil #1 - Rollette Oil Co., Inc. (Paul R. Simon, Agent) Business Address: 1451 Madison Rd., Home Address: 911 Suffolk Dr., Janesville

Speedway #2086 - Speedway SuperAmerica LLC (Ann M. Edgecomb, Agent) Business Address: 1107 Liberty Ave., Home Address: 2185 Linway Dr.

Speedway #4087 - Speedway SuperAmerica LLC (Jennifer D. Lococo, Agent) Business Address: 148 Liberty Ave., Home Address: W9215 RND Town Line, Delavan

Speedway #4293 - Speedway SuperAmerica LLC (Nancy A. Bryant, Agent) Business Address: 2781 Milwaukee Rd., Home Address: W9302 Cemetery Rd., Clinton

Tex's Grocery – Tex's Grocery, LLC (Fred Papendorf, Agent) Business Address: 1909 St. Lawrence Ave., Home Address: 6395 W. Cleophas Rd.

## **CLASS "B" BEER**

American Industrial Arts Bldg. – Kandu Industries, Inc. (Rodney Oksuita, Agent) Business Address: 655 Third St., Suite 302, Home Address: 4500 Indian Lake Dr., Janesville

Beloit College Coughy Haus - Beloit College (Sean Keith, Agent) Business Address: 708 Clary St., Home Address: 700 College Street, Beloit College Box 203

Taqueria Azteca – Ruben Rosas, Business Address: 1910 Shopiere Rd., Home Address: 2543 Sunshine Ln.

Tony & Maria's - Antonino Piccione, Jr., Business Address: 1181 Madison Rd., Home Address: 1201 Madison Rd.

Turtle Tap Ball Park - Turtle Baseball Association, Inc. (Curtis Brannon, Agent) Business Address: 136 Dearborn Ave., Home Address: 2108 E. Ridge Rd.

## **CLASS "B" BEER AND "CLASS C" WINE**

Bagels and More – Bagels & More, LLC (David J. Siekierski, Agent) Business Address: 324 State St., Home Address: 1632 Garfield Ave.

Beloit Fine Arts Incubator – Beloit Fine Arts Incubator, Inc. (Ben Henthorn, Agent) Business Address: 520 East Grand Ave., Home Address: 1113 B Bushnell St.

Happy Wok – Happy Wok Corporation (Mei Tjoe Kwan, Agent) Business Address: 2627 Prairie Ave., Home Address: 2160 Mandi Ln.

The Little Bistro – The Little Bistro LLC (Christine Charbonneau, Agent) Business Address: 315 State St., Home Address: 944 West St.

Nikki's Café – Nikki's Café of Beloit LLC (Lloyd M. Smith, Agent) Business Address: 604 Pleasant St., Home Address: 202 Apache Dr., Janesville

Paddle and Trail – Midwest Adventure Group, LLC (Walter Loos, Agent) Business Address: 110 West Grand Ave., Home Address: 10019 Ellendale, Edgerton **NEW AGENT**

Salvador's Restaurant - Salvador Z. Sanchez, Business Address: 907 Bayliss Avenue, Home Address: 2112 Roosevelt Ave.

Vince's Pizza - Vince's Pizza, Inc. (Vincenzo Gabriele, Agent) Business Address: 1050 Hackett St., Home Address: 1560 Cleveland St.

# ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 1 20 11 ;  
ending June 30th 20 12

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

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

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

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

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Dolgencorp, LLC

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

	Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>Manager</u>	<u>David M. Tehle</u>	(See address on Auxiliary form)	
Vice President/Member	<u>Manager</u>	<u>Susan S. Lanigan</u>		
Secretary/Member	<u>Manager</u>	<u>James W. Thorpe</u>		
Treasurer/Member				
Agent	<u>District Manager</u>	<u>721/Fred Rice</u>	<u>W5642 Rolling Acres Lane, Monroe, WI 53566</u>	
Directors/Managers		<u>(James F Rice)</u>		

3. Trade Name Dollar General Store 10069 Business Phone Number (608) 361-1154  
4. Address of Premises 1520 Madison Rd., Beloit Post Office & Zip Code 53511-3213

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Agent will complete training.  Yes  No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?  Yes  No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No
8. (a) Corporate/limited liability company applicants only: Insert state Kentucky and date 10/09/08 of registration.  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin?  Yes  No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 8444 sf single story stand alone located at address shown in #4

10. Legal description (omit if street address is given above): \_\_\_\_\_  
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) If yes, under what name was license issued? \_\_\_\_\_

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No

13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776]  Yes  No

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

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

SUBSCRIBED AND SWORN TO BEFORE ME, THE TENNESSEE

this 21 day of November 2011

*Julie [Signature]*  
(Clerk/Notary Public)

*James W. Thorpe [Signature]*  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)  
*[Signature]*  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)  
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

My commission expires My Commission Expires JAN. 6, 2014

## TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Applicant's Wisconsin Seller's Permit Number: <u>456-0000208845-05</u>	
Federal Employer Identification Number (FEIN): <u>61-0852764</u>	
LICENSE REQUESTED	
TYPE	FEE
<input checked="" type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input checked="" type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>50.00</u>
<b>TOTAL FEE</b>	\$

PAID  
#-28-11

Explanation of "Yes" responses on Question 8:

(b) Dolgencorp, LLC is owned by Dollar General Corporation, a publicly traded Tennessee Corporation. Dollar General Corporation is the Sole Member of Dolgencorp, LLC.

(c) Dolgencorp, LLC is currently applying for Class A off-premise licenses for the majority of the Dollar General stores in Wisconsin. See attached list titled "Wisconsin Dollar General Stores Targeted for Class A License Application".

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name)			Social Security Number		
Rice James					
Home Address (street/route)		Post Office	City	State	Zip Code
W5642 Rolling Acres Lane			Monroe	WI	53566
Home Phone Number		Age	Date of Birth	Place of Birth	
(608) 328-1431				Fayetteville, AR	

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

- Applying for an alcohol beverage license as an individual.
  - A member of a partnership which is making application for an alcohol beverage license.
  - Agent of Dolgencorp, LLC of Dolgencorp, LLC  
(Office/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)
- which is making application for an alcohol beverage license.

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

- How long have you continuously resided in Wisconsin prior to this date? 20 yrs
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
If yes, identify. All applicable Dollar General Stores in Wisconsin. See attached list.  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
If yes, identify.  
(Name of Wholesale Licensee or Permittee) (Address By City and County)

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

Employer's Name	Employer's Address	Employed From	To
Self Employed		02/2003	08/2006
Employer's Name	Employer's Address	Employed From	To
Dollar Tree	Chesapeake, VA	03/1999	01/2003

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

Subscribed and sworn to before me

this 25 day of February, 2011

[Signature]  
Notary Public  
My commission expires March 17, 2013

Green County, Wisconsin

[Signature]  
(Signature of Named Individual)



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

Submit to municipal clerk.

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

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

The undersigned duly authorized officer(s)/members/managers of Dolgencorp, LLC  
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Dollar General Store # 10069  
(trade name)

located at 1520 Madison Rd., Beloit, WI 53511

appoints James Rice  
(name of appointed agent)

W5642 Rolling Acres Lane Monroe, WI 53566  
(home address of appointed agent)

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

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

All applicable Dollar General Stores; see attached list.

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

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 20 yrs

Place of residence last year W5642 Rolling Acres Lane Monroe, WI 53566

For: Dolgencorp, LLC  
(name of corporation/organization/limited liability company)

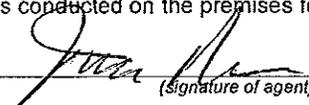
By:   
(signature of Officer/Member/Manager)

And:   
(signature of Officer/Member/Manager)

**ACCEPTANCE BY AGENT**

I, James Rice, hereby accept this appointment as agent for the  
(print/type agent's name)

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

 2-23-11 Agent's age \_\_\_\_\_  
(signature of agent) (date)

W5642 Rolling Acres Lane Monroe, WI 53566 Date of birth \_\_\_\_\_  
(home address of agent)

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

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

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

**AUXILIARY QUESTIONNAIRE  
ALCOHOL BEVERAGE LICENSE APPLICATION**

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Tehle</u> (first name) <u>David</u> (middle name) <u>M</u>		Social Security Number	
Home Address (street/route) <u>6008 Jocelyn Hollow Rd</u>		Post Office	City
			<u>Nashville</u>
Home Phone Number	Age	Date of Birth	State
<u>615-855-4000</u>			<u>Tn</u>
			Zip Code
			<u>37205</u>
			Place of Birth
			<u>Berklyn, FL</u>

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

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- Manager** of Dolgenercorp, LLC  
(Office/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

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

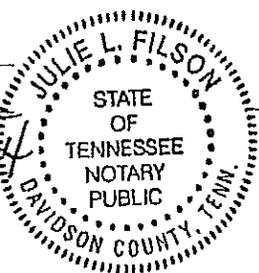
- How long have you continuously resided in Wisconsin prior to this date? N/A
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?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

Employer's Name <u>Haggard</u>	Employer's Address <u>11511 Luna Rd Dallas, TX 75234</u>	Employed From <u>6/97</u>	To <u>6/04</u>
Employer's Name <u>Stanley Works</u>	Employer's Address <u>12827 Valley Branch Lane Dallas, TX 75234</u>	Employed From <u>6/96</u>	To <u>6/97</u>

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

Subscribed and sworn to before me

this 21 day of January, 20 11  
Julie L. Filson  
(Notary Public)



David Tehle  
(Signature of Named Individual)

My commission expires Jan. 6, 2014



# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Lanigan</u> (first name) <u>Susan</u> (middle name) <u>Leigh</u>			Social Security Number		
Home Address (street/route) <u>123 Walnut Drive</u>		Post Office	City <u>Hendersonville</u>	State <u>TN</u>	Zip Code <u>37075</u>
Home Phone Number <u>615-855-4000</u>		Age	Date of Birth	Place of Birth <u>GA</u>	

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

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

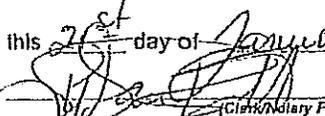
The above named individual provides the following information to the licensing authority:

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

Employer's Name <u>Zale Corporation</u>	Employer's Address <u>901 W Walnut Ln. Irving TX</u>	Employed From <u>Feb. 1996</u>	To <u>July 2002</u>
Employer's Name <u>Dollar General Corporation</u>	Employer's Address <u>100 Mission Ridge Gville TN</u>	Employed From <u>2002</u>	To <u>present</u>

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

Subscribed and sworn to before me

this 26<sup>th</sup> day of January  
  
(Signature of Notary Public)



My commission expires \_\_\_\_\_

My Commission Expires March 10, 2012  
  
(Signature of Named Individual)

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)	(middle name)	Social Security Number	
Thorpe		James	William		
Home Address (street/route)		Post Office	City	State	Zip Code
1220 Chloe Dr.			Gallatin	TN	37066
Home Phone Number		Age	Date of Birth	Place of Birth	
615-855-4000				Massachusetts	

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

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

which is making application for an alcohol beverage license.

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

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

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

Employer's Name <b>DOLLAR GENERAL CORP</b>	Employer's Address <b>100 MISSION RIDGE GOODLETTSVILLE, TN 37072</b>	Employed From <b>MAY 06</b>	To <b>PRESENT</b>
Employer's Name <b>SEARS HOLDING CORP</b>	Employer's Address <b>3333 BEVERLY RD HOFFMAN ESTATES IL 60179</b>	Employed From <b>MAR 91</b>	To <b>MAY 06</b>

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

Subscribed and sworn to before me

this 29<sup>th</sup> day of September, 2011  
  
 My commission expires \_\_\_\_\_

My Commission Expires  
March 10, 2012

  
 (Signature of Named Individual)



# ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 1 2011 ;  
ending June 30th 2012

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

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

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

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

2. Name (Individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Dolgencorp, LLC

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

Title	Name	Home Address	Post Office & Zip Code
President/Member <u>Manager</u>	<u>David M. Tehle</u>	(See address on Auxiliary form)	
Vice President/Member <u>Manager</u>	<u>Susan S. Lanigan</u>		
Secretary/Member <u>Manager</u>	<u>James W. Thorpe</u>		
Treasurer/Member			
Agent <u>District Manager</u>	<u>721/Fred Rice</u>	<u>W5642 Rolling Acres Lane, Monroe, WI 53566</u>	
Directors/Managers	<u>(James F. Rice)</u>		

3. Trade Name Dollar General Store 6848 Business Phone Number (608) 362-8038  
4. Address of Premises 2240 Prairie Ave, Beloit Post Office & Zip Code 53511-2648

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Agent will complete training.  Yes  No  
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?  Yes  No  
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No  
8. (a) Corporate/limited liability company applicants only: Insert state Kentucky and date 10/09/08 of registration.  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin?  Yes  No  
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 8678 sf single story unit in center located at address shown in #4

10. Legal description (omit if street address is given above): \_\_\_\_\_  
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) If yes, under what name was license issued? \_\_\_\_\_

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864].  Yes  No  
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776].  Yes  No  
14. Is the applicant indebted to any wholesaler by 15 days for beer or 30 days for liquor?  Yes  No

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

SUBSCRIBED AND SWORN TO BEFORE ME, NOTARY PUBLIC, on this 21 day of July, 2011.  
Julie  
(Clerk/Notary Public)

[Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)  
[Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

My commission expires My Commission Expires JAN. 6, 2014  
(Additional Partner(s)/Member/Manager of Limited Liability Company if any)

TO BE COMPLETED BY CLERK			
Date received and filed with municipal clerk	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Applicant's Wisconsin Seller's Permit Number: <u>456-0000208845-05</u>	
Federal Employer Identification Number (FEIN): <u>61-0852764</u>	
LICENSE REQUESTED ▶	
TYPE	FEE
<input checked="" type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input checked="" type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>50.00</u>
<b>TOTAL FEE</b>	\$

Explanation of "Yes" responses on Question 8:

(b) Dolgencorp, LLC is owned by Dollar General Corporation, a publicly traded Tennessee Corporation. Dollar General Corporation is the Sole Member of Dolgencorp, LLC.

(c) Dolgencorp, LLC is currently applying for Class A off-premise licenses for the majority of the Dollar General stores in Wisconsin. See attached list titled "Wisconsin Dollar General Stores Targeted for Class A License Application".

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name)			Social Security Number		
Rice James					
Home Address (Street/Route)		Post Office	City	State	Zip Code
W5642 Rolling Acres Lane			Monroe	WI	53566
Home Phone Number		Age	Date of Birth		Place of Birth
(608) 328-1431					Fayetteville, AR

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

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- Agent of DolgenCorp, LLC

(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

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

- How long have you continuously resided in Wisconsin prior to this date? 20 yrs
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
If yes, identify. All applicable Dollar General Stores in Wisconsin. See attached list.  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
If yes, identify.  
(Name of Wholesale Licensee or Permittee) (Address by City and County)

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

Employer's Name	Employer's Address	Employed From	To
Self Employed		02/2003	08/2006
Dollar Tree	Chesapeake, VA	03/1999	01/2003

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

Subscribed and sworn to before me

This 25<sup>th</sup> day of February, 2011

*[Signature]*  
Notary Public

My commission expires March 17, 2013

Green County, Wisconsin

*[Signature]*  
(Signature of Named Individual)



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Wisconsin Department of Revenue

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

Submit to municipal clerk.

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

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

The undersigned duly authorized officer(s)/members/managers of Dolgencorp, LLC  
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Dollar General Store # 60848  
(trade name)

located at 2240 Prairie Ave., Beloit, WI 53511

appoints James Rice  
(name of appointed agent)

W5642 Rolling Acres Lane Monroe, WI 53566  
(home address of appointed agent)

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

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

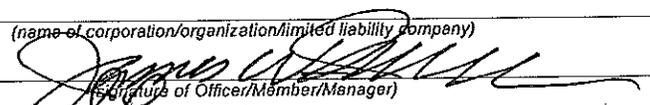
All applicable Dollar General Stores; see attached list.

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

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 20 yrs

Place of residence last year W5642 Rolling Acres Lane Monroe, WI 53566

For: Dolgencorp, LLC  
(name of corporation/organization/limited liability company)

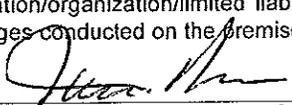
By:   
(signature of Officer/Member/Manager)

And:   
(signature of Officer/Member/Manager)

**ACCEPTANCE BY AGENT**

I, James Rice, hereby accept this appointment as agent for the  
(print/type agent's name)

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

 2-23-11 Agent's age 36  
(signature of agent) (date)

W5642 Rolling Acres Lane Monroe, WI 53566 Date of birth 08-15-75  
(home address of agent)

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

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

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

**AUXILIARY QUESTIONNAIRE  
ALCOHOL BEVERAGE LICENSE APPLICATION**

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name)			Social Security Number	
Tehle David M				
Home Address (street/route)	Post Office	City	State	Zip Code
6008 Jocelyn Hollow Rd		Nashville	Tn	37205
Home Phone Number	Age	Date of Birth	Place of Birth	
615-855-4000			Berklyn, FL	

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

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

which is making application for an alcohol beverage license.

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

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

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

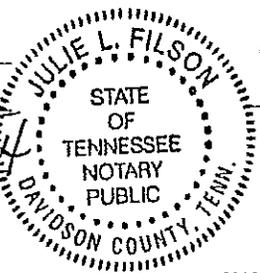
Employer's Name	Employer's Address	Employed From	To
Haggan	11511 Luna Rd Dallas, TX 75234	6/97	6/04
Stanley Works	12827 Valley Branch Lane Dallas, TX 75234	6/96	6/97

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

Subscribed and sworn to before me

this 21 day of January 20 11

Julie L. Filson  
(Clerk/Notary Public)  
My commission expires Jan. 6, 2014



David Tehle  
(Signature of Named Individual)



**AUXILIARY QUESTIONNAIRE  
ALCOHOL BEVERAGE LICENSE APPLICATION**

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name) <u>Lanigan Susan Leigh</u>			Social Security Number		
Home Address (street/route) <u>123 Walnut Drive</u>		Post Office	City <u>Hendersonville</u>	State <u>TN</u>	Zip Code <u>37075</u>
Home Phone Number <u>615-855-4000</u>		Age	Date of Birth	Place of Birth <u>GA</u>	

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

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

which is making application for an alcohol beverage license.

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

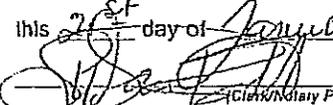
- How long have you continuously resided in Wisconsin prior to this date? N/A
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?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

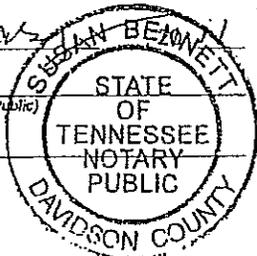
6. Named individual must list in chronological order last two employers.

Employer's Name <u>Zale Corporation</u>	Employer's Address <u>901 W Walnut Ln. Irving TX</u>	Employed From <u>Feb. 1996</u>	To <u>July 2002</u>
Employer's Name <u>Dollar General Corporation</u>	Employer's Address <u>100 Mission Ridge Gville TN</u>	Employed From <u>2002</u>	To <u>present</u>

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

Subscribed and sworn to before me

this 20<sup>th</sup> day of January  
  
(Notary Public)



My Commission Expires  
**March 10, 2012**

  
(Signature of Named Individual)

My commission expires \_\_\_\_\_



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Wisconsin Department of Revenue

**AUXILIARY QUESTIONNAIRE  
ALCOHOL BEVERAGE LICENSE APPLICATION**

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name)			Social Security Number		
Thorpe James William					
Home Address (street/route)		Post Office	City	State	Zip Code
1220 Chloe Dr.			Gallatin	TN	37066
Home Phone Number		Age	Date of Birth	Place of Birth	
615-855-4000				Massachusetts	

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

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

which is making application for an alcohol beverage license.

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

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

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

Employer's Name <u>DOLLAR GENERAL CORP</u>	Employer's Address <u>100 MISSION RIDGE GOODLETTSVILLE, TN 37072</u>	Employed From <u>MAY 06</u>	To <u>PRESENT</u>
Employer's Name <u>SEARS HOLDING CORP</u>	Employer's Address <u>3333 BEVERLY RD HOFFMAN ESTATES, IL 60179</u>	Employed From <u>MAR 91</u>	To <u>MAY 06</u>

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

Subscribed and sworn to before me

this 29<sup>th</sup> day of April, 2011, at Sevierville, TN  
  
 My commission expires \_\_\_\_\_

My Commission Expires  
March 10, 2012

  
(Signature of Named Individual)



# ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 1 20 11 ;  
ending June 30 20 12 ;

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

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

*Applied For*

Applicant's Wisconsin Seller's Permit Number:	
Federal Employer Identification Number (FEIN):	
LICENSE REQUESTED ▶	
TYPE	FEE
<input checked="" type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input checked="" type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>50</u>
<b>TOTAL FEE</b>	<b>\$</b>

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

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

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Disch, Donna L

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

Title	Name	Home Address	Post Office & Zip Code
President/Member	_____	_____	_____
Vice President/Member	_____	_____	_____
Secretary/Member	_____	_____	_____
Treasurer/Member	_____	_____	_____
Agent ▶	_____	_____	_____
Directors/Managers	_____	_____	_____

3. Trade Name ▶ Prairie Beverage mart Business Phone Number \_\_\_\_\_  
4. Address of Premises ▶ 2705 Prairie Ave, Beloit, WI Post Office & Zip Code ▶ 53511

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

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

10. Legal description (omit if street address is given above): \_\_\_\_\_  
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) If yes, under what name was license issued? \_\_\_\_\_  
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No  
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776]  Yes  No  
14. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor?  Yes  No

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

**SUBSCRIBED AND SWORN TO BEFORE ME**

this 7<sup>th</sup> day of April, 20 11

[Signature]  
(Clark/Notary Public)

My commission expires 9-22-11

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

\_\_\_\_\_  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

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

**TO BE COMPLETED BY CLERK**

Date received and filed with municipal clerk <u>4-7-11</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name, (please print) (last name) (first name) (middle name) <b>DISch Donna Lee</b>			Social Security Number		
Home Address (street/route) <b>14617 W. Carroll Rd</b>		Post Office	City <b>Brodhead</b>	State <b>WI</b>	Zip Code <b>53520</b>
Home Phone Number <b>608-879-9477</b>		Age	Date of Birth	Place of Birth <b>Chicago</b>	

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

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

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

- How long have you continuously resided in Wisconsin prior to this date? 40 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name of Wholesale Licensee or Permittee) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name <b>Amerigas</b>	Employer's Address <b>209 E. Beloit St Orfordville, WI 53576</b>	Employed From <b>6-30-2010</b>	To <b>present</b>
Employer's Name	Employer's Address	Employed From	To

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

Subscribed and sworn to before me

this 7<sup>th</sup> day of April, 20 11

[Signature]  
(Clerk/Notary Public)

Donna Disch  
(Signature of Named Individual)

My commission expires 9-22-11



Printed on Recycled Paper

Wisconsin Department of Revenue

# ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 2011 20 11 ;  
ending June 2012 20 12

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

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

Applicant's Wisconsin Seller's Permit Number: <u>Applied for</u>	
Federal Employer Identification Number (FEIN): <u>680679836</u>	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input checked="" type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>50.00</u> <u>AD 4/13</u>
<b>TOTAL FEE</b>	\$

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

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

2. Name (Individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Atlanta Bread Beloit LLC

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

	Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>Member</u>	<u>GODFREY ANYANWU</u>	<u>1732 Morse</u>	<u>Beloit WI 53511</u>
Vice President/Member	<u>MEMBER</u>	<u>SADIQUE ISAHAKU</u>	<u>758 Reliance Dr.</u>	
Secretary/Member				
Treasurer/Member				
Agent		<u>SADIQUE ISAHAKU</u>		

3. Trade Name ATLANTA BREAD BELOIT Business Phone Number 608-364-1000

4. Address of Premises 2747 MILWAUKEE RD Post Office & Zip Code 53511

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

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Restaurant - 1 story main sales area, coolers

10. Legal description (omit if street address is given above): \_\_\_\_\_  Yes  No

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) if yes, under what name was license issued? \_\_\_\_\_

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No

13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776]  Yes  No

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

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

SUBSCRIBED AND SWORN TO BEFORE ME  
this 13th day of April, 20 11  
John J. Abrams  
(Clerk/Notary Public)  
My commission expires 12-11-11

[Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)  
[Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)  
[Signature]  
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK			
Date received and filed with municipal clerk <u>4-18-11</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name)			Social Security Number	
Isahakee Sadique				
Home Address (street/route)	Post Office	City	State	Zip Code
758 E. Petunia Ln		Beloit	WI	53511
Home Phone Number	Age	Date of Birth	Place of Birth	
608-365-9629			ZANIA	

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

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

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

- How long have you continuously resided in Wisconsin prior to this date? 10+ years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license; brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name of Wholesale Licensee or Permittee) (Address By City and County)

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

Employer's Name	Employer's Address	Employed From	To
Atlanta Bread Beloit	2747 Milwaukee Rd	2007	2010
Beloit College	700 College St Beloit, WI 53511	Sept 1998	Aug 2008

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

Subscribed and sworn to before me

this 13th day of April, 2011  
Jelene J. Ahrens  
(Clerk/Notary Public)  
My commission expires 12-11-11

[Signature]  
(Signature of Named Individual)



Printed on Recycled Paper

Wisconsin Department of Revenue

April 21

# ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning JULY 1st 20 11 ;  
ending JUNE 30 20 12

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

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

Applicant's Wisconsin Seller's Permit Number:	
Federal Employer Identification Number (FEIN): <u>45-1838256</u>	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>50.00</u> Ad 4-21-11
TOTAL FEE	\$

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

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

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): ISMAEL HERNANDEZ JR - HRNS V ENTERTAINMENT LLC

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

President/Member ISMAEL HERNANDEZ Title \_\_\_\_\_ Name \_\_\_\_\_ Home Address 511 N LAKEWOOD TER Post Office & Zip Code ROUND LAKE IL 60073  
 Vice President/Member \_\_\_\_\_  
 Secretary/Member \_\_\_\_\_  
 Treasurer/Member \_\_\_\_\_  
 Agent JAIME HERNANDEZ 2137 Deer Run DeLavan, WI 53115  
 Directors/Managers \_\_\_\_\_

3. Trade Name LA MOVIDA Business Phone Number 224-321-4779  
 4. Address of Premises 1310 CRANSTON RD BELOIT Post Office & Zip Code WI 53546

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

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Bar area Stage Dance Floor Storage Room

10. Legal description (omit if street address is given above): \_\_\_\_\_  
 11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
 (b) If yes, under what name was license issued? DeLava, Inc  
 12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No  
 13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776]  Yes  No  
 14. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor?  Yes  No

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

### SUBSCRIBED AND SWORN TO BEFORE ME

this 21 day of April, 20 11

[Signature]  
(Clerk/Notary Public)

My commission expires 9-22-13

[Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

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

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

### TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>4-21-11</u>	Date reported to council/board <u>5-2-11</u>	Date provisional license issued <u>N/A</u>	Signature of Clerk / Deputy Clerk
Date license granted <u>6-6-11</u>	Date license issued	License number issued <u>N/A</u>	

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name)			Social Security Number	
HERNANDEZ JR ISMAEL				
Home Address (street/route)	Post Office	City	State	Zip Code
511 LAKEWOOD TERRACE		ROUND LAKE	IL	60073
Home Phone Number	Age	Date of Birth	Place of Birth	
224-321-4779			LIBERTYVILLE IL.	

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

Applying for an alcohol beverage license as an individual.

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

ISMAEL HERNANDEZ JR. of HRNS V ENTERTAINMENT.  
(Officer/Director/Member/Manager/Agent) - Resident (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

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

1. How long have you continuously resided in Wisconsin prior to this date? 0

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

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

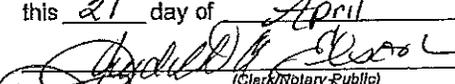
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name,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

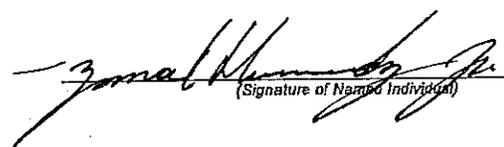
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license; brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
If yes, identify. HRNS V ENTERTAINMENT 1310 CRANSTON RD BELDIT ROCK CO.  
(Name of Wholesale Licensee or Permittee) (Address By City and County)

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

Employer's Name	Employer's Address	Employed From	To
JR EXTERIOR ROOFING	511 LAKEWOOD TER. ROUND LAKE.	NOV 2010	TODAY.
H.B. CONSTRUCTION	511 LAKEWOOD TER ROUND LAKE	APRIL 2008	NOV 2010

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

Subscribed and sworn to before me  
this 21 day of April, 2011  
  
(Clerk/Notary Public)  
My commission expires 9-22-13

  
(Signature of Named Individual)



# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Hernandez</u> (first name) <u>Jaime</u> (middle name)		Social Security Number	
Home Address (street/route) <u>2137 Deer Run</u>	Post Office	City <u>Delavan</u>	State <u>WI</u> Zip Code <u>53115</u>
Home Phone Number <u>262-215-5794</u>	Age	Date of Birth	Place of Birth <u>Mexico</u>

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

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

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

- How long have you continuously resided in Wisconsin prior to this date? 15 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
 If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
 If yes, identify. DeLara INC  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
 If yes, identify. DeLara INC 7942 Centerbury Ridge  
(Name of Wholesale Licensee or Permittee) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name <u>Palmer Hamilton</u>	Employer's Address <u>143 Jackson St suite 1</u>	Employed From: <u>2-20-2000</u>	To <u>Present</u>
Employer's Name	Employer's Address <u>Elkhorn WI</u>	Employed From	To

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

Subscribed and sworn to before me

this 25 day of April, 20 11

[Signature]  
(Clerk/Notary Public)

My commission expires 9-22-13

Jaime Hernandez  
(Signature of Named Individual)



Printed on Recycled Paper

Wisconsin Department of Revenue

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

Submit to municipal clerk.

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

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

The undersigned duly authorized officer(s)/members/managers of HRNS U. Entertainment LLC  
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as La movida  
(trade name)

located at 1310 Cranston Road Beloit WI

appoints Jaimie Hernandez  
(name of appointed agent)

2137 Deer Run Delavan WI 53115  
(home address of appointed agent)

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

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

Is applicant agent subject to completion of the responsible beverage server training course?  Yes  No  
How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 15 years

Place of residence last year 2137 Deer Run - Delavan, WI

For: ISMAEL HERNANDEZ JR.  
(name of corporation/organization/limited liability company)

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

And: \_\_\_\_\_  
(signature of Officer/Member/Manager)

**ACCEPTANCE BY AGENT**

I, Jaimie Hernandez, hereby accept this appointment as agent for the  
(print/type agent's name)

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

Jaimie Hernandez 4/23/11 Agent's age \_\_\_\_\_  
(signature of agent) (date)  
2137 Deer Run Delavan WI 53115 Date of birth \_\_\_\_\_  
(home address of agent)

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

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

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

# ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 20 11 ;  
ending June 20 12

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

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

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

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

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): AKSHAR BRAHMA INC.

Applicant's Wisconsin Seller's Permit Number: <u>456-1027265213-03</u>	
Federal Employer Identification Number (FEIN): <u>77-0906920</u>	
LICENSE REQUESTED	
TYPE	FEE
<input checked="" type="checkbox"/> Class A beer	\$ <u>500.00</u>
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input checked="" type="checkbox"/> Class A liquor	\$ <u>500.00</u>
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>50 PA 4-15</u>
<b>TOTAL FEE</b>	\$ _____

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

Title	Name	Home Address	Post Office & Zip Code
* President/Member <u>Pres.</u>	<u>Tijesh Desai</u>	<u>2777 N. Robinson Dr. #3</u>	<u>53511</u>
Vice President/Member _____			
Secretary/Member _____			
Treasurer/Member _____			
Agent <u>Tijesh Desai</u>			
Directors/Managers _____			

3. Trade Name Tobacco Shack Business Phone Number (608) 363-0577  
4. Address of Premises 1212 Cranston Rd Reboit Post Office & Zip Code 53511

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period?  Yes  No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?  Yes  No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No
8. (a) Corporate/limited liability company applicants only: Insert state Wisc. and date 7-21-2010 of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin?  Yes  No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 3200 Selt Building Gules Flot, St. Louis, Carter

10. Legal description (omit if street address is given above): \_\_\_\_\_  Yes  No

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No

(b) If yes, under what name was license issued? Tobacco Shack INC

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No

13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776]  Yes  No

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

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

SUBSCRIBED AND SWORN TO BEFORE ME

this 14 day of April, 20 11

[Signature]  
(Clerk/Notary Public)

My commission expires 11-25-12

[Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

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

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

## TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>4-15-11</u>	Date reported to council/board <u>5-2-11</u>	Date provisional license issued <u>N/A</u>	Signature of Clerk / Deputy Clerk
Date license granted <u>6-6-11</u>	Date license issued	License number issued <u>N/A</u>	

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

Submit to municipal clerk.

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

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

The undersigned duly authorized officer(s)/members/managers of ANSHAR BRAHMA inc.  
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Tobacco Shack  
(trade name)

located at 1212 Cranston Rd Beloit WI 53511

appoints Jignesh Desai  
(name of appointed agent)

2777 N. Robinson Dr #3 Beloit WI 53511  
(home address of appointed agent)

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

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

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

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 11 months

Place of residence last year 784 Overland Ct. Roselle IL 60172

For: ANSHAR BRAHMA inc.  
(name of corporation/organization/limited liability company)

By: J Desai  
(signature of Officer/Member/Manager)

And: \_\_\_\_\_  
(signature of Officer/Member/Manager)

### ACCEPTANCE BY AGENT

I, Jignesh Desai, hereby accept this appointment as agent for the  
(print type agent's name)

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

J Desai 4-14-2011 Agent's age 44  
(signature of agent) (date)

2777 N. Robinson Dr #3 Beloit WI 53511 Date of birth 2-19-1966  
(home address of agent)

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

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

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

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name)			Social Security Number		
Desai Jignesh U					
Home Address (street/route)		Post Office	City	State	Zip Code
2777 W. Robinson Dr. Apt 3			Beloit	WI	53511
Home Phone Number		Age	Date of Birth		Place of Birth
630-829-4906					INDIA

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

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

which is making application for an alcohol beverage license.

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

- How long have you continuously resided in Wisconsin prior to this date? 9 months
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name of Wholesale Licensee or Permittee) (Address By City and County)

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

Employer's Name	Employer's Address	Employed From	To
Roselle Tobacco	27 West Frank Pk Rd Roselle IL.	JAN 2005	JUNE 2010
Woodridge Tobacco	8217 S. James Ave Woodridge IL.	MAY 2003	JAN 2005

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

Subscribed and sworn to before me

this 14 day of April, 2011  
My P. O. Long  
(Clark/Notary Public)

Desai  
(Signature of Named Individual)

My commission expires 11-25-12



# Application for Cigarette and Tobacco Products License

MUNICIPAL USE ONLY

Applicant's Wisconsin 15-digit Sales Tax Account Number  
456-1027265213-03

← This must be issued in the same Legal Name of the licensee below.

License Number <u>N/A</u>
Period Covered <u>7/1/11 - 6/30/12</u>
Date of Issuance

Legal Name (corporation, limited liability company, partnership or sole proprietorship) <u>AKSHAR BRAHMA INC.</u>			Federal Employer Identification No. (FEIN) <u>27-0906920</u>	
Trade or Business Name (if different than Legal Name) <u>Tobacco Shack</u>			Telephone Number <u>(608) 363-0577</u>	
Business Address (Permit Location) <u>1212 Cranston Rd.</u>		Business Located In <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Town		Business Telephone ( )
City <u>Beloit</u>	State <u>WI</u>	ZIP Code <u>53511</u>	of: <u>Beloit</u>	County <u>Rock</u>
Mailing Address (if different than Business Address)			City	State    ZIP Code

Organization (check one)

Sole Proprietor     
  Wisconsin Corporation – Enter date incorporated: 7-21-2010

Partnership     
  Out-of-State Corporation – Are you registered to do business in Wisconsin?     YES     NO

Other (describe) \_\_\_\_\_

- YES     NO    1. Does the applicant understand that they must purchase cigarettes only from manufacturers, distributors or jobbers who hold a permit with the Wisconsin Department of Revenue?
- YES     NO    2. Does the applicant understand that they must obtain a Tobacco Products Distributor permit if purchasing untaxed tobacco products from an out-of-state company? (Tobacco Products Distributor permit is available from the Wisconsin Department of Revenue at 608-261-6435.)
- YES     NO    3. Does the applicant understand that they cannot purchase/exchange cigarettes or tobacco products from another retailer, including transferring existing stock to a new owner?
- YES     NO    4. Does the applicant understand that they must provide employees with tobacco sales training approved by the Wisconsin Department of Health and Family Services? (SmokeCheck.org)
- YES     NO    5. Does the applicant understand that they may not sell, give or otherwise provide cigarettes/tobacco products to minors?
- YES     NO    6. Does the applicant understand that they may not sell single cigarettes?
- YES     NO    7. Does the applicant understand that cigarette and tobacco products invoices must be kept on the licensed premises for two years from the date of the invoice and be available for inspection by the Wisconsin Department of Revenue/law enforcement and that failure to comply can result in criminal penalties, including loss of cigarettes/tobacco products?
- YES     NO    8. Does the applicant understand that only cigarettes and roll-your-own (RYO) tobacco products listed on the Wisconsin Department of Justice's website labeled "Directory of Certified Tobacco Manufacturers and Brands" at [www.doj.state.wi.us/dls/tobacco/index.html](http://www.doj.state.wi.us/dls/tobacco/index.html) may be sold in Wisconsin?

Cigarettes / Tobacco will be sold     over counter     through vending machine     both

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the applicant. Applicant agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another.

Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME  
 this 14 day of April, 20 11  
[Signature]  
 (Clerk / Notary Public)  
 My commission expires 11-25-12

[Signature]  
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

# ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning 7-1 20 11 ;  
ending 6-30 20 12

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

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

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

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

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): EI Rancho Restaurant LLC

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

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>Member</u>	<u>Eduardo Cobos</u>	<u>1810 Lee Lane, Beloit, WI. 53511</u>
Vice President/Member	<u>Member</u>	<u>Paulino Aguirre</u>	<u>2424 Manor Dr. Beloit, WI. 53511</u>
Secretary/Member	<u>member</u>	<u>Alejandro Leon</u>	<u>750 Elm St. Beloit, WI. 53511</u>
Treasurer/Member			
Agent	<u>Eduardo Cobos - 1810 Lee Lane, Beloit, WI. 53511</u>		
Directors/Managers			

3. Trade Name EI Rancho Restaurant LLC Business Phone Number 608-449-5927  
4. Address of Premises 2648 Prairie Ave. Post Office & Zip Code Beloit

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period?  Yes  No  
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?  Yes  No  
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No  
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 4-17-11 of registration.  Yes  No  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin?  Yes  No  
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Restaurant: Sale of alcohol @ Bar Located in center of

10. Legal description (omit if street address is given above): Building: Storage Room @ rear of Building to store alcohol.  
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) If yes, under what name was license issued? Jose Alonso Lopez  
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No  
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776]  Yes  No  
14. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor?  Yes  No

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

SUBSCRIBED AND SWORN TO BEFORE ME  
this 18 day of April, 20 11  
Justine A. Meko  
(Clerk/Notary Public)  
My commission expires 1-15-2012

X [Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)  
[Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)  
[Signature]  
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

Applicant's Wisconsin Seller's Permit Number: <u>600-102746905-03</u>	
Federal Employer Identification Number (FEIN): <u>45-1578706</u>	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input checked="" type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>50.00</u> <u>PA 4-19</u>
<b>TOTAL FEE</b>	\$

TO BE COMPLETED BY CLERK			
Date received and filed with municipal clerk	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
<u>4-19-11</u>	<u>5-2-11</u>	<u>N/A</u>	
Date license granted	Date license issued	License number issued	
<u>6-6-11</u>			

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

Submit to municipal clerk.

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

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

The undersigned duly authorized officer(s)/members/managers of El Rancho Restaurant LLC  
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as El Rancho Restaurant LLC  
(trade name)

located at 2648 Prairie Ave. Beloit, WI. 53511

appoints Eduardo Cobos  
(name of appointed agent)  
1810 Lee Lane, Beloit, WI. 53511  
(home address of appointed agent)

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

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

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

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 18 yrs.

Place of residence last year 1810 Lee Lane, Beloit, WI. 53511

For: El Rancho Restaurant LLC  
(name of corporation/organization/limited liability company)

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

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

### ACCEPTANCE BY AGENT

I, Eduardo Cobos, hereby accept this appointment as agent for the  
(print/type agent's name)

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

[Signature] 4-18-2011 Agent's age 45  
(signature of agent) (date)  
1810 Lee Lane, Beloit, WI. 53511 Date of birth 10-13-65  
(home address of agent)

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

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

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

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Cobos</u>		(first name) <u>Eduardo</u>	(middle name)	Social Security Number	
Home Address (street/route) <u>1810 Lee Ln</u>		Post Office	City <u>Beloit</u>	State <u>WI</u>	Zip Code <u>53511</u>
Home Phone Number <u>(608) 295-6373</u>		Age	Date of Birth	Place of Birth <u>Mexico</u>	

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

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- Eduardo Cobos of EL RANCHO RESTAURANT LLC.  
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)  
President + Agent  
 which is making application for an alcohol beverage license.

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

1. How long have you continuously resided in Wisconsin prior to this date? Since 1992
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
 If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
 If yes, identify. (Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
 If yes, identify. (Name of Wholesale Licensee or Permittee) (Address By City and County)

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

Employer's Name <u>Eddy's Drywall</u>	Employer's Address <u>1810 Lee Ln Beloit WI</u>	Employed From <u>1995</u>	To <u>2011</u>
Employer's Name <u>"</u>	Employer's Address <u>"</u>	Employed From <u>"</u>	To <u>"</u>

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

Subscribed and sworn to before me

this 18 day of April, 2011  
(Signature of Notary Public)

My commission expires 1-15-2012

(Signature of Named Individual)



Printed on Recycled Paper

Wisconsin Department of Revenue

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Leon</u> (first name) <u>Alejandro</u> (middle name)			Social Security Number		
Home Address (street/route) <u>750 Elm St.</u>		Post Office	City <u>Beloit</u>	State <u>WI</u>	Zip Code <u>53511</u>
Home Phone Number <u>608-718-6346</u>		Age	Date of Birth	Place of Birth <u>Mexico</u>	

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

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

which is making application for an alcohol beverage license.

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

1. How long have you continuously resided in Wisconsin prior to this date? From Year 85
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
If yes, identify. (Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license; brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
If yes, identify. (Name of Wholesale Licensee or Permittee) (Address By City and County)

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

Employer's Name <u>Don Lawn &amp; Co.</u>	Employer's Address <u>Janesville WI</u>	Employed From <u>2000</u>	To <u>2002</u>
Employer's Name <u>Milles Const.</u>	Employer's Address <u>Milton WI</u>	Employed From <u>2002</u>	To <u>2007</u>

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

Subscribed and sworn to before me

this 18 day of April, 2011  
Justin P. Hill  
(Clerk/Notary Public)  
My commission expires 1-15-2012

Alejandro Leon  
(Signature of Named Individual)



# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Aguirre</u> (first name) <u>Paulino</u> (middle name)		Social Security Number	
Home Address (street/route) <u>2424 Manor Dr</u>		Post Office	City <u>Beloit</u>
Home Phone Number <u>608-295-7103</u>	Age	Date of Birth	State <u>WI</u> Zip Code <u>53511</u>
			Place of Birth <u>Mexico</u>

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

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

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

- How long have you continuously resided in Wisconsin prior to this date? From 1992
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license; brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name of Wholesale Licensee or Permittee) (Address By City and County)

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

Employer's Name <u>Beloit Fam Rest</u>	Employer's Address <u>2780 prairie Ave</u>	Employed From <u>1992</u>	To <u>2011</u>
Employer's Name <u>"</u>	Employer's Address <u>"</u>	Employed From <u>"</u>	To <u>"</u>

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

Subscribed and sworn to before me

this 18 day of April 20 11  
Justine A. Ack P  
(Clerk/Notary Public)  
My commission expires 1-15-2012

[Signature]  
(Signature of Named Individual)



Printed on Recycled Paper

Wisconsin Department of Revenue

**RESOLUTION  
AUTHORIZING FINAL PAYMENT OF  
PUBLIC WORKS CONTRACT C09-24  
WATER STREET, SHIRLAND AVENUE, AND CITY HALL PARKING  
LOT RECONSTRUCTION**

**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, therefore

**IT IS RESOLVED**, that Iverson Construction Co., Inc., be paid \$50,899.22 as the final payment for Contract C09-24, Water Street, Shirland Avenue, and City Hall Parking Lot Reconstruction, as recommended by the City Engineer.

Dated at Beloit, Wisconsin this Second day of May, 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

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**Topic:** Final Payment for C09-24, Water Street, Shirland Avenue, and City Hall Parking Lot

**Date:** May 2, 2011

**Presenter(s):** Dave Botts

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

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**Overview/Background Information:**

This project constructed a new roadway between Broad Street and Shirland Avenue through the former City of Beloit Wastewater Treatment Facility property and raised Shirland Avenue east of the Rock River. The project constructed a new asphalt and concrete bike path along the river, some new sidewalks, new decorative street lighting, reconstructed the parking lots for the Post Office and City Hall, a new parking lot adjacent to the proposed Transit Transfer Facility, a new entrance to City Hall off Shirland Avenue, new fencing around the existing water tower, landscaping throughout the project, and removal of the remaining portions of Mill Street.

---

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

1. Iverson Construction Co., Inc. was the low bidder for this project, and they have completed construction by the contract deadline to the satisfaction of the Engineering Division.
2. The required final pay paperwork has been submitted by the contractor and the contractor is requesting final payment.
3. The City Engineer, City Attorney, and Director of Accounting recommend that a final payment be made to Iverson Construction Co., Inc. in the amount of \$50,899.22.

---

**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 replaces a severely deteriorated street with a new street in a new location thereby improving the area and opening up the former wastewater treatment facility lot for redevelopment.

---

**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, reducing maintenance and reducing noise from traffic.

---

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

**Action required/Recommendation:**

The City Engineer, City Attorney, and Director of Accounting recommend that a final payment be made to Iverson Construction Co., Inc. in the amount of \$50,899.22.

---

**Fiscal Note/Budget Impact:**

The original awarded contract amount was \$1,890,903.05, and the final cost of the completed construction was \$2,161,380.08, being 114.3% of the awarded amount

# CITY OF BELOIT

## DEPARTMENTAL CORRESPONDENCE

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**TO:** Mike Flesch, City Engineer

**FROM:** Luke M. Arnold, P.E., Project Engineer

**DATE:** February 21, 2011

**SUBJECT:** Contract C09-24  
Water Street, Shirland Avenue, and City Hall Parking  
Lot Reconstruction

The work on this project was substantially completed with the final paving work on October 30, 2009, with some final restoration work completed in spring of 2010. The contract completion date was November 22, 2009, so the project was finished on time. The work that was completed in 2010 was restoration and decorative plantings that did not hinder the use of the new road or parking lot. I have inspected the work and I find it to be satisfactory and in conformance with the requirements of the contract. The contractor has asked for final payment. The construction of this project was managed and inspected by the City of Beloit.

The contract financial data is as follows. Only the Water St. portion of the Contract is being paid at this time. The Shirland Ave. portion was already paid in December 2009.

• Original Water St. Purchase Order	\$1,677,182.19	
Original Shirland Ave. Purchase Order	\$ 213,720.86	
Awarded Contract Total	\$1,890,903.05	
• Final Water St. amount (this final payment)	\$1,943,700.14	(115.9%)
Final Shirland Ave. amount (final payment made Dec 2009)	\$ 217,679.94	(101.9%)
Final Contract Total	\$2,161,380.08	(114.3%)

The increase was due to a high number of field changes that were necessary both to correct plan deficiencies and to add features and amenities to the project that were not in the original scope of work. A complete listing of all items and the corresponding increase or decrease over the original bid amounts is attached.

The unpaid balance on the project is \$50,899.22. Therefore, I recommend a final payment in the amount of **\$50,899.22** (3.0%) be made to Iverson Construction. Please sign the attached Pay Estimate #7 & Final and the yellow copy of the purchase order.

**FINANCIAL ANALYSIS OF PROJECT, C09-24  
WATER STREET-SHIRLAND AVENUE**

Date of Review: 2/23/2011

**FUNDING AVAILABILITY**

<u>Funding Sources</u>		Revised Budget	Received
P4506522	MILL STREET DEVELOPMENT	2,187,500.00	2,187,500.00
<b>Total Funding Sources</b>		<b>2,187,500.00</b>	<b>2,187,500.00</b>
<u>Funding Uses (including final payment)</u>			
P4506522	MILL STREET DEVELOPMENT	2,187,500.00	2,166,048.70
<b>Total Funding Uses</b>		<b>2,187,500.00</b>	<b>2,166,048.70</b>
Excess (Deficiency) of Funding Source over Use			<b>21,451.30</b>

**PERCENTAGE OF CHANGE ORDERS TO ORIGINAL CONTRACT**

Awarded Contract	1,877,182.19	
Final Contract	1,878,816.95	
Final Value of Completed Work	1,943,700.14	
Final Value of Completed Work - Awarded Contract	66,517.95	3.54%

---

**Signature Section for Financial Analysis for Final Payment**

Prepared by Laureen Preeny  
Laureen Preeny, Director of Accounting/Purchasing

Date 2/23/11

Approved by Paul York  
Paul York, Finance and Administrative Services Director

Date 2/23/11

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# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

---

**Topic:** Planned Unit Development (PUD) - Master Land Use Plan Application for the properties located at 220 Portland Avenue and 840 Fifth Street – Council Referral to the Plan Commission

**Date:** May 2, 2011

**Presenter(s):** Julie Christensen

**Department:** Community Development

---

### Overview/Background Information:

Dimension IV Madison Design Group, on behalf of the Community Development Authority, has submitted an application for review and consideration of a Planned Unit Development (PUD) - Master Land Use Plan for the properties located at 220 Portland Avenue and 840 Fifth Street. A copy of the PUD - Master Land Use Plan is attached to this report.

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### Key Issues (maximum of 5):

- This proposed PUD – Master Land Use Plan involves the replacement of ten existing 4-unit public housing buildings (commonly known as “Parker Bluff”) with a 41-unit multi-family building for elderly & disabled tenants and 9 single-family attached (rowhouse) units along Fifth Street.
- The 41-unit building will include underground parking stalls, 20 surface parking stalls, and a circular driveway. The rowhouse units will include garages facing Fifth Street. This development also includes the existing office & community building, a new playground near the rowhouse units, a vegetable garden, and pedestrian paths throughout the development.
- These properties are currently located in an R-3, Low-Density Multifamily Residential District. This office has also received a Zoning Map Amendment application in order to rezone these properties to PUD.

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

- Consideration of this request supports Strategic Goal #4.

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

- **Reduce dependence upon fossil fuels** – The proposed buildings will be much more energy efficient than the existing buildings.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – This project will help to meet the community’s need for ADA-accessible dwelling units.

---

### Action required/Recommendation:

- Referral to the Plan Commission for the May 4, 2011 meeting
- This item will most likely return to the City Council for a public hearing and possible action on May 16, 2011

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

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**Attachments:** PUD – Master Land Use Plan and Application.



**CITY of BELOIT**  
**Neighborhood Planning Division**

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

**PUD - Master Land Use Plan Application**

(Please Type or Print)

File Number: PUD-2011-02

1. Address of subject property: 220 PORTLAND AVE & 840 Fifth Street
2. Legal description: L 233 CSM VOL 1 PG 257 BEING PART LOTS 3, 4, 5 B12 MERRILL'S  
ADD  
If necessary attach a copy of the complete legal description.
3. Area of parcel in square feet or acres: LOTS 233 = 153,075 SF
4. Tax Parcel Number(s): LOT 2: 206[13520497]; 13520496
5. Owner of record: COMMUNITY DEVELOPMENT AUTHORITY Phone: 608-364-6703  
100 STATE ST BELOIT WI 53511  
(Address) (City) (State) (Zip)
6. Applicant's name: JIM GERSICH DIMENSION N-MADISON Phone: 608-821-4444  
6515 GRAND TETON, SUITE 120 MADISON WI 53719  
(Address) (City) (State) (Zip)
7. All existing use(s) on this property are: RESIDENTIAL
8. The applicant requests review and approval of a PLANNED UNIT DEVELOPMENT /  
Master Land Use Plan: in a(n) R-3, LOW-DENSITY MULTI-FAMILY Zoning District.
9. A Preapplication Conference was held on: \_\_\_\_\_
10. All the proposed use(s) for this property will be:  
Principal use(s): RESIDENTIAL  
Secondary use(s): \_\_\_\_\_
11. State how the proposed development differs from the type of development that would  
be permitted under the existing zoning regulations. BUILDING SETBACKS  
DIFFER AND SURFACE PARKING COUNT DIFFERS DUE  
TO INDOOR GARAGE PARKING
12. Describe how the proposed development provides greater benefits to the City of Beloit  
than an otherwise permitted development. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Project timetable: Start date: SUMMER 2011 Completion date: 2012

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

( ) Owner

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

(X) Contractual, nature of contract: ARCHITECTURAL

( ) Other, explain: \_\_\_\_\_

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

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

<u>Julie Christensen</u> (Signature of Owner)	/	<u>Julie Christensen</u> (Print name)	/	<u>4-4-11</u> (Date)
<u>[Signature]</u> (Signature of Applicant, if different)	/	<u>JIM GERSICH</u> (Print name)	/	<u>3-28-11</u> (Date)

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

This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$200.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

To be completed by Planning Staff	
Filing fee: <u>\$200.00</u>	Amount paid: <u>N/A</u> Meeting date: <u>May 4, 2011</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: <u>Drew Pennington</u>	Date: <u>3/29/11</u>

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Zoning Map Amendment Application for the properties located at 220 Portland Avenue and 840 Fifth Street – Council Referral to the Plan Commission

**Date:** May 2, 2011

**Presenter(s):** Julie Christensen

**Department:** Community Development

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**Overview/Background Information:**

Dimension IV Madison Design Group, on behalf of the Community Development Authority, has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-3, Low-Density Multifamily Residential District to PUD, Planned Unit Development District, for the properties located at 220 Portland Avenue and 840 Fifth Street.

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

- This application is inextricably linked to the applicant's concurrent submittal of a Planned Unit Development (PUD) - Master Land Use Plan for both properties.
- This proposed PUD involves the replacement of ten existing 4-unit public housing buildings (commonly known as "Parker Bluff") with a 41-unit multi-family building for elderly & disabled tenants and 9 single-family attached (rowhouse) units along Fifth Street.
- The 41-unit building will include underground parking stalls, 20 surface parking stalls, and a circular driveway. The rowhouse units will include garages facing Fifth Street. This development also includes the existing office & community building, a new playground near the rowhouse units, a vegetable garden, and pedestrian paths throughout the development.

---

**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** – The proposed buildings will be much more energy efficient than the existing buildings.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – This project will help to meet the community's need for ADA-accessible dwelling units.

---

**Action required/Recommendation:**

- Referral to the Plan Commission for the May 4, 2011 meeting
- This item will most likely return to the City Council for a public hearing and possible action on May 16, 2011

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

---

**Attachments:** PUD – Master Land Use Plan and Application.



# CITY of BELOIT

## NEIGHBORHOOD PLANNING DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

### Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2011-03

1. Address of subject property: 220 PORTLAND AVE & 840 Fifth Street

2. Legal description: Lot: 213 Block: 12 Subdivision: MERRILL'S ADDITION  
(If property has not been subdivided, attach a copy of the complete legal description from deed.)

Property dimensions are: 460 feet by 350 feet = 153,075 square feet.

If more than two acres, give area in acres: 3.51 acres.

3. Tax Parcel Number(s): LOT 2: 206[135 20497]; 1352-0496

4. Owner of record: COMMUNITY DEVELOPMENT AUTHORITY Phone: 608-364-6703

100 STATE ST BELOIT WI 53511  
(Address) (City) (State) (Zip)

5. Applicant's Name: JIM GERSICH DIMENSION IV-MADISON

6515 GRAND TETON, SUITE 120 MADISON WI 53719  
(Address) (City) (State) (Zip)

608-829-4444 / 1 / JGERSICH@DIMENSIONIVMADISON.COM  
(Office Phone #) (Cell Phone #) (E-mail Address)

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

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

All existing uses on this property are: RESIDENTIAL

7. All the proposed uses for this property are:

Principal use(s): RESIDENTIAL

Secondary use(s): \_\_\_\_\_

Accessory use(s): \_\_\_\_\_

8. I/we represent that I/we have a vested interest in this property in the following manner:
- ( ) Owner
  - ( ) Leasehold, Length of lease: \_\_\_\_\_
  - (X) Contractual, Nature of contract: ARCHITECTURAL
  - ( ) Other, explain: \_\_\_\_\_

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

Name(s): JULIE CHRISTENSEN - CDA      Phone: 608-364-6903

100 STATE ST                      BELOIT                      WI                      53511

(Address)                                      (City)                                      (State)                                      (Zip)

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

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

<u>Julie Christensen</u> (Signature of Owner)		<u>Julie Christensen</u> (Print name)		<u>4-4-11</u> (Date)
<u>[Signature]</u> (Signature of Applicant, if different)		<u>JIM GERSICH</u> (Print name)		<u>3-28-11</u> (Date)

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

To be completed by Planning Staff			
Filing Fee: <u>\$275.00</u>	Amount Paid: <u>N/A</u>	Meeting Date: <u>May 4, 2011</u>	
Number of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____			
Application accepted by: <u>Drew Pennington</u>		Date: <u>3/29/11</u>	
Date Notice Published: _____		Date Notice Mailed: _____	

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

**AN ORDINANCE TO AMEND SECTIONS 27.16, 29.045(3), 33.01, 33.08(2)(f), 33.08(3)(f) AND 33.08(7)(f) AND TO CREATE SECTION 33.08(9) OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO THE DEFERRAL OF SPECIAL ASSESSMENTS FOR WATER AND SEWER MAINS**

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

Section 1. Section 27.16 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

**“27.16 MANDATORY HOOKUP.**

The City wishes to assure the preservation of public health, comfort and safety. Therefore, pursuant to §281.45, Wis. Stats., the City requires that all buildings used for human habitation and located adjacent to a water main, or within a block to which a water main extends, be connected to the public water utility. If any person fails to comply with an order to connect a building used for human habitation to the public water utility for more than 10 days following receipt of the notice, the Public Works Director may cause the connection to be made and the expense thereof assessed as a special tax against the property. The owner may, within 30 days after completion of the work, file a written option with the City Clerk stating that he or she cannot pay the amount in one sum and asking that it be levied in not to exceed 5 equal annual installments and that the amount shall be so collected with interest at the rate not to exceed 15 percent per annum from the completion of the work, the unpaid balance to be a special tax lien. The City shall not order any connection as provided for herein affecting any building during any period of time when such building is receiving a deferral of special assessment under the provisions of §33.08(9) of the Code of General Ordinances of the City of Beloit unless a governmental authority with appropriate jurisdiction has determined that any private well serving the building has failed.”

Section 2. Section 29.045(3) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

**“(3) MANDATORY HOOK-UP.** Each owner of land which contains a building usable for human habitation and which is adjacent to a sewer main or a block through which such system is extended and which can service such land, shall connect to the system within 120 days of notice in writing from the City. Upon a land

owner's failure to do so, the City may cause such connection to be made and bill the property owner for such costs. If such costs are not paid within 60 days, such costs shall be assessed as a special tax against the property. The City shall not order any connection as provided for herein affecting any building during any period of time when such building is receiving a deferral of special assessment under the provisions of §33.08(9) of the Code of General Ordinances of the City of Beloit unless a governmental authority with appropriate jurisdiction has determined that any septic system or other private sewage disposal system serving the building has failed."

Section 3. Section 33.01 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"33.01 SPECIAL ASSESSMENTS.

- (1) In addition to other methods provided by law, special assessments for any public work or improvement or any current service may be levied in accordance with the provisions of this subchapter.
- (2) Whenever the City Council shall determine that any public work or improvement or any current service shall be financed in whole or in part by special assessments levied under this subchapter, it shall adopt a resolution specifying this intention and the time, either before or after completion of the work or improvement, when the amount of the assessments will be determined and levied, the number of annual installments, if any, in which assessments may be paid, the rate of interest to be charged on the unpaid balance and the terms on which any of the assessments may be deferred while no use of the improvement is made in connection with the property.
- (3) The provisions of ~~§66.60~~§§66.0703 and 66.0710, Wis. Stats., shall apply to special assessments levied under this subchapter, except that when the City Council determines by resolution that the hearing on the assessments be held subsequent to the completion of the work or improvement or the rendering of the service, the report required by ~~§66.60(3)~~§66.0703(4), Wis. Stats., shall contain a statement of the final cost of the work, service or improvement in lieu of an estimate of the cost.
- (4) Notice of the time and place of the public hearing on any special assessment proposed to be levied and notice of the final assessment and terms of payment thereof shall be given in the manner prescribed by ~~§66.60(7) and (8)(d)~~§§66.0703(7) and 66.0703(10), Wis. Stats.
- (5) Any special assessment levied under this subchapter shall be a lien against the property assessed from the date of the final resolution of the City Council determining the amount of the levy.

- (6) Any person against whose property a special assessment is levied under this subchapter may appeal therefrom in the manner prescribed by ~~§66.60(12)~~§66.0703(12), Wis. Stats., within 40 days of the date of the final determination of the City Council.”

Section 4. Section 33.08(2)(f) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

- “(f) The owner or developer receiving nonuse deferments shall file with the City a surety bond or irrevocable letter of credit to be approved by the City Attorney in an amount equal to the estimated cost of the nonuse deferments, including interest, if any. The bond or letter of credit shall run for the entire period of the nonuse deferment, including ~~the subsequent 5-year repayment period~~ any subsequent period of deferral or 5-year repayment period. The amount of the bond or letter of credit may be decreased to equal the outstanding balance of deferred assessments and interest as the sale and uses of portions of the property result in repayment of the special assessments to the City. Bonds required hereunder shall be issued by a surety company licensed to do business in the State of Wisconsin. Should the anticipated absorption rate indicated in the marketing study under §33.08(2)(c) of this chapter be substantially delayed by force majeure, in such case, and notwithstanding the provisions in §33.08(7)(b) of this chapter, the owner may request a further nonuse deferment of up to 3 years; provided the deferment has not been terminated pursuant to the provisions set forth herein. Interest during the subsequent 3-year payment period shall be increased to an amount equal to 2% above the Wisconsin State Trust Fund Loan Rate used in the authorizing resolution, calculated per annum on the unpaid balance, and shall be entered each year on the tax roll.”

Section 5. Section 33.08(3)(f) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

- “(f) The owner or developer receiving nonuse deferments shall file with the City a surety bond or irrevocable letter of credit to be approved by the City Attorney in an amount equal to the estimated cost of the nonuse deferments, including interest, if any. The bond or letter of credit shall run for the entire period of the nonuse deferment, including ~~the any~~ subsequent period of deferral or 5-year repayment period. The amount of the bond or letter of credit may be decreased to equal the outstanding balance of deferred assessments and interest as the sale and uses of portions of the property result in repayment of the special assessments to the City. Bonds required hereunder shall be issued by a surety company licensed to do business in the State of Wisconsin. Should the anticipated absorption rate indicated in the marketing study under §33.08(2)(c) of this chapter be substantially delayed by force majeure, in such case, and notwithstanding the provisions in §33.08(7)(b) of this chapter, the owner may request a further nonuse deferment of up to 3 years; provided the deferment has not been terminated pursuant to the provisions set forth herein. Interest during the subsequent 3-year payment period shall be increased to an amount

equal to 2% above the Wisconsin State Trust Fund Loan Rate used in the authorizing resolution, calculated per annum on the unpaid balance, and shall be entered each year on the tax roll.”

Section 6. Section 33.08(7) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(7) DEFERMENTS AFTER ADOPTION OF FINAL RESOLUTION.

- (a) Generally, special assessments are imposed following the procedures outlined in the State Statutes. Those statutes require a final resolution which describes, among other things, the method of payment.
- (b) Once a public works project in support of a private development is approved by the City, either before or after the adoption of a preliminary resolution in the special assessment procedure, landowners affected by the special assessments may apply for nonuse deferments as provided for in this section. Only the City Council may grant such nonuse deferments. Requests for deferment shall be made in writing ~~before or at the hearing on the final resolution. However, no request for nonuse deferment will be considered or acted upon by the council after passage of the final resolution. Such requests must be received and made known to the council before action upon the final resolution or they will not be considered and~~ filed with the City Clerk at least two weeks prior to the City Council hearing on the final resolution in the case of the initial deferment. No request for an initial period of nonuse deferment will be considered or acted upon by the City Council after passage of the final resolution. Provided a request for an initial nonuse deferment is timely received, it will be duly placed upon the agenda at the time of the meeting on the hearing for the final resolution. Subsequent requests for extensions of deferments as provided for herein must be made in writing and must be received by the City Clerk no later than 60 days prior to the end of the expiration of the deferral period sought to be extended.”

Section 7. Section 33.08(9) of the Code of General Ordinances of the City of Beloit is hereby created to read as follows:

“(9) WATER AND SEWER MAIN INSTALLATION IN EXISTING RESIDENTIAL NEIGHBORHOODS. Deferred special assessments, pursuant to the authority granted by §§66.0715(2) and 74.12(1), Wis. Stats., shall be provided to owners of parcels with residential improvements within the City which currently have neither sewer or potable water service at the time of installation of such sewer or potable water infrastructure.

- (a) In existing residential neighborhoods where sanitary sewer or potable water mains are to be installed, the special assessment charge for the cost of infrastructure, as determined by the City’s Engineering Division

and approved by Council resolution, may be deferred and paid as a connection fee for any benefited residential parcel not immediately receiving water or sewer service. The total deferred special assessment for each parcel shall be deemed a connection fee and shall be due and payable to the City at the time the parcel is connected to the new sewer or water mains servicing that property. Residents connecting to only water or only sewer shall have the total assessment prorated and the connection fee shall be the prorated cost of whichever main is being connected to with the prorated cost of the unused main continuing to be deferred.

- (b) The amount of the deferred special assessment shall include the direct and indirect costs as provided for in §66.0703(2), Wis. Stats; provided that interest on any bonds or notes issued in anticipation of the collection of said assessments will be added to the deferred assessment annually for the period of the repayment of the debt but under no circumstances for more than a period of 10 years following the date of issuance. Following the addition of the interest rate, the deferred special assessment, or connection fee, shall be fixed until such time as the property owner connects to one or both of the utility services. Property owners may still elect to pay their assessment at any earlier time following final approval of the Council resolution in order to save interest charges.
- (c) At the time of connection, the resident shall have the option of paying the connection fee in full or deferring payment in equal installments over a 10-year period, beginning with the date of connection. Deferred payments will carry an additional interest charge on the unpaid balance as established by the City Council in the original assessment resolution.
- (d) Despite deferrals as provided for in this section, all special assessments, including deferred connection fees, shall be paid in full at the time of any form of title transfer, sale or conveyance of a parcel otherwise eligible for deferral hereunder, regardless of whether or not the parcel has connected to the potable water or sewer mains. Title shall be deemed transferred upon execution of any legally binding conveyance, including a land contract, whether such conveyance is recorded or not. No parcel receiving any deferral hereunder may be subdivided until all special assessments being deferred hereunder are paid in full.
- (e) The provisions of this section shall pertain only to parcels containing residential improvements in existing City neighborhoods or existing neighborhoods that may subsequently be annexed into the City and shall not be available for use in newly constructed residential sub-divisions, which shall be eligible for deferrals of special assessments as provided for in §33.08(2) of the Code of General Ordinance of the City of Beloit.”

Section 8. This ordinance shall be in force and take effect upon passage and publication.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Kevin D. Leavy, Council President

ATTEST:

\_\_\_\_\_  
Rebecca S. Houseman, City Clerk

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

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

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

tdh/ordinances/Deferral of Special Assessments for Water & Sewer Mains=ORD=110425 1011 (rdln) (11-1066)

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Amendment of Special Assessment Ordinance Relating to Nonuse Deferrals of Special Assessments for Developer-Owned Properties and to Create New Ordinance for Deferrals in Existing Residential Areas.

**Date:** May 2, 2011

**Presenter(s):** Thomas Casper & Larry Arft

**Department(s):** City Attorney & City Manager

---

### Overview/Background Information:

State statute §74.12 allows a city to adopt an ordinance permitting the payment of special assessments in multiple installments. The City has had such an ordinance in place in Chapter 33 for some time providing for nonuse deferrals for developer-owned properties. The process provided for is most often used for residential subdivisions while the lots remain unbuilt and prior to sale of the lots. Because of the economic conditions of the past few years, the existing subdivisions which have received such deferrals have not been built out on the original schedule. One of the owners has requested a further deferment. The City believes that a further limited deferment of up to three years would be in the best interests of the City in that it is likely that the property would go to tax foreclosure absent such a further deferment. Were that to happen, the City would inevitably have to maintain the lots in question and there would obviously be no further development on the lots by the developer once economic conditions improved. The proposed language makes any request for a further three-year deferment a discretionary decision of the City Council and only the City Council could ultimately choose to grant such a deferment. The proposed ordinance would set a mechanism in place for developers to come to Council and have their requests considered.

In addition, there are existing residential areas in the City where water and/or sewer mains have not yet been installed. In order to protect the integrity of the City's ground water supplies and to promote the public health of City residents, it is desirous that sewer mains be installed in existing residential neighborhoods located within the City limits, which are designated as part of the City's 208 sewer service area pursuant to the approval of said service area by the Wisconsin Department of Natural Resources.

It is further beneficial to both benefitted properties and the community at large to provide potable water service through the extension of water mains into neighborhoods within the City, when possible and when economically feasible. The extension of such infrastructure into neighborhoods not previously served has become more expensive with the passage of time and such installations can create an economic hardship upon the owners of the benefitted properties, particularly for owners who do not immediately need to nor plan to connect to the new sewer or water service mains.

The existing provisions in Chapter 33 – Special Assessments adequately deal with nonuse deferrals for new subdivisions. However, those provisions do not adequately address existing developed residential areas that are un-served by water and/or sewer mains. Adoption of the proposed amendment will reflect the City Council's determination that it is in best interest of the public health and welfare to extend water and sewer service to all residential neighborhoods, particularly when the need for sewer service is manifested through the failure of an existing septic system and will do so in a fashion that will avoid economic hardship for benefitted property owners.

Note that the attached ordinance also makes some technical corrections to City Ordinance §33.01 by updating the references therein to state statutes which have been renumbered.

---

### Key Issues (maximum of 5):

1. Is it in the best interest of the City to have a mechanism providing for a further three-year nonuse deferment of special assessments for commercially-owned property?
  2. Is it in the best interest of the public health and welfare to extend water and sewer service to all residential neighborhoods?
  3. Is it desirous to avoid or minimize economic hardship for benefitted property owners when such extensions are made?
-

---

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

Goal #1: As an eco-municipality, focus on the sustainable stewardship of City resources, services and infrastructure; to protect both our built and natural environment and enhance the quality of life for current and future generations.

---

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 – The use of septic systems and wells in concentrated urban areas has been found to contribute to numerous public health and welfare issues and has been resolved by the extension of sewer and water mains to provide for readily available potable water supplies and the common collection and treatment of domestic waste.
- Meet the hierarchy of present and future human needs fairly and efficiently – The encouragement of water and sewer main extensions to currently un-served residential areas, along with the avoidance or minimization of economic hardship to the benefited properties, will be promoted by adoption of the ordinance.

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:

Adoption of Ordinance

---

Fiscal Note/Budget Impact:

Funding would come from the Sewer Utility through the Capital Improvements Budget and will be reimbursed over time by benefitted property owners.

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Attachments:

Proposed Ordinance

110421 0925 (cln)

**CITY OF BELOIT**  
**DEPARTMENTAL CORRESPONDENCE**

---

**TO:** Larry N. Arft VIA EMAIL  
**FROM:** Thomas R. Casper   
**DATE:** April 25, 2011  
**SUBJECT:** **Deferral of Special Assessments**  
**Our File: 11-1066**

Attached find a new draft of the proposed ordinance combining changes to the existing deferral provisions for developer-owned properties and also creating a new system of deferrals when we install utilities in existing residential areas.

When discussing the draft with Mike Flesch, he pointed out that we might want to clarify what constitutes interest versus principal as one deferment comes to an end and another starts. Should we make it clear that we would combine all accrued interest with the existing principal each time one deferment ended and a new one begins so that the new interest would be running on a higher amount of principal? If we want to do that, I would suggest something along the following lines, which could be added at the end of Section 6 in the attached (§33.08(7)(b) of the actual ordinance).

If there is any subsequent deferral of special assessments, each such subsequent period of deferral shall combine any previously deferred interest with the principal, and the entire amount so computed shall constitute the new amount of principal for the subsequent deferral period.

You will note that the “surety bond or letter of credit” language remains. Prior to our amendment of the deferral ordinance in July 2007, the previous version required that a “bond” be posted but did not specify whether it had to be a surety bond or could be a personal guarantee form of bond. My understanding is that we cannot locate any such bonds for either Walnut Grove or Acorn. As to the history of deferrals on Acorn and Walnut Grove you requested, I reviewed the old files and found the following:

In the case of Walnut Grove, the final resolution was adopted in April 2005 with an amended version in October 2005. It called for ten annual installments beginning January 31, 2007 at 6% interest.

In March 2007, a "second amended" final resolution was adopted by Council reflecting the developer's request to convert the special assessment to the five-year deferral option provided for at that time in the Code. That resolution called for the first deferred annual installment to be due January 31, 2011, and the City refunded approximately \$72,000, representing the January 2007 payment with 6% interest.

In August 2009, Council adopted a "third amended" final resolution, which recited that the owners had requested a further three-year deferral of payments on the unsold lots. That resolution provided for a first annual installment to be due January 31, 2014 with all of the remaining unpaid special assessments to be paid in five annual installments. Interest was to be 3% from 2006 until 2014 when it was to increase to 6%.

In reviewing the City Clerk's Acorn Development file (Deerfield Estates – Plat I), the file reveals that the final resolution was initially adopted July 6, 2004 and the final resolution provided for 12 annual installments at the rate of 4% beginning January 31, 2005.

An amended final resolution was adopted by Council in July 2005, again providing for 12 annual installments at 4% per annum beginning January 31, 2006.

A "second amended" final resolution was adopted November 21, 2005, again providing for 12 annual installments at 4% per annum beginning on January 31, 2007.

A "third amended" final resolution was adopted March 5, 2007. That resolution reflects that the City agreed to refund approximately \$50,000, representing the January 2007 assessment and further reflecting that the assessments be paid in five annual installments beginning January 31, 2010 at a blunted interest rate of 3% beginning in January 2005 and increasing to 4% in January 2010.

A "fourth amended" final resolution was adopted October 6, 2008 relating to the installation of sidewalks but not otherwise amending interest or payment schedules.

The proposed new ordinance attached would make it clear that the Council can indeed consider a further deferral in cases of force majeure after the final resolution has been adopted. However, it could only be one such further deferral of “up to three years.” Whether “force majeure” should be further defined remains a concern to me.

Please feel free to make any additional comments that come to mind as you review this.

/tdh

encs.

c: Paul York (w/ encs.)(via email)  
Dave Botts (w/ encs.)(via email)  
Mike Flesch (w/ encs.)(via email)  
Ed Ganser (w/ encs.)(via email)  
Beth Krueger (w/ encs.)(via email)

**FINAL RESOLUTION AUTHORIZING  
SANITARY SEWER AND WATER SYSTEM IMPROVEMENTS AND LEVYING  
SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY**

**WHEREAS**, the City Council of the City of Beloit, Rock County, Wisconsin, held a public hearing at the City Hall at 7:00 p.m. on the 2nd day of May, 2011, for the purpose of hearing all interested persons concerning the preliminary resolution and report of the City Engineer on the proposed improvement of sanitary sewer and water service, including mains, laterals and hydrants, in the following streets or portions thereof:

- Hawthorne Drive
- Sandell Court (unimproved)

and has heard all persons desiring an audience at such hearing; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Beloit as follows:

1. That the report of the City Engineer pertaining to the construction of the above-described public improvements, including plans and specifications therefore, is hereby adopted and approved.
2. That the City Manager is directed to carry out the work of such improvements in accordance with the report of the City Engineer.
3. That payment for said improvements be made by assessing the cost to the parcels benefited in accordance with said report as finally approved.
4. That benefits and damages shown on the report are true and correct and are hereby confirmed.

5. That the assessments may be paid in cash or in ten (10) annual installments to the City Treasurer. The first annual installment shall be due on January 31, 2012. Assessments paid on the installment basis and deferred assessments shall bear interest at the rate of five and three quarters percent (5.75%) per annum, computed from the date of the Installment Assessment Notice. Installments and assessments not paid when due shall bear interest on the amount at the rate of one percent (1%) per month or at the rate of interest for delinquent unpaid real estate taxes, whichever is higher. Assessments levied for public improvements entered on the tax roll by election of the concerned parcel owner(s) shall be collected in full on or before the last day of January.
6. Property owners may defer assessment until such time as the parcel attaches to the utility or as otherwise provided in Chapter 33 of the Municipal Code.
7. The City Clerk is directed to publish this resolution in the official newspaper of the City.
8. The Clerk is further directed to mail a copy of this resolution to every parcel owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

Adopted this 2nd day of May, 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 Resolution to special assess Hawthorne Drive Sanitary Sewer and Water Extensions

**Date:** May 2, 2011

**Presenter(s):** David Botts

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

---

### Overview/Background Information:

This project will install sanitary sewer to serve existing parcels in the City's sanitary service area. Water system extensions will also be installed as necessary, and the affected roadway will be reconstructed.

---

### Key Issues:

1. City Staff met with 12 property owners at special meetings on October 27, 2010 and January 13, 2011 to explain the assessment process and the sewer plans.
2. The preliminary resolution to special assess and directive to prepare plans and estimates was passed by Council on August 2, 2010.
3. The amount assessed to the properties in the assessment district will be the lesser of: the actual cost of the improvements, or the estimated amount as stated in the final resolution. The actual cost of construction will be known only after the project is completed to the satisfaction of the engineer.
4. The following parcel requested sewer: 2550 Hawthorne Drive.

---

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

1. Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.
  - This project will improve water quality by eliminating private septic waste storage in an urban area.

---

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

- **Reduce dependence upon fossil fuels**  
The sanitary system expansion will be designed to utilize gravity flow.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**  
Treatment of human waste at the Publicly Owned Treatment Works will assure that all laboratory testing procedures are performed and monitored by licensed and trained personnel to assure water quality meets regulatory requirements.
- **Reduce dependence on activities that harm life sustaining eco-systems**  
Eliminate private and unmonitored discharge of effluent to the water table.
- **Meet the hierarchy of present and future human needs fairly and efficiently**  
Each owner whose property benefits from the system expansion will share the infrastructure costs.

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

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### Action required/Recommendation:

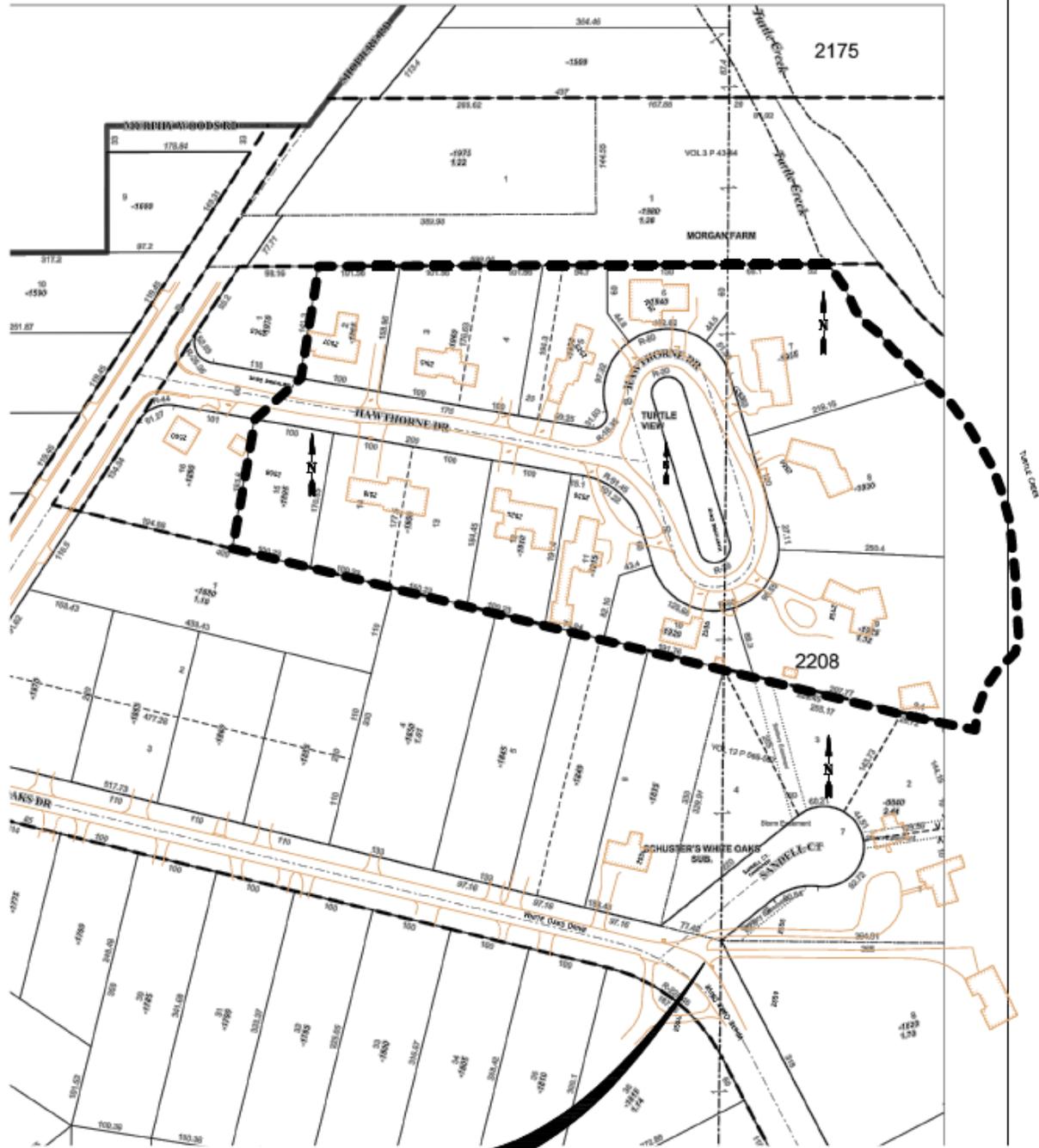
Approval of the final resolution to special assess.

---

### Fiscal Note/Budget Impact:

The capital improvement plan will fund the initial cost of the improvements, and the costs will be recovered in future years as special assessments.

# ASSESSMENT DISTRICT MAP HAWTHORNE DRIVE SEWER AND WATER EXTENSIONS



CONNECTION POINT

----- DISTRICT LIMITS  
AND ULTIMATE SERVICE AREA  
9.31 ACRES

Drawn By: ASH

Date: February 4, 2011

File Name: C11-02

Hawthorne Drive Sewer Extension



N:\LIB\2011 CONSTRUCTION\C11-02 HAWTHORNE SEWER EXTENSION\GRAPHICS\HAWTHORNE SEWER EXTENSION.DWG, 2/4/2011 2:45:55 PM

**REPORT OF THE CITY ENGINEER ON PROPOSED  
SANITARY SEWER AND POTABLE WATER IMPROVEMENTS AND  
ASSESSMENTS**

In accordance with the preliminary resolution of the City Council dated August 2, 2010, I herewith submit my report on the assessment of benefits and damages for improvements to be made in the streets or portions of streets listed in Schedule B of this report.

This report consists of the following schedules attached hereto:

Schedule A – Preliminary plans and specifications.

Schedule B – Estimate of cost of proposed improvements.

Schedule C – Estimate of benefits and damages and net benefits and damages to each parcel of property affected. Such estimate has been made from a view of each parcel.

Respectfully submitted,



\_\_\_\_\_  
Michael F. Flesch, P.E.  
City Engineer

## **SCHEDULE A**

This improvement consists of constructing 1383' of 8" diameter sanitary sewer gravity main in Hawthorne Drive from an existing manhole on White Oaks Drive north. Also included is 4" lateral sanitary service to the right of way line for each of the twelve lots and 8" diameter potable water main in Hawthorne Drive from Shopiere Road to White Oaks Drive and water service laterals to the property line. The existing roadway over the sewer will be destroyed by the installation and rebuilt under this contract. All work shall be done per applicable sections of the State of Wisconsin Department of Transportation Standard Specifications for Highway and Structure Construction, 2003 Edition, and Standard Specifications for Sewer and Water Construction in Wisconsin, Sixth edition.

The sanitary sewer extensions and potable water extensions will make service available to 11 occupied properties that are currently not served.

## **SCHEDULE B**

The estimated total cost of sanitary sewer and potable water installation in the following described assessment district in accordance with the plans and specifications is \$284,736.38.

This cost includes Engineering fees, legal fees, and City administrative assistance and overhead of 15%, and is determined as follows:

<u>DESCRIPTION</u>	<u>COST</u>
Hawthorne Drive from Shopiere Road to Cul-de-Sac	\$284,736.38
<b>TOTAL COST</b>	<b><u>\$284,736.38</u></b>

SCHEDULE C  
**SCHEDULE OF SPECIAL ASSESSMENTS**

AGAINST LOTS, PART OF LOTS OR LAND FRONT ON:

Hawthorne Drive

FOR THE CONSTRUCTION OF:

Sanitary Sewer and Potable Water mains and laterals  
IN THE CITY OF BELOIT, WISCONSIN

\$23,728.03 per residential equivalency unit

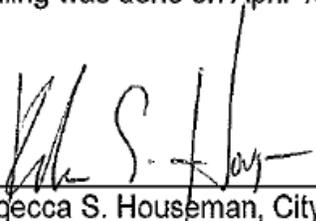
Date: 4/7/2011

DESCRIPT/ ADDRESS	LOT #	PARCEL#	REU	SEWER MAIN & LATERAL	WATER MAIN & LATERAL	TOTAL ASSESSMENT
Kim Sandow 2536 Hawthorne Dr. Beloit, WI 53511	10	21911920	1.00	\$11,080.58	\$12,647.45	\$23,728.03
Nathan A & Julia Boggs 2542 Hawthorne Dr. Beloit, WI 53511	9	21911925	1.00	\$11,080.58	\$12,647.45	\$23,728.03
Natalie A Voss-Hovland 2530 Hawthorne Dr. Beloit, WI 53511	11	21911915	1.00	\$11,080.58	\$12,647.45	\$23,728.03
Wayne R Krenchicki 2524 Hawthorne Dr. Beloit, WI 53511	12	21911910	1.00	\$11,080.58	\$12,647.45	\$23,728.03
Steven W Voss 2508 Hawthorne Dr. Beloit, WI 53511	13 & 14	21911895	1.00	\$11,080.58	\$12,647.45	\$23,728.03
Steven W Voss 2518 Hawthorne Dr. Beloit, WI 53511	15	21911900	1.00	\$11,080.58	\$12,647.45	\$23,728.03
Benjamin E & Karla L Smith 2550 Hawthorne Dr. Beloit, WI 53511	8	21911930	1.00	\$11,080.58	\$12,647.45	\$23,728.03
Paul D Farrell Revocable Trust 2507 Hawthorne Dr. Beloit, WI 53511	2	21911965	1.00	\$11,080.58	\$12,647.45	\$23,728.03
Roger G Maryott 2515 Hawthorne Dr. Beloit, WI 53511	3 & 4	21911960	1.00	\$11,080.58	\$12,647.45	\$23,728.03
Donald R & Ruth E Myers Revocable Tru 2525 Hawthorne Dr. Beloit, WI 53511	5	21911950	1.00	\$11,080.58	\$12,647.45	\$23,728.03
Max P & Michelle A Dodson 2531 Hawthorne Dr. Beloit, WI 53511	6	21911940	1.00	\$11,080.58	\$12,647.45	\$23,728.03
Thomas R & Marline K Holmes 2537 Hawthorne Dr. Beloit, WI 53511	7	21911935	1.00	\$11,080.58	\$12,647.45	\$23,728.03

<b>TOTAL</b>	<b>12.00</b>		<b>\$284,736.36</b>
TOTAL ASSESSABLE SEWER		\$132,966.94	
TOTAL ASSESSABLE WATER		\$151,769.44	
TOTAL NON-ASSESSABLE		\$104,926.00	
TOTAL COST OF PROJECT		\$389,662.38	



I, Rebecca S. Houseman, City Clerk of the City of Beloit, do swear that I personally mailed the Notice of Public Hearing for Sanitary Sewer and Water System Improvements to all interested parties on attached list who are City of Beloit residents (Schedule C) in the matter of **Sanitary Sewer and Water System Improvements** on Hawthorne Drive and Sandell Court. This mailing was done on April 18, 2011 to the listing attached.

  
\_\_\_\_\_  
Rebecca S. Houseman, City Clerk

4/18/11  
\_\_\_\_\_  
Dated

**RESOLUTION**

**APPROVING A RELOCATION ORDER TO ACQUIRE A CONSTRUCTION ACCESS AND UTILITY EASEMENT OVER PORTIONS OF THE PROPERTIES LOCATED AT 2555 WHITE OAKS DRIVE AND 2536 & 2542 HAWTHORNE DRIVE TO ALLOW FOR THE EXTENSION OF GRAVITY SANITARY SEWER AND POTABLE WATER TO TWELVE (12) PROPERTIES ON HAWTHORNE DRIVE**

**WHEREAS**, the Engineering Division has requested the review and approval of a Relocation Order to acquire a Construction Access and Utility Easement over portions of the properties located at 2555 White Oaks Drive and 2536 & 2542 Hawthorne Drive to allow for the extension of gravity sanitary sewer and potable water to twelve (12) properties on Hawthorne Drive; and

**WHEREAS**, the Plan Commission reviewed and recommended approval of this Relocation Order on December 8, 2010.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the City Council of the City of Beloit, Rock County, Wisconsin, hereby approves the attached Relocation Order to acquire a Construction Access and Utility Easement over portions of the properties located at 2555 White Oaks Drive and 2536 & 2542 Hawthorne Drive to allow for the extension of gravity sanitary sewer and potable water to twelve (12) properties on Hawthorne Drive.

**BE IT FURTHER RESOLVED** that the City Manager of the City of Beloit be, and is hereby, authorized to execute the Relocation Order on behalf of the City.

**BE IT FURTHER RESOLVED** that the City Clerk be, and is hereby, directed to file a copy of this Resolution and a copy of the Relocation Order with the Clerk of Rock County within twenty (20) days of the date of this Resolution.

Adopted this 2<sup>nd</sup> day of May, 2011.

**CITY COUNCIL OF THE CITY OF BELOIT**

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Kevin D. Leavy, Council President

Attest:

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Rebecca S. Houseman City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Relocation Order for Construction Access and Utility Easement

**Date:** May 2, 2011

**Presenter(s):** David Botts, Public Works Director

**Department:** Public Works/Engineering

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### Overview/Background Information:

The Engineering Division has requested the review and approval of a Relocation Order to acquire a Construction Access and Utility Easement over portions of the properties located at 2555 White Oaks Drive and 2536 & 2542 Hawthorne Drive to allow for the extension of gravity sanitary sewer and potable water to twelve (12) properties on Hawthorne Drive.

---

### Key Issues (maximum of 5):

- On August 2, 2010, the City Council authorized the preparation of plans and estimates for the extension of sanitary sewer and potable water to twelve (12) properties on Hawthorne Drive, which are currently served by private wells and on-site septic systems.
- The City Engineer has determined that a connection to the existing utilities along White Oaks Drive is the best approach. This connection necessitates the utilization of the proposed easement and the Sandell Court right-of-way, which is unimproved.
- As shown on the attachments, there is an existing 20-foot sanitary & storm sewer easement over the property located at 2555 White Oaks Drive. The proposed Relocation Order involves the acquisition of a 10-foot temporary limited easement for construction access on both sides of the existing easement.
- The proposed Relocation Order also involves the acquisition of a 10-foot temporary limited easement for construction access over the property located at 2536 Hawthorne Drive and the acquisition of a 20-foot utility easement & 10-foot temporary limited easement for construction access over the property located at 2542 Hawthorne Drive. The owners of all three affected properties have formally objected to this project and the proposed easements.
- The Plan Commission reviewed this item on December 8, 2010 and voted unanimously (6-0) to recommend approval of this Relocation Order.

---

### 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 City of Beloit Strategic Goals #1 and #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** – A reduction in the number of septic systems located in densely populated areas will reduce groundwater contamination.
- **Meet the hierarchy of present and future human needs fairly and efficiently** – The provision of sanitary sewer and potable water will satisfy the owners' need for healthy and sanitary dwellings.

---

### Action required/Recommendation:

- City Council consideration and action on the proposed Resolution

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

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

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** December 8, 2010

**Agenda Item:** 4

**File Number:** RPB-2010-08

**Applicant:** Engineering Division

**Owners:** Various

**Location:** 2555 White Oaks Drive and  
2536 & 2542 Hawthorne Drive

**Zoning Classification:** R-1A, Single-Family Residential District

**Existing Land Uses:** Single-Family Dwellings

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### Request Overview/Background Information:

The Engineering Division has requested the review and approval of a Relocation Order to acquire a Construction Access and Utility Easement over portions of the properties located at 2555 White Oaks Drive and 2536 & 2542 Hawthorne Drive to allow for the extension of gravity sanitary sewer and potable water to twelve (12) properties on Hawthorne Drive.

---

### Key Issues:

- On August 2, 2010, the City Council authorized the preparation of plans and estimates for the extension of sanitary sewer and potable water to twelve (12) properties on Hawthorne Drive, which are currently served by private wells and on-site septic systems.
- The City Engineer has determined that a connection to the existing utilities along White Oaks Drive is the best approach. This connection necessitates the utilization of the proposed easement and the Sandell Court right-of-way, which is unimproved.
- As shown on the attachments, there is an existing 20-foot sanitary & storm sewer easement over the property located at 2555 White Oaks Drive. The proposed Relocation Order involves the acquisition of a 10-foot temporary limited easement for construction access on both sides of the existing easement.
- The proposed Relocation Order also involves the acquisition of a 10-foot temporary limited easement for construction access over the property located at 2536 Hawthorne Drive and the acquisition of a 20-foot utility easement & 10-foot temporary limited easement for construction access over the property located at 2542 Hawthorne Drive.
- The owners of all three affected properties have formally objected to this project and the proposed easements.

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### Consistency with Comprehensive Plan and Strategic Plan:

- The extension of public water & sanitary sewer to serve developed residential properties is consistent with the Comprehensive Plan.
- Consideration of this request supports City of Beloit Strategic Goals #1 and #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** – A reduction in the number of septic systems located in densely populated areas will reduce groundwater contamination.
- **Meet the hierarchy of present and future human needs fairly and efficiently** – The provision of sanitary sewer and potable water will satisfy the owners' need for healthy and sanitary dwellings.

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### Staff Recommendation:

The Neighborhood Planning Division recommends **approval** of the attached Relocation Order to acquire a Construction Access and Utility Easement over portions of the properties located at 2555 White Oaks Drive and 2536 & 2542 Hawthorne Drive to allow for the extension of gravity sanitary sewer and potable water to twelve (12) properties on Hawthorne Drive.

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**Fiscal Note/Budget Impact:** The cost of this project, including land acquisition and infrastructure, will be specially assessed to the twelve (12) properties that will benefit from this project.

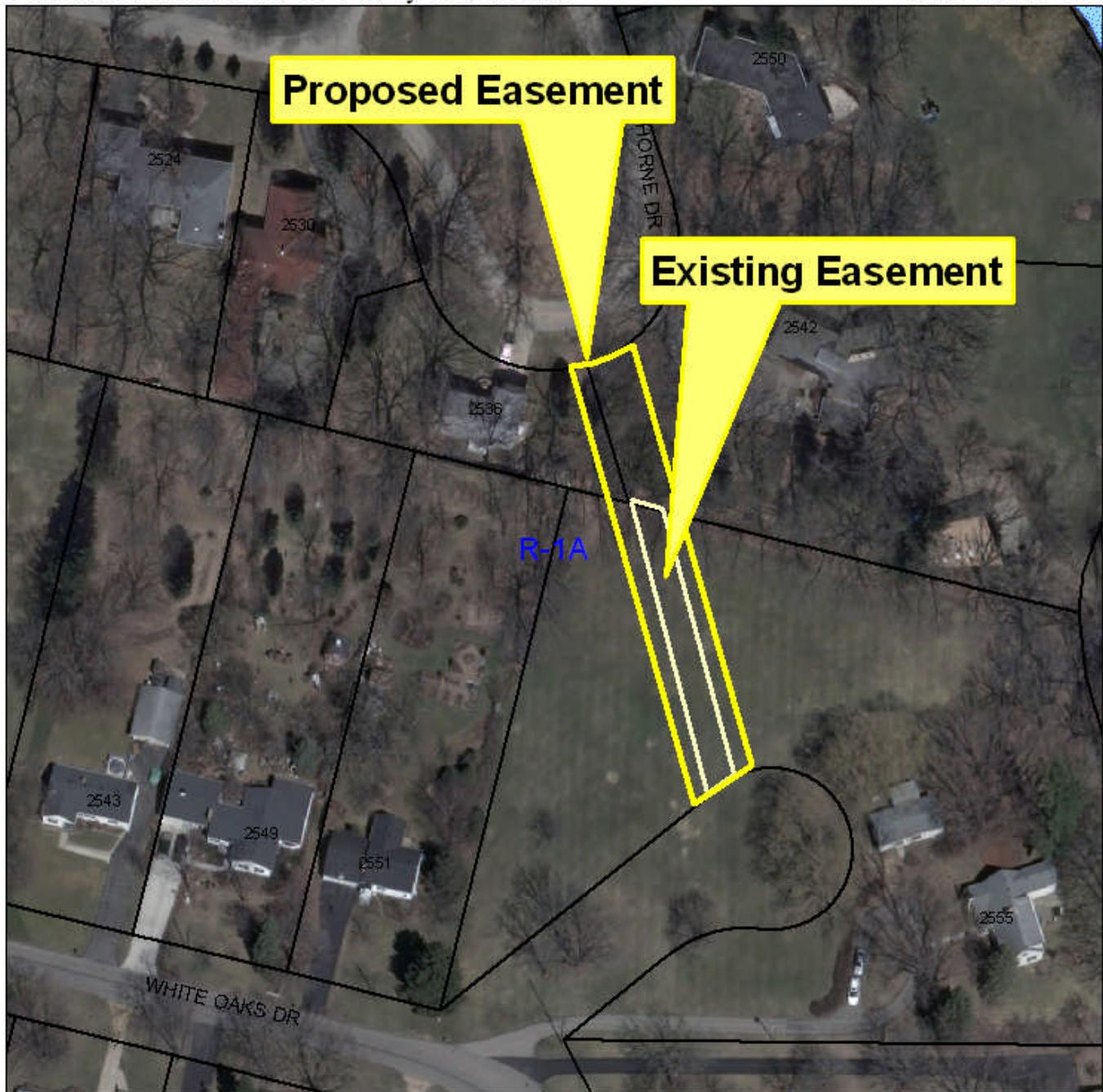
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**Attachments:** Location & Zoning Map, Relocation Order, and Relocation Order Map.

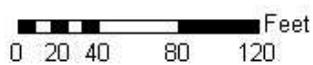
# Location & Zoning Map

Construction Access & Utility Easement

RPB-2010-08



1 inch = 87 feet



## Legend

- COB Parcels
- Zoning District

Map prepared by: Drew Pennington  
Date: December 2010  
For: City of Beloit, Neighborhood Planning  
Date of Aerial Photography: April 2008

# NEIGHBORHOOD PLANNING DIVISION

## RELOCATION ORDER

LPA1708 (revised) 4/2010 (Replaces LPA 3006)

Project C11-02	Name of Road HAWTHORNE DR. to SANDELL CT.	Utility SEWER & WATER	County ROCK
Right of Way Plat Date 11/4/10	Plat Sheet Numbers 1	Date of Previously Approved Relocation Order n/a	

Description of Termini of Project:

Commencing at the west corner of Lot 9 of Turtle View Subdivision of Turtle Township, now City of Beloit, in the Northwest Quarter of the Northwest Quarter (NW1/4-NW1/4) of Section 20, T.1 N., R.13 E., Rock County, Wisconsin, Thence N 70°13'52" E 10.00 feet to the intersection of the Right of Way line of Hawthorne Drive and a line offset 10 feet east of the line separating Lots 9 and 10 of Turtle View Subdivision to the Point of Beginning of this reference line of Utility Easement, said point being 632.60 feet south of and 13.58 feet east of the NW corner of said Section:

Thence S 16°11'10" E along a line offset 10 feet east of the line separating Lots 9 and 10 of Turtle View Subdivision 95.42 feet to the southern boundary of said Subdivision;

Thence N 75°37'50" W 0.21 feet;

Thence S 14°08'39" E along the centerline of an existing 20 foot wide easement 176.78 feet to a point on the Right of Way line of Sandell Court, and to the end of said reference line,

said point being 895.72 feet south of and 83.23 feet east of the NW corner of said Section 20 T.1 N., R.13 E., City of Beloit, Rock County, Wisconsin.

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To properly establish, lay out, widen, enlarge, extend, construct, reconstruct, improve, or maintain a portion of the utilities designated above, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the right of way plat for the above project.

To effect this change, pursuant to authority granted under Sections 32.02, Wisconsin Statutes, the CITY OF BELOIT orders that:

1. The said utilities are laid out and established to the lines and widths as shown on the plat.
2. The required lands or interests in lands as shown on the plat shall be acquired by the CITY OF BELOIT.
3. This order supersedes and amends any previous order issued by the CITY OF BELOIT.

\_\_\_\_\_  
(Name/Title)

\_\_\_\_\_  
(Date)

**SCHEDULE OF LANDS AND INTERESTS REQUIRED**

PANEL INDEX	OWNERS	INTEREST REQUIRED	TOTAL SF ACQUIRED	EASEMENT SF REQUIRED	SP REMAINING	T.L.E. SF
A	MATTHEW E. & JANA BRIDGE	UTILITY EASEMENT & T.L.E.	37,200	1,002	55,538	1.67%
B	STATE OF IOWA	T.L.E.	10,200	0	10,200	100%
C	SHANE R. SANDGELL	T.L.E.	100,000	0	170,000	50.0%



**LOCATION MAP**



**BEGIN RELOCATION ORDER**  
 632.40' S. OF AND 3.58' E.  
 OF THE NW COR. OF SEC. 20  
 T. 1 N., R. 13 E.

**END RELOCATION ORDER**  
 895.72' S. OF AND 33.23' E.  
 OF THE NW COR. OF SEC. 20  
 T. 1 N., R. 13 E.



**BELOIT**  
 ENGINEERING DIVISION

Drawn By: JBT	Date: 11.13.10
Checked By:	Date:

PROJECT NAME:  
 HARTHORNE SEWER & WATER EXTENSION  
 EASEMENT RELOCATION FLAT

ID: CI-02 SHEET 1 OF 1

**RESOLUTION  
AWARDING CONTRACT C11-02  
Hawthorne Drive Sewer & Water Extension**

**WHEREAS**, twelve competitive bids were received, the low bid being from G.M.S. Excavators, Inc., and,

**WHEREAS**, G.M.S. Excavators, Inc. is a qualified bidder, therefore,

**IT IS RESOLVED**, that Contract C11-02, Hawthorne Drive Sewer & Water Extension, be, and hereby is, awarded to G.M.S. Excavators, Inc., Edgerton, WI, in the following amounts:

G.M.S. Excavators, Inc.  
10248 N Cty Road F  
Edgerton, WI 53534

Base Bid	\$ 280,600.00
Allowance for Change Orders and/or Extra Work	\$ 41,400.00
<b>TOTAL PROJECT COST</b>	<b>\$ 322,000.00</b>

**AND IT IS FURTHER RESOLVED**, that the amount of \$322,000.00, be, and hereby is, funded as follows:

P2902188-5514-2011 & P2902187-5514-2011	\$ 322,000.00
<b>TOTAL</b>	<b>\$ 322,000.00</b>

Dated at Beloit, Wisconsin this 2nd day of May, 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:** Award of Construction Contract for C11-02, Hawthorne Drive Sewer & Water Extension

**Date:** May 2, 2011

**Presenter(s):** David Botts, Public Works Director

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

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### Overview/Background Information:

This project will extend city water supply and city sewer service to 12 existing properties within city limits that are currently not served.

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### Key Issues (maximum of 5):

1. Twelve bids were received for this project. The low bid of \$280,600.00 was from G.M.S. Excavators, Inc. and is 16.1% less than the engineer's estimate of \$334,573.81.
2. G.M.S. Excavators, Inc. is considered a responsible bidder for this project.
3. The costs for this project are as follows: \$280,600.00 for construction, \$ 41,400.00 for Change Orders or extra work, for a total of \$322,000.00.
4. No properties will be special assessed for this project.

---

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

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**
  - This project will improve water quality by eliminating private septic waste storage in an urban area.

---

### 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**  
Treatment of human waste at the Publicly Owned Treatment Works will assure that all laboratory testing procedures are performed and monitored by licensed and trained personnel to assure water quality meets regulatory requirements.
- **Reduce dependence on activities that harm life sustaining eco-systems**  
Eliminate private and unmonitored discharge of effluent to the water table.
- **Meet the hierarchy of present and future human needs fairly and efficiently**  
Each owner whose property benefits from the system expansion will equally share the infrastructure costs.

---

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

---

### Action required/Recommendation:

The Engineering Division recommends awarding this Public Works Contract to G.M.S. Excavators, Inc. in the amount of \$280,600.00.

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### Fiscal Note/Budget Impact:

The cost of sanitary sewer and potable water extensions will be specially assessed to the 12 properties in the proposed district.

# CITY OF BELOIT

## DEPARTMENTAL CORRESPONDENCE

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**TO:** Mike Flesch  
**FROM:** Andy Hill, Project Engineer   
**DATE:** February 24, 2011  
**SUBJECT:** Bid Results for Contract C11-02  
Hawthorn Drive Sewer & Water Extension

Pursuant to advertisements placed February 9 and February 16, bids were received until 10:30 AM on February 24 for the Hawthorne Drive Sewer & Water Extension. A tabulation of bids is attached.

Twelve bids were received for this project as follows:

1. G.M.S. Excavators, Inc.	Edgerton, WI	\$ 280,600.00	*Low Bid*
2. E & N Hughes Co. Inc.	Monroe, WI	\$ 302,276.05	+ 7.7%
3. Rock Road Companies	Janesville, WI	\$ 331,872.77	+ 18.3%
4. Iverson Construction	Cottage Grove, WI	\$ 333,220.60	+ 18.8%
Engineer's Estimate		\$ 334,573.81	
5. H&K Contracting	Sauk City, WI	\$ 351,252.70	+ 25.2%
6. Mann Bros.	Elkhorn, WI	\$ 352,206.00	+ 25.5%
7. Parisi Construction	Verona, WI	\$ 354,745.70	+ 26.4%
8. Maddrell Excavating	Monroe, WI	\$ 356,367.20	+ 27.0%
9. R & K & Sons	Evansville, WI	\$ 366,598.50	+ 30.6%
10. Wanasek Corp.	Burlington, WI	\$ 381,370.60	+ 35.9%
11. Odling Construction	Delavan, WI	\$ 436,588.00	+ 55.6%
12. GO Excavating	Freeport, IL	\$ 483,036.92	+ 72.1%

Upon review of the Contractor's Proof of Responsibility Statement, G.M.S. Excavators, Inc. is determined to be a responsible bidder.

I recommend that the contract be awarded to G.M.S. Excavators, Inc. of Edgerton, WI. The following is a breakdown of the proposed project cost:

### COSTS

G.M.S. Excavators, Inc. Base Bid	\$ 280,600.00
Allowance for Change Orders and/or Extra Work	\$ 41,400.00
<b>TOTAL PROJECT COST</b>	<b>\$ 322,000.00</b>

### PROJECT INFORMATION

This project will extend city water supply and city sewer service to 12 existing properties within city limits that are currently not served.

**RESOLUTION AUTHORIZING THE CITY MANAGER  
TO ENTER INTO A CONTRACTUAL AGREEMENT WITH THE STATE  
OF WISCONSIN TO ADMINISTER THE WISCONSIN NEIGHBORHOOD  
STABILIZATION FUNDS AWARDED TO THE ROCK COUNTY  
CONSORTIUM AND THE CITY OF БЕЛОIT AND THE APPROVAL AND  
APPROPRIATION OF FUNDS FOR THE 2011 BUDGET**

**WHEREAS**, The Neighborhood Stabilization Program (NSP) is authorized under Title III of Division B of the Housing and Economic Recovery Act (HERA), 2008 for emergency assistance for redevelopment of abandoned and foreclosed homes and residential properties; and

**WHEREAS**, the State of Wisconsin has received a Neighborhood Stabilization 3 Program funding allocation from the U.S. Department of Housing and Urban Development (HUD); and

**WHEREAS**, the State of Wisconsin awarded the Rock County Consortium \$1,293,000 for redevelopment of abandoned and foreclosed homes and residential properties; and

**WHEREAS**, the City of Beloit is lead agency for the Rock County Consortium and will receive \$655,750, of the total NSP funding awarded; and

**WHEREAS**, the City of Beloit is entering into mutual cooperation agreements with the City of Janesville, Neighborhood Housing Services and Family Services of Southern Wisconsin and Northern Illinois; and.

**WHEREAS**, one of the City of Beloit's Strategic Goals includes community revitalization and the Community Development Department has as a performance objective the administration of the Neighborhood Stabilization Program.

**NOW THEREFORE BE IT RESOLVED**, that the City Manager is authorized to enter into a contract as the lead agency of the Rock County Consortium to administer \$1,293,000 received from the Wisconsin Neighborhood Stabilization 3 Program funds, which includes \$655,750 for the City of Beloit.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Neighborhood Stabilization Program Budget is approved and an appropriation of \$1,293,000 is authorized.

Adopted this 2nd day of May, 2011

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Kevin D. Leavy, City Council President

**ATTEST:**

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Rebecca S. Houseman, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Enter into a contract with the State of Wisconsin to administer the Wisconsin Neighborhood Stabilization 3 Program

**Date:** May 2, 2011

**Presenter(s):** Julie Christensen

**Department(s):** Community Development

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**Overview/Background Information:**

The Neighborhood Stabilization Program (NSP) is authorized under Title III of Division B of the Housing and Economic Recovery Act (HERA), 2008 for emergency assistance for redevelopment of abandoned and foreclosed homes and residential properties. NSP 3 funds in the amount of \$5,000,000 are available to the Wisconsin State Program through HUD. The City of Beloit as part of the Rock County Consortium applied and has been awarded \$1,293,000 of which \$655,750 will be utilized by the City of Beloit to be used in the Near West Side Neighborhood otherwise known as Census Tract 16. The City applied for these funds in cooperation with Neighborhood Housing Services and Family Services of Northern IL and Southern WI. The City of Beloit will be entering into an intergovernmental agreement with the City of Janesville which the City of Beloit will be the lead agency in administering all of the WNSP 3 funds coming to Rock County. Because the City of Beloit is the lead agency for the consortium, the City Manager will be required to sign the contract with the state in order for all communities to receive their funds.

---

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

1. The City of Beloit along with Neighborhood Housing Services and Family Services applied for NSP 3 funding from the State of Wisconsin as part of the Rock County Consortium.
2. Of the \$1,293,000 grant award, \$655,750 will be allocated to the City of Beloit.
3. The grant will be used to acquire, rehabilitate and sell foreclosed and abandoned properties to low or moderate income families.
4. Funds will also be used in partnership with Family Services to acquire and rehabilitate a duplex that they will use to provide support and housing to homeless high school students 18 years and older.
5. Funds will also be used by Neighborhood Housing Services for housing counseling and down payment assistance.
6. Some of the funds will also be used to raze some properties that are condemnable to be land banked and redeveloped.
7. The City of Beloit will be the lead agency with our local partners and will also be the lead agency in the intergovernmental agreement with the City of Janesville.

---

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

The Neighborhood Stabilization Program meets three goals in the Strategic Plan.

**Goal 1:** Sustainable stewardship of City resources and enhance the quality of life.

**Goal 4:** Community revitalization and new development.

**Goal 5:** Communicate and partner with organizations to coordinate effective and efficient service delivery.

---

**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**  
This program will improve homes so that they are more energy efficient and in turn will use less electricity and gas.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**  
Through the rehabilitation or the demolition of these homes, we will be removing harmful chemicals from the environment such as asbestos and lead.
- **Reduce dependence on activities that harm life sustaining eco-systems**  
NA
- **Meet the hierarchy of present and future human needs fairly and efficiently**  
The program will help provide quality housing options to the citizens of Beloit.

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

---

**Action required/Recommendation:**

The approval of a resolution to allow the City Manager to sign a contract with the State of Wisconsin to receive the awarded grant funds from the Neighborhood Stabilization 3 Program in cooperation with Neighborhood Housing Services, Family Services and the City of Janesville.

---

**Fiscal Note/Budget Impact:**

There will be no negative financial impact to the City of Beloit.

**RESOLUTION AUTHORIZING THE CITY MANAGER  
TO ENTER INTO A MUTUAL COOPERATION AGREEMENT WITH NEIGHBORHOOD  
HOUSING SERVICES OF БЕЛОIT, INC.  
FOR THE ADMINISTRATION OF THE WISCONSIN  
NEIGHBORHOOD STABILIZATION PROGRAM GRANT**

**WHEREAS**, The Neighborhood Stabilization 3 Program (NSP) is authorized under Title III of Division B of the Housing and Economic Recovery Act (HERA), 2008 for emergency assistance for redevelopment of abandoned and foreclosed homes and residential properties, and

**WHEREAS**, the State of Wisconsin Department of Commerce has received a Neighborhood Stabilization Program 3 funding allocation from the U.S. Department of Housing and Urban Development (HUD), and

**WHEREAS**, the City Council authorized the City Manager to apply to the State of Wisconsin for Neighborhood Stabilization Program 3 funds in cooperation with Neighborhood Housing Services of Beloit, Inc.; and

**WHEREAS**, the City of Beloit and Neighborhood Housing Services of Beloit, Inc. desire to administer the Wisconsin Neighborhood Stabilization Program funds coming to Beloit as a partnership to provide greater efficiencies in administering the funds awarded, and

**WHEREAS**, the City of Beloit will be the lead agency administering the Neighborhood Stabilization Program as part of the Mutual Cooperation Agreement, and

**WHEREAS**, the City of Beloit's Strategic Goals includes community revitalization activities, communicating and partnering with other jurisdictions and organizations to coordinate effective and efficient service delivery, and focusing on the sustainable stewardship of City resources and services.

**NOW THEREFORE BE IT RESOLVED**, that the City Manager is authorized to enter into a Mutual Cooperation Agreement to administer the Wisconsin Neighborhood Stabilization Program 3 Grant funds received from the Wisconsin Neighborhood Stabilization Program 3 in cooperation with Neighborhood Housing Services of Beloit, Inc.

Adopted this 2nd day of May, 2011

\_\_\_\_\_  
Kevin D. Leavy, City Council President

Attest:

\_\_\_\_\_  
Rebecca S. Houseman, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Mutual Cooperation Agreement with Neighborhood Housing Services of Beloit relating to the Neighborhood Stabilization Program 3

**Date:** May 2, 2011

**Presenter(s):** Julie Christensen

**Department(s):** Community Development

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### Overview/Background Information:

The Neighborhood Stabilization Program (NSP) is authorized under Title III of Division B of the Housing and Economic Recovery Act (HERA), 2008 for emergency assistance for redevelopment of abandoned and foreclosed homes and residential properties. NSP 3 funds in the amount of \$5,000,000 are available to the Wisconsin State Program through HUD. The Rock County Consortium has been awarded \$1,293,000. As part of the Rock County Consortium award the City of Beloit will receive \$655,750 which will be utilized in Beloit's neighborhoods most affected by foreclosures. The City of Beloit will be the lead agency for the NSP 3 Consortium. We will need to enter into Mutual Cooperation Agreements to implement the grant, similar to the current NSP 1 Consortium agreements currently in place.

---

### Key Issues (maximum of 5):

1. As part of the Rock County Consortium, the City of Beloit, City of Janesville, Neighborhood Housing Services and Family Services applied for WNSP 3 funding from the State of Wisconsin.
2. Beloit's funds will be used to two ways: some of the funds will be used to acquire, rehabilitate and sell foreclosed and abandoned properties to low or moderate income families and the remaining funds will also be used to raze some properties that are condemnable to be land banked and redeveloped.
3. The City of Beloit will be the lead agency with our local partners (NHS and Family Services) and will also be the lead agency in the intergovernmental agreement with the City of Janesville. NHS will provide homebuyer counseling and direct homeownership assistance to potential buyers of the homes as required by the WNSP 3 program. Family Services will provide supportive housing in Beloit. There will be Mutual Cooperation Agreements with NHS and Family Services as well.

---

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

The WNSP grant conforms to Goals 1, 4, and 5 set by the City Council.

---

### 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**  
This program will create homes that are more energy efficient and in turn will use less electricity and gas.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**  
Through the rehabilitation or the demolition of these homes we will be removing harmful chemicals from the environment such as asbestos and lead.
- **Reduce dependence on activities that harm life sustaining eco-systems**  
NA
- **Meet the hierarchy of present and future human needs fairly and efficiently**  
This program will help provide more quality housing options to the citizens of Beloit.

**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:**

Consideration and approval of the resolution authorizing the City Manager to enter into a Mutual Cooperation Agreement with Neighborhood Housing Services of Beloit.

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**Fiscal Note/Budget Impact:**

There will be no financial impact to the City of Beloit.

**MUTUAL COOPERATION AGREEMENT  
UNDER THE NATIONAL NEIGHBORHOOD STABLIZATION PROGRAM 3**

**Federal Fiscal Years 2011-2013**

This agreement entered into by the City of Beloit, hereinafter referred to as the City and Neighborhood Housing Services of Beloit hereinafter referred to as NHS.

WHEREAS, the Neighborhood Stabilization Program 3 (hereinafter called WNSP 3 Program) is authorized under Title III of Division B of the Housing and Economic Recovery Act (HERA), 2008 (Pub. L. 110-289, approved July 30, 2008) for emergency assistance for redevelopment of abandoned and foreclosed homes and residential properties; and

WHEREAS, the parties have mutually developed a plan to utilize the WNSP 3 program; and

WHEREAS, the parties have determined that obtaining funds under the WNSP 3 program will increase their ability to redevelop neighborhoods negatively impacted by foreclosures;

NOW THEREFORE, for good and valuable consideration the parties do agree and covenant as follows:

**SECTION 1. DEFINITIONS**

- a. "Member" – The City of Beloit and Neighborhood Housing Services of Beloit
- b. "Representative Member" – The City of Beloit shall be the Representative Member and shall assume the responsibility for ensuring that the WNSP 3 program is carried out in compliance with the requirements of the WNSP 3 program.

**SECTION 2. FUNDING**

Funds for the Beloit Neighborhood Stabilization program will be distributed as follows:

- a. NHS:

Direct Home Ownership Assistance And Counseling	\$30,000
Administration	\$2,250
<b>Total</b>	<b>\$32,250</b>

b. City of Beloit:

Property Acquisition/Rehabilitation	\$386,568
Property Acquisition/Rental	\$100,000
Demolition	\$50,000
Administration	\$46,932
<b>Total</b>	<b>\$583,500</b>

c. The above allocation of funds will be reexamined and adjusted on or about January 1, 2012 of this agreement based on each member's ability to effectively use the available funding.

**SECTION 3. ACTIVITIES**

- a. Each member shall cooperate in undertaking, or assist in undertaking, eligible WNSP 3 program activities in compliance with the regulations in the National Stabilization Program authorized under Title III of Division B of the Housing and Economic Recovery Act.
- b. Each member shall implement affirmative action to further fair housing consistent with the requirements of this Program. Such actions may include planning, education and outreach, and enforcement components.

**SECTION 4. ADMINISTRATION**

- a. The City of Beloit shall be the Representative Member and shall carry out necessary overall responsibilities for this agreement, with the cooperation of NHS, consistent with the WNSP 3 program regulations
- b. NHS shall submit in a timely manner to the City all information necessary for participation in this agreement. This includes, but is not limited to, written agreements executed with sub-recipients, and performance reports.
- c. The City and NHS shall start its WNSP 3 program years on January 1 except in 2011 where the WNSP 3 program year shall begin upon the date of execution of this agreement.

**SECTION 5. AMENDMENT, WAIVER**

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

**SECTION 6. ENTIRE AGREEMENT**

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

**SECTION 7. CONFLICTING AGREEMENT**

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

**SECTION 8. ARBITRATION**

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

**SECTION 9. LIMITATION OF LIABILITY**

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

**SECTION 10. COMPLIANCE WITH ANTI-DISCRIMINATION LAWS**

The WNSP 3 grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

**SECTION 11. COMPLIANCE WITH LEAD-BASED PAINT PROCEDURES**

The activities concerning lead-based paint will comply with all applicable laws, regulations, and ordinances.

**SECTION 12. DURATION OF THIS AGREEMENT**

This Agreement, approved this \_\_\_\_\_ day of \_\_\_\_\_, 2011, shall be in force for the time necessary to complete WNSP 3 activities funded from federal fiscal years 2011, 2012, and 2013. It shall terminate when all WNSP 3 Program funds for said years are expended or are permanently withdrawn by the U.S. Department of Housing and Urban Development. The members shall remain in this agreement and not end their participation in it until the time of termination.

The undersigned represent that they are fully authorized under State and local law to enter this agreement and that the Agreement provides full legal authority for the signatory parties to undertake or assist in undertaking WNSP 3 activities.

By: \_\_\_\_\_  
Larry N. Arft, Beloit City Manager

\_\_\_\_\_ Date

By: \_\_\_\_\_  
Christine Schlichting, NHS Executive Director

\_\_\_\_\_ Date

**RESOLUTION AUTHORIZING THE CITY MANAGER  
TO ENTER INTO A MUTUAL COOPERATION AGREEMENT WITH THE CITY OF  
JANESVILLE FOR THE ADMINISTRATION OF THE WISCONSIN NEIGHBORHOOD  
STABILIZATION PROGRAM GRANT**

**WHEREAS**, The Neighborhood Stabilization 3 Program (NSP3) is authorized under Title III of Division B of the Housing and Economic Recovery Act (HERA), 2008 for emergency assistance for redevelopment of abandoned and foreclosed homes and residential properties, and

**WHEREAS**, the State of Wisconsin Department of Commerce has received a Neighborhood Stabilization Program funding allocation from the U.S. Department of Housing and Urban Development (HUD), and

**WHEREAS**, the City Council authorized the City Manager to apply to the State of Wisconsin for Neighborhood Stabilization 3 Program funds in cooperation with Neighborhood Housing Services of Beloit and Family Services of Northern Illinois and Southern Wisconsin; and

**WHEREAS**, the City of Beloit and the City of Janesville desire to administer all the Wisconsin Neighborhood Stabilization 3 Program funds coming to Rock County as a consortium to provide greater efficiencies in administering the funds awarded, and

**WHEREAS**, the City of Beloit will be the lead agency administering the Neighborhood Stabilization 3 Program as part of the Mutual Cooperation Agreement, and

**WHEREAS**, the City of Beloit's Strategic Goals includes community revitalization activities, communicating and partnering with other jurisdictions and organizations to coordinate effective and efficient service delivery, and focusing on the sustainable stewardship of City resources and services.

**NOW THEREFORE BE IT RESOLVED**, that the City Manager is authorized to enter into a Mutual Cooperation Agreement to administer the Wisconsin Neighborhood Stabilization 3 Program Grant funds received from the Wisconsin Neighborhood Stabilization 3 Program in cooperation with the City of Janesville.

Adopted this 2<sup>nd</sup> day of May, 2011

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Kevin D. Leavy, City Council President

Attest:

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Rebecca S. Houseman, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Mutual Cooperation Agreement with the City of Janesville

**Date:** May 2, 2011

**Presenter(s):** Julie Christensen

**Department(s):** Community Development

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**Overview/Background Information:**

The Neighborhood Stabilization Program (NSP) is authorized under Title III of Division B of the Housing and Economic Recovery Act (HERA), 2008 for emergency assistance for redevelopment of abandoned and foreclosed homes and residential properties. NSP 3 funds in the amount of \$5,000,000 are available to the Wisconsin State Program through HUD. The Rock County Consortium has been awarded \$1,293,000. As part of the Rock County Consortium award the City of Beloit will receive \$655,750 which will be utilized in Beloit's neighborhoods most affected by foreclosures. The City of Beloit will be the lead agency for the NSP 3 Consortium. We will need to enter into Mutual Cooperation Agreements to implement the grant, similar to the current NSP 1 Consortium agreements currently in place.

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

1. As part of the Rock County Consortium, the City of Beloit, City of Janesville, Neighborhood Housing Services and Family Services applied for WNSP 3 funding from the State of Wisconsin.
2. Beloit's funds will be used to two ways: some of the funds will be used to acquire, rehabilitate and sell foreclosed and abandoned properties to low or moderate income families and the remaining funds will also be used to raze some properties that are condemnable to be land banked and redeveloped.
3. The City of Beloit will be the lead agency with our local partners (NHS and Family Services) and will also be the lead agency in the intergovernmental agreement with the City of Janesville. NHS will provide homebuyer counseling and direct homeownership assistance. Family Services will provide supportive housing in Beloit. There will be Mutual Cooperation Agreements with NHS and Family Services as well.

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

The WNSP grant conforms to Goals 1, 4, and 5 set by the City Council.

---

**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**  
This program will create homes that are more energy efficient and in turn will use less electricity and gas.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**  
Through the rehabilitation or the demolition of these homes, we will be removing harmful chemicals from the environment such as asbestos and lead.
- **Reduce dependence on activities that harm life sustaining eco-systems**  
NA
- **Meet the hierarchy of present and future human needs fairly and efficiently**  
This program will provide quality housing options to the citizens of Beloit.

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

---

**Action required/Recommendation:**

The approval of a resolution to allow the City Manager to enter into a Mutual Cooperation Agreement with the City of Janesville.

---

**Fiscal Note/Budget Impact:**

There will be no financial impact to the City of Beloit. This program will be entirely funded with the grant dollars received.

**MUTUAL COOPERATION AGREEMENT  
UNDER THE  
NATIONAL NEIGHBORHOOD STABILIZATION PROGRAM**

**Federal Fiscal Years 2011-2013**

This agreement entered into among the City of Janesville, a Wisconsin Municipal Corporation and the City of Beloit, a Wisconsin Municipal Corporation. Collectively referred to herein as the “Consortium”

WHEREAS, the Neighborhood Stabilization Program (hereinafter called WNSP 3 Program) is authorized under Title III of Division B of the Housing and Economic Recovery Act (HERA), 2008 (Pub. L. 110-289, approved July 30, 2008) for emergency assistance for redevelopment of abandoned and foreclosed homes and residential properties; and

WHEREAS, Section 66.0301 of the Wisconsin Statutes authorizes intergovernmental agreements; and

WHEREAS, the parties are mutually developing a plan to utilize the WNSP 3 program; and

WHEREAS, the parties have determined that obtaining funds under the WNSP 3 program will increase their ability to redevelop neighborhoods negatively impacted by foreclosures;

NOW THEREFORE, for good and valuable consideration the parties do agree and covenant as follows:

**SECTION 1. DEFINITIONS**

- a. “Member” – The City of Beloit and the City of Janesville.
- b. “Administrative Member” - The Cities of Beloit and Janesville.
- c. “Representative Member” – The City of Beloit shall be the Representative Member and shall assume the responsibility for ensuring that the Consortium’s WNSP 3 program is carried out in compliance with the requirements of the WNSP 3 program.

**SECTION 2. FUNDING**

Funds for the Consortium will be distributed as follows:

- a. Fifty-one percent (51%) of the funds shall be reserved for specific activities or projects administered by the City of Beloit.

- b. Forty-nine percent (49%) of the funds shall be reserved for specific activities or projects administered by the City of Janesville.
- c. The above allocation of funds will be reexamined and adjust on or about January 1, 2012 of this agreement based on each member's ability to effectively use the available funding.

### SECTION 3. ACTIVITIES

- a. Each member shall cooperate in undertaking, or assist in undertaking, eligible WNSP 3 program activities in compliance with the regulations in the National Stabilization Program authorized under Title III of Division B of the Housing and Economic Recovery Act.
- b. Each member shall implement affirmative action to further fair housing in their jurisdictions consistent with the requirements of this Program. Such actions may include planning, education and outreach, and enforcement components.

### SECTION 4. ADMINISTRATION

- a. The City of Beloit shall be the Representative Member and shall carry out necessary overall responsibilities for the Consortium, with the cooperation of all **administrative members**, consistent with the WNSP 3 program regulations. The City of Beloit will administer the WNSP 3 program within the municipal boundaries of the City of Beloit.
- b. The City of Janesville will administer the WNSP 3 program within the municipal boundaries of the City of Janesville.
- c. Each Administrative Member shall submit in a timely manner to the Representative Member all information necessary for participation in the Consortium. This includes, but is not limited to, written agreements executed with subrecipients, and performance reports.
- d. Each Administrative Member of the Consortium shall start its WNSP 3 program years on January 1 except in 2011 where the WNSP 3 program year shall begin upon the date of execution of this agreement.

### SECTION 5. AMENDMENT, WAIVER

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

### SECTION 6. ENTIRE AGREEMENT

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

## SECTION 7. CONFLICTING AGREEMENT

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

## SECTION 8. ARBITRATION

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

## SECTION 9. LIMITATION OF LIABILITY

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

## SECTION 10. COMPLIANCE WITH ANTI-DISCRIMINATION LAWS

The WNSP 3 grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

## SECTION 11. COMPLIANCE WITH LEAD-BASED PAINT PROCEEDURES

The activities concerning lead-based paint will comply with all applicable laws, regulations, and ordinances.

## SECTION 12. DURATION OF THIS AGREEMENT

This Agreement, approved this \_\_\_\_\_ day of \_\_\_\_\_, 2011, shall be in force for the time necessary to complete WNSP 3 activities funded from federal fiscal years 2011, 2012, and 2013. It shall terminate when all WNSP 3 Program funds for said years are expended or are permanently withdrawn by the U.S. Department of Housing and Urban Development. The members shall remain in the Consortium and not end their participation in it until the time of termination.

The undersigned represent that they are fully authorized under State and local law to enter this agreement and that the Agreement provides full legal authority for the signatory parties to undertake or assist in undertaking WNSP Consortium activities.

CITY OF JANESVILLE

By: \_\_\_\_\_  
Eric Levitt, City Manager                      Date

By: \_\_\_\_\_  
Jean Wulf, City Clerk-Treasurer                      Date

Approved as to form:

By: \_\_\_\_\_  
Wald Klimczyk, City Attorney                      Date

CITY OF BELOIT

By: \_\_\_\_\_  
Larry N. Arft, City Manager                      Date

By: \_\_\_\_\_  
Rebecca S. Houseman, City Clerk                      Date

By: \_\_\_\_\_  
Paul York, City Comptroller                      Date

Approved as to form:

By: \_\_\_\_\_  
Thomas Casper, City Attorney                      Date

**RESOLUTION**  
**AMENDING THE 2010 CAPITAL IMPROVEMENTS BUDGET FOR WELL 11 NITRATE MITIGATION AND WATER SYSTEM IMPROVEMENTS**

**WHEREAS**, the adopted capital improvements budget for 2010 provided funding for Well 11 Nitrate Mitigation, and;

**WHEREAS**, the original project budget for 2010 was \$1,395,000 and an additional \$1,174,000 was borrowed based on project cost estimates after the budget was approved, and;

**WHEREAS**, of the additional \$1,174,000 borrowed \$544,000 is required to complete the construction of the mitigation improvements, and;

**WHEREAS**, in-house engineering of \$120,000 is needed to cover City Engineering oversight of this project, and;

**WHEREAS**, the remaining \$510,000 of the \$1,174,000 borrowed shall be used for water system improvements, and;

**WHEREAS**, the 2010 Capital Improvement Budget was not amended to authorize the expenditure of the additional funds at the time of borrowing, and;

**NOW, THEREFORE BE IT RESOLVED**, the 2010 Capital Improvement Budget is amended and appropriated as follows:

<b>EXPENDITURES:</b>	<b><u>Original</u></b>	<b><u>Amended</u></b>	<b><u>Difference</u></b>
Well 11 Nitrate Mitigation			
P2605519-5511-2010 Buildings/Construction	\$1,395,000	\$1,939,000	\$ 544,000
P2605519-5258-2010 In-house Engineering	\$ 0	\$ 120,000	\$ 120,000
Water System Improvements			
<u>P2605598-5526-2010 Water System Improvements</u>	<u>\$ 0</u>	<u>\$ 510,000</u>	<u>\$ 510,000</u>
<b>TOTAL</b>	<b><u>\$1,395,000</u></b>	<b><u>\$2,569,000</u></b>	<b><u>\$1,174,000</u></b>

Dated at Beloit, Wisconsin this 2<sup>nd</sup> day of May, 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

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**Topic:** Resolution amending the 2010 Capital Improvement Budget.

**Date:** May 2, 2011

**Presenter(s):** David Botts, Public Works Director  
Paul York, Finance Director

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

---

**Overview/Background Information:**

A budget amendment is required to the 2010 Capital Improvement Budget to authorize expenditures of funds borrowed in 2010 for the Well 11 Nitrate Mitigation Project.

---

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

1. \$2,569,000 was borrowed for the Well Nitrate Mitigation (the project) in 2010. Of which, \$1,395,000 was appropriated.
  2. The additional funds were borrowed based on updated project estimates at the time of borrowing. The budget was prepared based on estimates in the spring of 2009 and borrowing based on estimates on January 2010. The increased costs were mainly due to the following:
    - DNR code changes required a basement under the pump station and a permanent onsite emergency generator.
    - Site soil conditions required excavation of unsuitable materials under the tank.
    - Tank size increased to maximize off-peak pumping rates.
  3. The additional \$1,174,000 needs to be appropriated.
  4. The additional funds required to complete the project are \$664,000; \$544,000 for construction and \$120,000 for in-house engineering.
  5. The remaining \$510,000 of the \$1,174,000 shall be used for water system improvements consisting of but not limited to meter systems, water mains, wells and pumps.
- 

**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 amendment allows for the completion of the Well # 11 Nitrate Mitigation Project and system improvements, which will improve the quality of drinking water to the water utility customers.
- 

**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:**

The Engineering Division recommends approving the budget amendment.

---

**Fiscal Note/Budget Impact:**

The budget amendment for the 2010 CIP is being done to appropriate the additional dollars borrowed in 2010 for this project.

**RESOLUTION  
AWARDING CONTRACT C11-15  
WEISER STATION**

**WHEREAS**, project design and construction bid specifications were developed by the City's consulting engineer Baxter & Woodman Consulting Engineers and distributed to qualified contractors, and;

**WHEREAS**, the project will construct the well house/ booster station with all necessary utilities and site work to complete the Well #11 Nitrate Mitigation Project.

**WHEREAS**, six competitive bids were received, the low bid being from Magill Construction Company, and,

**WHEREAS**, **Magill Construction Company** is a qualified bidder, therefore,

**NOW, THEREFORE BE IT RESOLVED**, that Contract C11-15, Weiser Station, be, and hereby is, awarded to Magill Construction Company, Elkhorn, Wisconsin, in the following amounts:

Magill Construction Company 977 Koopman Lane Elkhorn, WI 53121-2023	
Base Bid	\$ 1,815,668.00
Allowance for Change Orders and/or Extra Work	<u>\$ 181,566.80</u>
<b>TOTAL PROJECT COST</b>	<b>\$ 1,997,234.80</b>

**AND IT IS FURTHER RESOLVED**, that the amount of \$1,997,234.80, be, and hereby is, funded as follows:

P2605519 5510 2010 Land	\$ 19,820.00
P2605519 5511 2009 Buildings	\$ 231,262.00
<u>P2605519 5511 2010 Buildings</u>	<u>\$1,763,990.80</u>
<b>TOTAL</b>	<b>\$1,997,234.80</b>

Dated at Beloit, Wisconsin this 2nd day of May, 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

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**Topic:** Resolution awarding Contract C11-15 Weiser Station.

**Date:** May 2, 2011

**Presenter(s):** David Botts, Public Works Director

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

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**Overview/Background Information:**

This project will construct the well house/ booster station with all necessary utilities and site work to complete the Well #11 Nitrate Mitigation Project. The other portions of this project were C09-26 Well 14 Drilling and C10-11 Weiser Reservoir.

---

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

1. This is the third and final phase of the Well 11 Nitrate Mitigation project. Well 14 and the Reservoir have been previously awarded for a combined total of \$2,230,851.50.
2. Six bids were received for this project. The low bid of \$1,815,668.00 was from Magill Construction Company and is 17.5% less than the engineer's estimate of \$2,200,000.00
3. Magill Construction Company is considered a responsible bidder for this project.
4. The costs for this project are as follows: \$1,815,668 for construction, \$ 181,567 for Change Orders or extra work, for a total of \$1,997,235.
5. Funding for the three phases was budgeted over three years (2008, 2009, 2010).
6. The 2010 Capital Budget was amended to match the additional funds needed for this project.
7. The total project cost for the three phases of the Well #11 Nitrate Mitigation Project is \$4,539,000.

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

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**
  - This project will complete the Well # 11 Nitrate Mitigation Project. This will improve the quality of drinking water to the water utility customers.

---

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

- **Reduce dependence upon fossil fuels**  
N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**  
N/A
- **Reduce dependence on activities that harm life sustaining eco-systems**  
N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently**  
This project will complete the Well # 11 Nitrate Mitigation Project. This will improve the quality of drinking water to the water utility customers.

---

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

---

**Action required/Recommendation:**

The Engineering Division recommends awarding this Public Works Contract to Magill Construction Company in the amount of \$1,815,668.

---

**Fiscal Note/Budget Impact:**

Adequate funding is available in the 2009 and 2010 Capital Improvement Plan.

**RESOLUTION AUTHORIZING THE CITY MANAGER TO  
ENTER INTO A JURISDICTIONAL TRANSFER AGREEMENT  
WITH THE WISCONSIN DEPARTMENT OF TRANSPORTATION  
FOR THE HENRY AVENUE BRIDGE**

**WHEREAS**, it is mutually agreed that both the Wisconsin Department of Transportation and the City of Beloit will benefit from proposed Bridge improvements made in the Beloit area,

**WHEREAS**, in accordance with the State Program Management Manual, for § 84.10 bridges on local streets, upon reconstruction, maintenance and replacement becomes the responsibility of the locals. WisDOT policy is that its “maintenance” responsibility permits only replacement in kind for these bridges. This means on current alignment, with current number of lanes, with present design standards; and

**WHEREAS**, Section 84.16, Wisconsin Statutes, enables the State to enter into jurisdictional transfer agreements with local units of government for bridges constructed, reconstructed or purchased under Section 84.11 before August 9, 1989, thereby facilitating such alterations in jurisdictional highway systems; and,

**WHEREAS**, the City shall accept maintenance responsibility of the new structure, which includes painting, joint repair, bearing replacement, rail repair or replacement, crack sealing, spalling or pothole repair, snow and ice removal, sweeping and maintaining the lighting system and inspection responsibility.

**THEREFROE, BE IT RESOLVED THAT** the City Council of the City of Beloit, Rock County, Wisconsin does hereby authorize the City Manager to enter into a Jurisdictional Transfer Agreement with the Wisconsin Department of Transportation for the Henry Avenue Bridge.

Dated at Beloit, Wisconsin this 2nd day of May, 2011.

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Kevin D. Leavy  
City Council President

ATTEST:

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Rebecca S. Houseman  
City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL



**Topic: Resolution Authorizing the City Manager to enter into a Jurisdictional Transfer Agreement for the Henry Avenue Bridge**

**Date: May 2, 2011**

**Presenter(s): David Botts, Public Works Director**

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

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

The Wisconsin DOT is requiring that the Henry Avenue Bridge Maintenance become the City of Beloit's upon completion of the new structure in 2012. This is in accordance with the current DOT policy for long structures on the local roadway system that are being widened.

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### **Key Issues:**

1. A State Municipal Agreement with respect to funding for the Henry Avenue Bridge was approved on May 18, 2011 by the City Council.
2. Transferring of the Maintenance responsibilities from the State to the City will occur upon completion of the reconstruction project in 2012.
3. This transfer of jurisdiction is being triggered by the bridge being widened and the Bridge is not on a State Trunk highway.
4. Upon transfer, the maintenance of the structure, which includes painting, joint repair, bearing replacement, crack sealing, spalling and pot hole repair, lighting, sweeping and required inspections shall be the City's responsibility.
5. When deck replacement and or structure replacement is required in the future, the local bridge program at the DOT will assist in funding of that type of work.

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### **Conformance to Strategic Plan:**

Communicate and partner with other jurisdictions and organizations to coordinate effective and efficient service delivery and stimulate regional prosperity.

---

### **Sustainability:**

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

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

The Engineering Division recommends the approval of the Resolution Authorizing the City Manager to enter into a Jurisdictional Transfer Agreement for the Henry Avenue Bridge.

---

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

The City of Beloit will have no direct financial impact of this agreement but in the future we will be responsible for maintenance as the bridge ages.

**JURISDICTIONAL TRANSFER AGREEMENT**  
**Henry Avenue**  
**Rock River Bridge, City of Beloit, Rock County**

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by and between the Department of Transportation of the State of Wisconsin, hereinafter called the State, and the City of Beloit, Wisconsin, hereinafter called the City.

WITNESSETH THAT:

WHEREAS, in accordance with the State Program Management Manual, for § 84.10 bridges on local streets, upon reconstruction, maintenance and replacement becomes the responsibility of the locals. WisDOT policy is that its “maintenance” responsibility permits only replacement in kind for these bridges. This means on current alignment, with current number of lanes, with present design standards; and

WHEREAS, the City has requested that the two-lane Henry Avenue Bridge (#53-01) and approaches be widened to accommodate four-lanes of traffic; and

WHEREAS, Section 84.16, Wisconsin Statutes, enables the State to enter into jurisdictional transfer agreements with local units of government for bridges constructed, reconstructed or purchased under Section 84.11 before August 9, 1989, thereby facilitating such alterations in jurisdictional highway systems; and

WHEREAS, the functional/jurisdictional relationship of the proposed state and local highway systems have been cooperatively reviewed by the City and the State; and

WHEREAS, changes in the jurisdiction of these highway systems in the City have been agreed to by the City and the State; and

WHEREAS, in anticipation of this transfer, the Henry Avenue Bridge (#53-01) is planned for replacement and widening of the deck and the approaches on the existing alignment beginning in the fall of 2011 with State Project 5989-03-70; and

WHEREAS, consistent with those agreed to changes, the City has also passed a resolution dated the \_\_\_\_\_ day of \_\_\_\_\_, 2011, a copy of which is attached to this agreement, approving the specific jurisdictional transfer described herein.

NOW THEREFORE, the parties hereto do mutually agree to transfer jurisdictional responsibility for the road under the conditions described below:

Current Roadway Designation	Henry Avenue Rock River Bridge
Structure	B-53-0001
Receiving Jurisdiction	City of Beloit

1. The State shall:
  - A. Provide a set of as built plans to the City.
  - B. Replace and widen the Henry Avenue Bridge B-53-0001 and approaches on the existing alignment with a new four-lane structure. New bridge work will begin in the fall of 2011, opening to traffic in the fall of 2012.
  
2. The City shall:
  - A. Accept jurisdictional responsibility, effective the date the new bridge is opened to traffic.
  - B. Accept maintenance responsibility of the new structure, which includes painting, joint repair, bearing replacement, rail repair or replacement, crack sealing, spalling or pothole repair, snow and ice removal, sweeping and maintaining the lighting system and inspection responsibility.

BE IT FURTHER RESOLVED:

The effective date of the jurisdictional transfer will be upon the new bridge opening to traffic, estimated to be in the fall of 2012.

For the City of Beloit:

For the State of Wisconsin:

\_\_\_\_\_  
Larry N. Arft City Manager

\_\_\_\_\_  
Rory Rhinesmith  
Operations Director, Div. Of Transportation  
System Development – Bureaus

\_\_\_\_\_  
Rebecca S. Houseman City Clerk

Date: \_\_\_\_\_

Date: \_\_\_\_\_

