



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
Monday, February 17, 2014

Presiding: Charles M. Haynes
Present: Sheila De Forest, Chuck Kincaid, Kevin D. Leavy (arrived at 7:07 p.m.), 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 **Certificates of Appreciation** recognizing Mr. Tod Clarey and Mr. James Hoey from Beloit Memorial High School for their extra effort to encourage student interest in community affairs and local government.
 - b. President Charles M. Haynes presented the 2014 **State of the City Report**. He stated that the persistent vision of Beloit's leaders have been instrumental to the resurgence of the City. He said that there will continue to be significant challenges ahead as the budget remains tight and revenue is stagnant but that with persistence and inventiveness, the City's leaders will continue to fulfill their vision for Beloit. File 6384/7757
4. PUBLIC HEARINGS
 - a. Community Development Julie Christensen presented a resolution authorizing 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. It was noted that the Plan Commission recommended approval 5-0. Councilor Haynes opened and closed the public hearing without participation. Councilor Luebke made a motion to adopt the resolution, and Councilor De Forest seconded. Councilor De Forest asked about concerns from residents regarding storm water management, and Ms. Christensen said that the applicant will provide a grading and drainage plan with the site plans which will be reviewed by the City Engineer. The motion carried 7-0. File 7040
 - b. Ms. Christensen presented a proposed ordinance amending the **Zoning District Map** of the City of Beloit to change zoning district classification of the property located at 2508 Milwaukee Road from C-1, Office District, to PLI, Public Lands and Institutions District. It was noted that the Plan Commission recommended approval 5-0. Ms. Christensen explained that this property will be included in the Beloit School District's plan for the new intermediate school. Councilor Haynes opened and closed the public hearing without participation. Councilor Spreitzer made a motion to suspend the rules and offer a second reading of the ordinance, and Councilor Luebke seconded. The motion carried 7-0. On the merits of the ordinance, Councilor De Forest made a motion to enact. Councilor Kincaid seconded, and the motion carried 7-0. File 8629 Ordinance 3521
5. CITIZENS PARTICIPATION
 - Dave Alwin, 344 E. Russell Road, Janesville, spoke in opposition to the proposed ordinance that would prohibit alcohol sales at the MDA Tub Run event.
 - Tom Barnes, 2734 Riverside Drive, Beloit, spoke in opposition to the proposed ordinance regarding the MDA Tub Run and encouraged the Council to reconsider the amendment to allow the Tub Run to be in Beloit.
6. CONSENT AGENDA

Councilor De Forest requested that item 6.e. be removed from the Consent Agenda. Councilor Luebke made a motion to adopt the Consent Agenda, which consists of items 6.a. through 6.d. and 6.f. through 6.h. Councilor Leavy 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 February 3, 2014, were approved.
- b. The application for **Class "A" Beer and "Class A" Liquor License** for Guzman's Supermarket, LLC, d/b/a Piggly Wiggly, located at 1827 Prairie Avenue, Miguel Guzman, Sr., Agent, was referred to the ABLCC. File 8590
- c. The application for a **Class "B" Beer and "Class B" Liquor License** for D&D Buck, LLC, d/b/a Bucky's Bunker, located at the Krueger Haskell Golf Course, 1611 Hackett Street, Daniel B. Bucholtz, Agent, was referred to the ABLCC. File 8590
- d. The proposed **Zoning Text Amendment** to amend Section 5-408 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit relating to Designated Floodplain Maps (Kerry Ingredients), was referred to the Plan Commission. File 7724
- f. The application for a **Conditional Use Permit** to allow Office uses in the CBD-1, Central Business District – Core, for the property located at 430 E. Grand Avenue (Phoenix Building), was referred to the Plan Commission. File 8540
- g. The resolution approving 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 adopted. File 8590
- h. The resolution approving a **Change of Agent** for Walgreen Co., d/b/a Walgreens #12136, located at 910 Broad Street, from Brenda Neumann, to Jennifer Boyle, was adopted. File 8590
- e. Ms. Christensen presented a proposed **Zoning Text Amendment** to create Section 5-202(b)(11) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit relating to Contractor Offices and Storage Yards in the DH, Development Holding District. Councilor De Forest requested information regarding similar uses in this type of zoning district in comparable communities be presented at the next meeting. Councilor De Forest made a motion to refer this item to the Plan Commission, and Councilor Spreitzer seconded. The motion carried 7-0. File 7724

7. ORDINANCES

- a. City Attorney Tom Casper presented a proposed ordinance (Substitute Amendment #1) 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 for a second reading. Councilor Van De Bogart made a motion to amend the ordinance to reinstate the language allowing the MDA Tub Run event, and Councilor Luebke seconded. Councilor De Forest said that she does not hold stereotypes about bikers or drinking alcohol and that she would be equally opposed to this event if it included cars. She also stated that she voted against the inclusion of this event when it was proposed in 2012 and that she is concerned with the message this sends the youth of the community regarding drinking and driving. Councilor Spreitzer apologized for the way this ordinance was handled at the last meeting. Councilor Leavy asked Police Chief Norm Jacobs how the Police Department feels about the event. Chief Jacobs stated that there were not any alcohol-related issues in 2012 and that the Police Department supports the event. Councilor Leavy asked Dave Alwin if the event would come back to Beloit without alcohol, and Mr. Alwin stated that it probably could. Councilor Kincaid said that he wanted to hear more about the issues involved with the event and that this discussion provided that information. He said that the event is an asset to the City. Councilor Haynes called the question regarding the proposed amendment to reinstate the language allowing the MDA Tub Run. The motion carried 4-3, with Councilors De Forest, Spreitzer, and Leavy voting in opposition. Councilor Luebke made a motion to enact the amended ordinance, and Councilor Van De Bogart seconded. The motion carried 6-1, with Councilor Leavy voting in opposition. File 8590/5563 Ordinance 3522

8. APPOINTMENTS

Councilor Haynes announced the openings and submitted the following appointments to the City Committees, Boards, and Commissions for approval. Councilor Leavy made a motion to approve the appointments, and Councilor Spreitzer seconded. The motion carried 7-0.

- a. **Board of Review:** Craig T. Daskam (Alternate) for a term ending December 31, 2014. File 6063
- b. **Equal Opportunities Commission:** Mary Weaver for a term ending June 30, 2016. File 7465

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest congratulated the Town of Beloit Fire Department for obtaining the Paramedic level of service. She said that she met with Janesville City Manager Mark Freitag and is excited about scheduling a joint meeting between the Councils. She thanked the snowplow drivers for their fantastic service this winter.
- Councilor Van De Bogart said that he has enjoyed three films at the Beloit International Film Festival and plans to volunteer as well.
- Councilor Kincaid thanked staff for grooming the cross country ski trails and said that he attended a League of Women Voters event celebrating the birthday of Susan B. Anthony.
- Councilor Luebke said that he attended the Hackett School ribbon-cutting event and that BIFF has been fantastic so far this year.
- Councilor Spreitzer said that he attended the Susan B. Anthony event and will attend the League of Wisconsin Municipalities Lobbying Day in Madison this week. He encouraged the public to attend BIFF and participate in some of the downtown dining specials.
- Councilor Haynes reminded the public to continue to shovel their sidewalks after snow events.

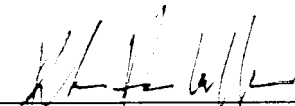
10. CITY MANAGER'S PRESENTATION

- a. Landmarks Commission Chairperson Alex Blazer presented the Annual **Landmarks Commission Report** for 2013. He described the number and type of historic properties in the City and outlined the number of Certificates of Appropriateness issued by the Landmarks Commission and staff. Councilor Haynes said that the Commission is at full strength, which shows the dedication of Beloit's residents to local historic preservation. File 5860

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Parks and Leisure Services Director Brian Ramsey presented a resolution approving **Clubhouse Food and Beverage Operating Agreement** for Krueger-Haskell Municipal Golf Course. He stated that the agreement is between the City and D&D Buck, LLC. He stated that Dan and Dede Bucholtz, the officers of the corporation, come highly recommended by staff with regard to their existing food and beverage service at Diamond Lanes. Councilor Leavy made a motion to adopt the resolution, and Councilor De Forest seconded. The motion carried 7-0. File 8159
- b. City Manager Larry Arft presented a resolution approving **Arbitration Award** to the International Association of Firefighters, Local Union #583, amending the 2014 Budget and authorizing an Appropriation. He provided a brief history of the grievance by the Fire Union and said that the City appealed the arbitrator's decision. He said that this award represents an agreement by the City's management team and the Fire Union and includes a \$230,000 appropriation for back pay which will be paid from the general fund and the ambulance fund. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Luebke seconded. Councilor De Forest said that the decision to violate the side letter was never brought to the City Council. Mr. Arft stated that hiring and firing staff is the job of the City Manager and that he did not feel that the side letter was being violated at the time of the decision. The motion carried 7-0. File 6093

12. At 8:14 p.m., Councilor Leavy made a motion to adjourn the meeting, and Councilor Spreitzer seconded. The motion carried 7-0.



Rebecca Houseman LeMire, City Clerk