



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
Monday, July 1, 2013

Presiding: Charles M. Haynes
Present: Sheila De Forest, Chuck Kincaid, Kevin D. Leavy, David F. Luebke, Mark Spreitzer, and James E. Van De Bogart
Absent: None

1. The meeting was called to order at 7:05 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. Vice President Mark Spreitzer presented a Proclamation recognizing July as **Park and Recreation Month** to Parks and Leisure Services Director Brian Ramsey.
4. PUBLIC HEARINGS
 - a. Community Development Director Julie Christensen presented a resolution authorizing a **Conditional Use Permit** to allow a conversion from one legal nonconforming use (passenger vehicle storage) to another nonconforming use (motor vehicle wholesale sales) in a R-1B, Single-family Residential District, for the property located at 920 Keeler Avenue. It was noted that the Plan Commission recommended approval 4-0. Ms. Christensen said that the applicant proposes to store between six and eight passenger vehicles on the property at any one time. President Haynes opened and closed the public hearing without participation. Councilor Luebke made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 7-0. File 6749
5. CITIZENS PARTICIPATION – none
6. CONSENT AGENDA

Councilor De Forest requested that item 6.b. be removed from the Consent Agenda. Councilor Leavy made a motion to adopt the Consent Agenda, which consists of item 6.a. Councilor Luebke seconded, and the motion carried that the Consent Agenda be accepted, approved, adopted, or referred and acted upon as required by state and local codes by a vote of 7-0.

 - a. The **Minutes** of the Regular Meeting of June 17, 2013, were approved.
 - b. Public Works Director Gregory Boysen presented a resolution awarding **Public Works Contract C13-02**, Sixth Street Resurfacing. He indicated that the project was bid, and only one bid was received. He said that the bidder has been deemed responsible and that staff recommends the contract be awarded. Councilor De Forest asked if staff had any concerns that only one bid was received and that it was over the Engineer's estimate. Mr. Boysen state that the bid was analyzed and that staff is comfortable its award to Rock Road Companies, Inc. Councilor Leavy made a motion to adopt the resolution, and Councilor Luebke seconded. The motion carried 7-0. File 8600
7. ORDINANCES – none
8. APPOINTMENTS – none
9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest said that she attended Strawberry-Fest and thanked Sun Valley for sponsoring the event. She said that she received a compliment from a resident regarding the courteous service of the public works tree trimming crew.
- Councilor Van De Bogart reminded the public that they should start organizing block parties now for National Night Out on August 6th. He encouraged the public to be safe while celebrating the 4th of July.
- Councilor Luebke thanked the City staff and volunteers who participated in the Krueger Triathlon. He said that he received compliments on the event from residents and non-residents.
- Councilor Haynes reminded the public of the concert and fireworks that will take place on July 4th at Riverside Park.

10. CITY MANAGER'S PRESENTATION

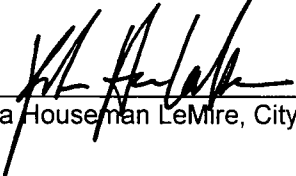
- a. Fire Chief Brad Liggett presented an annual **Fireworks Safety Presentation**. He presented the various state statutes and local ordinances regarding fireworks. He offered suggestions and encouraged the public to have safe and fun Fourth of July celebrations.

11. REPORTS FROM BOARD AND CITY OFFICERS

- 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. Councilor Haynes stated that staff has requested the Council not take action on this item until they determine the feasibility of placing this wireless facility on an existing water tower. File 7948
- b. Parks and Leisure Services Director Brian Ramsey presented a resolution approving the **2012-2016 Parks, Open Space & Recreation Plan**. It was noted that the Plan Commission recommended approval 4-0, and the Parks, Recreation, and Conservation Advisory Commission recommended approval 5-0. It was also noted that the Plan is available for review on the City's website at www.ci.beloit.wi.us. Mr. Ramsey presented the format of the Plan and the results of the community survey. He indicated that this Plan is more comprehensive than any other plan and that the consultants did a great job. Councilor De Forest asked about the recommendation of making the Parks and Leisure Services division into a department. Mr. Ramsey said that recommendation would require additional consultation and discussion with the administration. Councilor De Forest indicated that she would like this matter to be reviewed and discussed by the Council at some point. Councilor Luebke made a motion to adopt the resolution, and Councilor De Forest seconded. The motion carried 7-0. File 5555
- c. Mr. Boysen presented a resolution amending the **2013 Capital Budget** for the Installation of Sewer and Water in the Gateway Business Park. Mr. Boysen indicated that this project will facilitate a new building for a local company in an area that will be requested to be annexed into the City. Councilor De Forest made a motion to adopt the resolution, and Councilor Spreitzer seconded. The motion carried 7-0. File 7938/8570
- d. Mr. Boysen presented a resolution authorizing the City Manager to enter into a **Cooperative Agreement** with the Ho-Chunk Nation for the Colley Road and Willowbrook Road TIGER Grant Project. Councilor Luebke made a motion to adopt the resolution, and Councilor Van De Bogart seconded. Councilor Spreitzer asked about the contingencies and whose money is at stake if the City does not receive the grant. City Attorney Tom Casper stated that there are contingencies built into the agreement and that this project will only cost the City the staff time to manage the project if the grant is awarded. Councilor De Forest asked for clarification regarding the contingencies, and City Manager Larry Arft stated that either party can terminate the agreement if the grant is not awarded. The motion carried 7-0. File 8525
- e. Mr. Boysen presented a resolution amending the **2013 Capital Budget** for the TIGER Grant Project, 30% Design. Councilor Luebke made a motion to adopt the resolution, and Councilor Leavy second. The motion carried 7-0. File 8570/8525
- f. Mr. Boysen presented a resolution approving a **Contract** with Jewell Associates Engineers, Inc. for TIGER Grant Project 30% Design Engineering. Councilor Van De Bogart asked Mr. Boysen why the City did not request bids for this consulting contract. Mr. Boysen explained that this firm is already working with the Ho-Chunk Nation; the firm is familiar with the TIGER Grant process and requirements; and due to time constraints, the City would not be able to bid the contract in

time to apply for the Grant. Mr. Boysen also indicated that local firm R. H. Batterman has been contracted as a local sub-consultant for this project. Councilor De Forest asked Mr. Casper if the City is on sound legal footing without bidding this project, and Mr. Casper said that the City has no legal requirement to publically bid design projects. Mr. Arft said that the City does have a policy for purchasing which includes seeking proposals for these types of projects; however, it is not practical to follow it in this particular case. Councilor Luebke made a motion to adopt the resolution, and Councilor Spreitzer seconded. The motion carries 7-0. File 8525

12. At 8:06 p.m., Councilor De Forest made a motion to adjourn the meeting, and Councilor Spreitzer seconded. The motion carried 7-0.



Rebecca Houseman LeMire, City Clerk

www.ci.beloit.wi.us

Date approved by Council: July 20, 2013