



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
Monday, June 17, 2013

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

1. The meeting was called to order at 7:02 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. Beloit Public Library Business Manager Jennifer Laatz introduced the new **Beloit Public Library Director**, Nate Deprey. Mr. Deprey stated that he is excited to work with the Council.
4. PUBLIC HEARINGS
 - a. Community Development Director Julie Christensen presented a resolution authorizing a **Conditional Use Permit** to allow a ground-floor office use in the CBD-1, Central Business District – Core, for First National Bank, located at 405 and 413 E. Grand Avenue and 413 and 417 State Street. It was noted that the Plan Commission recommended approval 5-0. Councilor Haynes opened and closed the public hearing without participation. Councilor De Forest made a motion to adopt the resolution, and Council Kincaid seconded. The motion carries 6-0. File 8597
 - b. Ms. Christensen presented a resolution authorizing a **Conditional Use Permit** to allow a wireless communications tower in a C-2, Neighborhood Commercial District, and MRO, Milwaukee Road Overlay District, for the property located at 2600 Cranston Road. It was noted that the Plan Commission recommended approval 5-0. Ms. Christensen stated that this request is from First National Bank to build a stand-alone 50-foot tall tower adjacent to the building at this location. She indicated that one resident attended the Plan Commission meeting and spoke in opposition to the tower. Councilor Haynes opened the public hearing.
 - Jacob Bradt, representing Entre Computer Solutions and First National Bank, said that he is working with staff to determine the feasibility of located the needed antennae on an existing water tower. He said that constructing the tower at 2600 Cranston Road would be the worst case scenario.Councilor Haynes closed the public hearing. Councilor Luebke made a motion to adopt the resolution, and Councilor Spreitzer seconded. Councilor De Forest asked about siting on the City's water tower, and Public Works Director Greg Boysen stated that staff is reviewing the possibility and has to make sure that an additional antennae will not negatively impact the existing lease-holders on the tower. Councilor De Forest asked Ms. Christensen about who received a public notice regarding this land use action, and Ms. Christensen stated that staff sent notices to the owners of property within 150 feet of the subject property as required by the City's Zoning Ordinance. Mr. Bradt stated that he should know if the water tower may be used by the end of the week. Councilor De Forest made a motion to lay the item over until the next Council meeting, and Councilor Spreitzer seconded. The motion carried 5-1, with Councilor Luebke voting in opposition to laying the item over. File 7948
 - c. Ms. Christensen presented a proposed ordinance amending the **Zoning District Map** of the City of Beloit to change the zoning district classification of the property located at 2293 Prairie Avenue from C-1, Office District, to C-2, Neighborhood Commercial District. The Plan Commission recommended approval 5-0. Ms. Christensen said that the property owner has requested this zoning change to accommodate an electronic variable messaging sign (EVM), which is prohibited

in the C-1 district and permitted in C-2. She said that the request is consistent with the City's Comprehensive Plan and that staff has recommended approval. Councilor Haynes opened and closed the public hearing without participation. Councilor De Forest made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Spreitzer seconded, and the motion carried 5-1 with Councilor Van De Bogart voting in opposition. On the merits of the ordinance, Councilor De Forest moved to enact. Councilor Spreitzer seconded. Councilor Van De Bogart said that he will be voting against this because he is concerned about traffic safety. He said that electronic signs add another layer of visual distraction for drivers who should be focused on the road. Councilor Spreitzer said that this is a land use decision and that the Comprehensive Plan shows that this area is appropriate for neighborhood commercial uses. Councilor Haynes asked if the City has authority in regulating electronic signs. Ms. Christensen stated that the sign will not be allowed to flash or blink and that the message may only change once every five seconds. The applicant, Pastor Clifton White, said that the Church would like to use the sign to advertise various events on the property and would like the convenience of changing the sign's message electronically. The motion carried by a vote of 4-2 with Councilors Kincaid and Van De Bogart voting in opposition. File 8598 Ordinance 3492

5. CITIZENS PARTICIPATION – none

6. CONSENT AGENDA

Councilor De Forest requested that item 6.b. be removed from the Consent Agenda. Councilor Luebke made a motion to adopt the Consent Agenda, which consists of items 6.a. and 6.c. through 6.g. Councilor Spreitzer seconded, and the motion carried that the Consent Agenda consisting of items 6.a. and 6.c. through 6.g. be accepted, approved, adopted, or referred and acted upon as required by state and local codes by a vote of 6-0.

- a. The **Minutes** of the Regular Meeting of June 3, 2013, were approved.
- c. The resolution approving the renewal of a **Class "B" Beer and "Class B" Liquor License** for the Fraternal Order of Eagles #557, d/b/a/ Beloit Eagles Club, located at 302 State Street, Ronald Minnick, new Agent, was adopted. File 8590
- d. The resolution approving a **Change of Agent** for Rockford Pizza, LLC, d/b/a Pizza Hut, located at 2787 Prairie Avenue, from Ryan Bennett to Juan Mendoza Ochoa, was adopted. File 8590
- e. The resolution approving a **Change of Agent** for Domenico's Pizza & Restaurant, Inc., d/b/a Domenico's, located at 547 East Grand Avenue, from Cindy Ross to Nathan D. Lipps, was adopted. File 8590
- f. The resolution authorizing the City Manager to Apply for the **National Clean Diesel Grant** through the Leonardo Academy that Provides for the Reduction of Diesel Emission and Fuel Consumption was adopted. File 8599
- g. The resolution authorizing the City of Beloit to apply for and enter into a Grant Agreement for the Edward Byrne Memorial Local Justice Assistance Grant (JAG) Program FY 2013 and partner with Rock County through a **Regional Memorandum of Understanding** was adopted. File 7947

- b. Councilor De Forest requested that the Brian Ramsey, Director of Parks and Leisure Services, be present at the Council meeting when the **Parks, Open Space & Recreation Plan 2012-2016** is presented to explain the recommendations. Councilor Spreitzer made a motion to refer the Plan to the Plan Commission. Councilor Luebke seconded, and the motion carried 6-0. File 6180

7. ORDINANCES – none

8. APPOINTMENTS

President Haynes announced the openings and submitted the following appointments to the City Committees, Boards, and Commissions for approval. The appointments were approved on a motion by Councilor Van De Bogart and a second by Councilor Spreitzer. The motion carried 6-0.

- a. **Alcohol Beverage License Control Committee:** Ralph Berkley for a term ending June 30, 2015. File 6145

- b. **Board of Appeals:** John R. Schroer for a term ending May 31, 2016, and James Wise, Alternate, for a term ending May 31, 2014. File 6130
- c. **Equal Opportunities and Human Relations Commission:** Matthew Finnegan and Ricardo A. Valdez for terms ending June 30, 2016. File 7465
- d. **Municipal Library Board:** Lori Dotson, Samantha Johnson, and Barbara A. Milsap-Morrow for terms ending June 30, 2016. File 5991

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

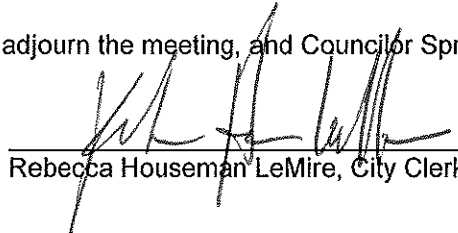
- Councilor De Forest welcomed Mr. Deprey to Beloit and to the Library and thanked library staff for their work while the Director position was vacant. She said that she attended the Beloit School District's summer meal kick-off event and reminded the public of the free meals available throughout the summer.
- Councilor Van De Bogart reminded the public to drive safely.
- Councilor Kincaid said that the public should bicycle safely and that he entered a piece of art into the Plein Air Exhibit.
- Councilor Luebke said that it has been nice to be at the Farmers Market on Saturday mornings and see all that Beloit has to offer.
- Councilor Haynes said that he went to Plein Air Exhibit and was impressed with the amazing paintings.

10. CITY MANAGER'S PRESENTATION – none

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. City Attorney Tom Casper presented a resolution approving the City's **Offer to Purchase** 150 Depot Street and authorizing the execution of the same. It was noted that the Plan Commission recommended approval 5-0. Mr. Casper stated that the acquisition of this property completes the City's plan to acquire the area known as the confluence. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Luebke seconded. The motion carried 6-0. File 8596
- b. Economic Development Director Andrew Janke presented a resolution adopting the **Memorandum of Understanding** regarding Seller's Brokerage Commission in the Gateway and Willowbrook Business Parks. Councilor Luebke asked why this is beneficial for the City, and Mr. Janke stated that the City may give away land for a development project. He said that this agreement will ensure that a broker would still receive a commission, which may encourage brokers to show the City's land to clients. Mr. Janke explained that, without a commission, a broker may not have any incentive to show clients the City's land. City Manager Larry Arft said that the City does not have a broker and that commissions will not be split. He said that this deal will give a commission to the broker of record who makes initial contact with the City based on the asking price, not the purchase price. The motion carried 6-0. File 7938/7358
- c. Police Captain William Tyler presented a resolution approving an **Intergovernmental Agreement** with the School District of Beloit for provision of Adult School Crossing Guards. He said that the agreement is identical to the previous agreement and that it does not have any additional financial implications. Councilor Luebke made a motion to adopt the resolution, and Councilor Van De Bogart seconded. Councilor Van De Bogart asked who determines where crossing guards are located, and Captain Tyler said that the School District makes that decision unless there are financial implications. He said in that case, the Police Department and the School District will come to an agreement. Councilor De Forest asked if the reconfiguration of some of the schools will impact this plan, and Captain Tyler said that the School District and the Police Department will work together to accommodate any changes needed because of new buildings and traffic patterns. The motion carried 6-0. File 7749

12. At 8:00 p.m., Councilor De Forest made a motion to adjourn the meeting, and Councilor Spreitzer seconded. The motion carried 6-0.


Rebecca Houseman LeMire, City Clerk

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Date approved by Council: