



**PROCEEDINGS OF THE BELOIT CITY COUNCIL**  
**100 State Street, Beloit WI 53511**  
**Monday, February 3, 2014**

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 7:00 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 the **Beloit International Film Festival**, which will take place February 14-23, 2014, to Samantha Johnson. Ms. Johnson thanked the Council for the proclamation on behalf of the BIFF Board of Directors. She said that she is looking forward to the expanded 10-day schedule and encouraged the Council and the public to attend. File 7148
4. PUBLIC HEARINGS – none
5. CITIZENS PARTICIPATION
  - Fran Fruzen, 1726 Garfield Avenue, expressed concern regarding alcohol use at the Beloit Public Library. He said that allowing alcohol in a public building may set a precedent for future alcohol use at public facilities. He also said that it may be difficult to monitor the underage individuals.
6. CONSENT AGENDA

Councilor De Forest requested that item 6.d. be removed from the Consent Agenda. Councilor Luebke made a motion to adopt the Consent Agenda, which consists of items 6.a. through 6.c. and 6.e. Councilor Kincaid 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 January 21, 2014, were approved.
- b. The application for a **Class "B" Beer and "Class B" Liquor License** for Pitchers Mound LTD, LLC, d/b/a Pitchers Mound, located at 2745 Prairie Avenue, Robert Lee Lewis, Agent, was referred to the ABLCC. File 8590
- c. The application for a **Conditional Use Permit** to allow a vehicle repair use in a C-3, Community Commercial District, for the property located at 1420 Division Street, was referred to the Plan Commission. File 7040
- e. The resolution setting a date for a Public Hearing for the Vacation of Excess S. Turtle Townhall Road Right-of-Way in the City of Beloit, Rock County, Wisconsin, was accepted and referred to the Plan Commission. File 8631
- d. Building and Planning Services Director Drew Pennington presented an application for a **Zoning Map Amendment** to change the zoning district classification of the property located at 2508 Milwaukee Road from C-1, Office District, to PLI, Public Lands and Institutions District. Councilor De Forest said that this property was purposely left out of a previous zoning action because the property owner wanted to retain its use as a residence, and she asked if this had changed. Mr. Pennington stated that the property owner decided to sell the property to the School District for

the intermediate school project, and the School District will incorporate the property into the site design. Councilor Van De Bogart made a motion to refer this item to the Plan Commission, and Councilor De Forest seconded. The motion carried 7-0. File 8629

## 7. ORDINANCES

- a. City Attorney Tom Casper presented a proposed ordinance to amend Section 15.06(4)(b)1 of the Code of General Ordinances of the City of Beloit relating to **Alcohol Consumption and Possession** on Streets and other Public Places. Ms. Casper said that the Beloit Public Library Board requested this amendment to allow an event to celebrate the 5<sup>th</sup> anniversary of the opening of the library. He said that the amendment would allow for the sale and consumption of alcohol at three events each year. Mr. Casper said that the events would require a license from the Clerk's office and that they would be sponsored by the Friends of the Library or the Library Foundation. Councilor Leavy made a motion to suspend the rules and offer a second reading of the ordinance, and Councilor Luebke seconded. Councilor De Forest requested that the Council not suspend the rules. Councilor Haynes called the question, and the motion to suspend the rules failed 2-5, with Councilors De Forest, Kincaid, Spreitzer, Leavy, and Van De Bogart voting in opposition. Councilor De Forest made a motion to amend the ordinance to remove the exception for the MDA Tub Run. She said that she would like to give the organizers of the Tub Run an opportunity to speak at the next Council meeting before action is taken on the ordinance. City Clerk Rebecca Houseman LeMire said that her office would make contact with the organizers. Councilor Leavy seconded the motion to amend. Councilor Van De Bogart said that the discussion regarding the Tub Run is premature and he will vote against the amendment. The motion to amend the ordinance carried 4-3, with Councilors Haynes, Luebke, and Van De Bogart voting in opposition. Councilor Van De Bogart requested a police report of any incidents or calls for service stemming from the 2012 MDA Tub Run from Police Chief Norm Jacobs. Councilor Leavy requested Chief Jacob's opinion regarding the event. Councilor Spreitzer made a motion to lay this item over to the February 17<sup>th</sup> City Council meeting. Councilor De Forest seconded, and the motion carried 7-0. File 8590/5663
- b. Police Chief Norm Jacobs presented a proposed Ordinance to repeal and recreate Section 15.07(5) of the Code of General Ordinances of the City of Beloit pertaining to **Bow and Arrow use** in the City of Beloit. He stated that 2013 WI Act 71 removed the City's jurisdiction regarding bow and arrow use and that this ordinance would prohibit using a bow and arrow within 100 yards of a building that can be occupied. Councilor Spreitzer made a motion to suspend the rules and offer a second reading of the ordinance. Councilor De Forest seconded, and the motion carried 7-0. On the merits of the ordinance, Councilor Spreitzer made a motion to enact, and Councilor Luebke seconded. Councilor Kincaid asked if the new Statute addresses the issue of arrows going past windows. Mr. Casper stated that the Statute is silent on that but does provide a restriction that the arrow be released toward the ground. The motion carried 7-0. File 7817 Ordinance 3520

## 8. APPOINTMENTS – none

## 9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest noted that this will be Finance and Administrative Services Director Paul York's last Council meeting before he leaves for a new job in Manassas, Virginia. She thanked Mr. York for his years of service to the City. She also stated that she recently attended the Cancer Care Center Open House and the Todd School Ribbon-cutting and that she will attend the Department of Transportation stakeholders meeting on February 19<sup>th</sup>. Councilor De Forest also said that she is looking forward to the Beloit International Film Festival Silent Film Showcase on February 22<sup>nd</sup>.
- Councilor Van De Bogart said that he attended Cancer Care Center Open House and Todd School Ribbon-cutting. He thanked Mr. York for his service and noted that the City's budget and budget process have received national recognition while Mr. York supervised the process.
- Councilor Kincaid said that he wishes Mr. York well in his new endeavor and complimented him on providing a balanced budget throughout the past few difficult years.
- Councilor Luebke thanked Mr. York for his 10 years of dedicated service to the City.

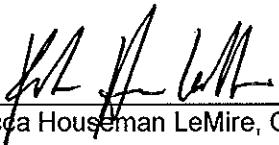
- Councilor Spreitzer thanked Mr. York and wished him the best of luck in Virginia.
- Councilor Leavy thanked Mr. York for his service and stated that he is a quiet guy who got the job done.
- Councilor Haynes thanked Mr. York and stated that Beloit's loss is Virginia's gain.

10. CITY MANAGER'S PRESENTATION – none

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Mr. York thanked the Council for their comments and stated that he has enjoyed working with them. He said that the City could not have accomplished what it did over the past ten years without the support and resources provided by the City Council. He presented a resolution declaring Official Intent to **Reimburse Expenditures** from proceeds of borrowing. Mr. York stated that this is a federal requirement if the City intends to incur any payments prior to the issuance of bonds. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 7-0. File 8618
- b. Mr. York presented a resolution amending the **2014 Capital Budget** for the Acquisition of the Hexter-Long Parcels in Tax Increment District #10. He stated that this resolution is the companion piece to the resolution adopted last month to purchase the subject properties. Councilor Luebke made a motion to adopt the resolution, and Councilor Kincaid seconded. The motion carried 7-0. File 8618/7938

12. At 7:51 p.m., Councilor De Forest made a motion to adjourn the meeting, and Councilor Spreitzer seconded. The motion carried 7-0.

  
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Rebecca Houseman LeMire, City Clerk

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Date approved by Council: February 17, 2014