



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
Monday, May 19, 2014

Presiding: Mark Spreitzer
Present: Sheila De Forest, Charles M. Haynes, Ana Kelly, Chuck Kincaid, Kevin Leavy, and David F. Luebke,
Absent: None

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. Councilor Haynes made a motion to accept the **resignation** of Councilor Leavy; Councilor Kelly seconded. Motion carried 7-0.
 - b. President Spreitzer and Vice-President Haynes presented to **Kevin Leavy** a plaque from a grateful community in appreciation for service on the Beloit City Council from April 2003 to April 2014. Councilor Leavy thanked his wife and children for their support. He thanked City Manager Larry Arft, City staff and Council for their support and the community for continuing to elect him. He challenged the Council to fill his seat with someone who represents the entire Beloit Community and who will continue to ask the tough questions of the staff and other Council members as that is how the City will grow.
4. PUBLIC HEARINGS
 - a. Community Development Director Julie Christensen presented a resolution authorizing a **Conditional Use Permit** to allow an Outdoor Seating Area and the outdoor sale, possession, and consumption of alcohol in a C-2, Neighborhood Commercial District, for property located at 1901 Liberty Avenue (Clara Bo and Gatsby Wine Bar). It was noted that Plan Commission recommended approval 5-0. Ms. Christensen said the property was previously the site of Liberty Inn and is being renovated, and that the property owner completed the Site Plan Review process and is in compliance with the City's Zoning Ordinance. She said the Board of Appeals has granted approval to install a privacy fence with a maximum height of 7'4" and the outdoor seating area was approved by the Plan Commission subject to conditions recommended by the Planning and Building Services Division. President Spreitzer opened and closed the public hearing. Councilor Haynes made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 7-0. File 8639/8590
5. CITIZENS PARTICIPATION
 - a. Joe Wall, W7947 Townhall Road, Sharon WI, spoke as a rental property owner, and said he had concerns about the increasing gun violence in Beloit saying his tenants felt unsafe and were requesting more police presence.
 - b. Linda Garrett, 1241 Prairie Avenue, spoke of concerns about truancy and daytime curfew violations and suggested policies to re-examine the fine amounts and curfew violations. She distributed to the Councilors a letter from various Rock County agencies and individuals.
 - c. Gayle Hotchkiss, 2318 Park Meadow Drive, spoke as President of Beloit League of Women's Voters and encouraged the City to review the ordinance and policies regarding youth truancy.
 - d. Greg Schneider, 703 Milwaukee, spoke of concerns about the current truancy ordinance and to consider the consequences. Councilor Leavy asked that the City Manager hold a workshop in the near future.

6. CONSENT AGENDA

Councilor Luebke made a motion to adopt the consent agenda, which consists of items 6.a. through 6.d. Councilor De Forest seconded, and the motion carried by a vote of 7-0 that the Consent Agenda be accepted, approved, adopted, or referred and acted upon as required by state and local code.

- a. The **Minutes** of the Regular Meeting of May 5, 2014 were approved.
- b. The Resolution approving an **Amendment to the Class "B" Beer and "Class B" Liquor License** for the Hideout, LLC, d/b/a Clara Bo and Gatsby Wine Bar, located at 1901 Liberty Avenue, Scott Murray, Agent, to amend the licensed premises description to include an outdoor seating area was adopted. File 8590
- c. The Application for the renewal of a **Class "B" Beer and "Class C" Wine License** for Salvador's Restaurant, located at 907 Bayliss Avenue, Salvador Sanchez, Owner, was referred to ABLCC. File 8645
- d. The Resolution awarding **Public Works Contract C14-07**, Street Resurfacing was adopted. File 8646

7. ORDINANCES

- a. Ms. Christensen presented the proposed Ordinance to repeal and recreate Chapter 10 of the Code of General Ordinances of the City of Beloit relating to the **Electrical Code**. Ms. Christensen said the Deputy City Attorney prepared the ordinance with input from the Director of Planning and Building Services. She said the ordinance removes licensing requirements for licensed electrical contractors, and adds new re-inspection fees and numerous housekeeping items. She said most of the ordinance remains unchanged but fees are to be removed from the ordinance and moved to a fee resolution. Councilor Haynes made a motion to lay this item over to the June 2, 2014, meeting for a second reading, and Councilor Kincaid seconded. Motion carried 7-0. File 5423
- b. Pretreatment Coordinator Cheryl Simplot presented the proposed Ordinance to amend sections of the Code of General Ordinances of the City of Beloit pertaining to **Wastewater Pretreatment System**. Ms. Simplot said changes were made due to a recent Wisconsin Department of Natural Resources (DNR) audit. Councilor Spreitzer asked if users are aware of the changes; Ms. Simplot said that they were and that the City has a good relationship with them. Councilor Kincaid made a motion to lay this item over to the June 2, 2014, meeting for a second reading, and Councilor Luebke seconded. Motion carried 7-0. File 5303
- c. Public Works Director Greg Boysen presented the proposed Ordinance to establish a **3-hour Parking Time Limit** for the entire Angel Museum Parking Lot except handicap accessible and staff designated stalls. It was noted that Traffic Review Committee recommended approval 5-0. Mr. Boysen said that this was administrative change to exempt the staff parking stalls from the 3-hour time limit. Councilor Luebke moved to suspend the rules and offer a second reading of the ordinance, Councilor Haynes seconded. The motion carried 7-0. On the merits of the ordinance, Councilor De Forest made a motion to enact. Councilor Leavy seconded, and the motion carried 7-0. File 7791 Ordinance 3533
- d. Mr. Boysen presented the proposed Ordinance to establish **No-Parking** on Ironworks Drive and Third Street. It was noted that Traffic Review Committee recommended approval 5-0. Mr. Boysen said that the request was made by R.H. Batterman on behalf of their client Universal Company and will remove parking on both sides of the street. Councilor Luebke moved to suspend the rules and offer a second reading of the ordinance, Councilor Haynes seconded. Councilor De Forest asked if the request was because of concerns with truck deliveries and Mr. Boysen responded that they had experienced difficulties with their large trucks. On the merits of the ordinance, Councilor Haynes made a motion to enact. Councilor Leavy seconded and the motion carried 7-0. File 7791 Ordinance 3534

8. APPOINTMENTS

President Spreitzer announced the openings and submitted the following appointments to the City committees, boards, and commissions for approval. Councilor De Forest made a motion to approve the appointments, and Councilor Luebke seconded. The motion carried 7-0.

- a. **Appointment Review Committee:** Mardell Jacobsen, for a term ending December 31, 2016. File 6261
- b. **Board of Appeals:** Randall Fiore, for a term ending May 31, 2017. File 6130

- c. **Business Improvement District (Downtown Beloit Association):** Meghan Moss, for a term ending December 31, 2016. File 6716

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- a. Councilor Luebke said that he attended the 40th Anniversary of the Paramedic Program at the Fire Department. He reminded citizens of the groundbreaking for the new Fran Fruzen School, and said it's the first school to be built with referendum funds.
- b. Councilor De Forest thanked the residents who spoke on the truancy policies and ordinance and hoped that they will continue to stay involved in the discussion and attend any workshop scheduled in the future. She congratulated Beloit College and Blackhawk Technical College graduates and thanked all who made Vets Roll possible and especially to the Finnegan family. She expressed her gratitude to those who organized the NAACP Statewide Education Summit this past Saturday. She enjoyed attending and hearing wonderful speakers who shared their concerns on how to address the achievement gap for children of color. She said she was grateful to be a member of the NAACP. She thanked Councilor Leavy and said that they were going to miss him.
- c. Councilor Kincaid urged everyone to go to Big Hill Park in the spring while the flowers are blooming and everything is green stating that it is a great place to visit.
- d. Councilor Haynes said that Councilor Leavy defines the role of a city councilor and that Councilor Haynes wants to model his own tenure after Councilor Leavy. He said Councilor Leavy taught him what it means to be committed to the community and that it has been a profound honor to serve beside him.
- e. President Spreitzer said that he attended the 40th Anniversary of the Paramedic Program, the Artwalk, the NAACP Education Summit, and he was looking forward to the ground breaking of the new intermediate school. He also attended the Beloit College graduation and congratulated the 2014 on their commencement. He thanked Councilor Leavy for his service and leadership and said that he always brings a passion to what is being discussed and doing what he thinks is the best for the community.

10. CITY MANAGER'S PRESENTATION

- a. Parks and Leisure Services Director Brian Ramsey and Recreation Supervisor Spencer Waite presented the **Parks and Recreation Division's Summer Activities**. Mr. Ramsey provided information regarding the existing parks. Mr. Waite presented statistics and information on park rentals and the summer park programs and activities for children, adults, families and seniors. He said this year the WPLA tournament, which is a mid- and senior-amateur golf tournament, will be held at the Krueger Golf Course. Mr. Ramsey said Bucky's Bunker, the new concessionaire, is doing an outstanding job and he thanked the Council for their support.
- b. Community and Housing Services Director Teri Downing presented the annual **Code Enforcement** presentation. She explained the systematic rental inspection programs including single-family interior, multi-family interior and exterior; and she reviewed examples of violations. Councilor De Forest asked if inspections were being spread out for multiple properties for landlords. Ms. Downing said that they are trying to spread it out over the year. Councilor De Forest asked what the protocol was regarding tenant and landlord issues regarding unfit designation. Deputy City Attorney Elizabeth Krueger said the tenant is usually cited on housekeeping and hoarding issues.

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Ms. Christensen presented the resolution authorizing the Schedule of Fees for Chapter 10 of the Code of General Ordinances for the City of Beloit related to the **Electrical Codes**. Councilor Luebke made a motion to adopt the resolution, and Councilor Leavy seconded. Motion carried 7-0. File 5423
- b. City Manager Larry Arft presented the resolution approving an attempt to fill a **Vacancy in the Office of City Councilor**, setting a date, time and place for a meeting to review applications and select applicants, and a further meeting to approve applicant questionnaire and interview applicants to fill the vacancy. He reviewed the ordinance and timeline proposed for the process which included: A Class 1 notice to be placed in the Beloit Daily News on May 20 advising the public of the opening and application availability and deadline of June 4 at 5 p.m. for submissions to the City Clerk's office; a special meeting on June 5 at 6 p.m. to review applications and select finalists; a special meeting on June 9 at 6 p.m. to review and approve written questionnaires,

conduct public interviews and vote to select a new councilor. Mr. Arft noted that the Council was under no obligation to fill the seat if they were not satisfied with the applicant pool. President Spreitzer made a motion to amend the resolution to change the time to 4 p.m. for the June 5, 2014 meeting. Councilor Kincaid moved to approve the resolution as amended, and Councilor De Forest seconded. The motion carried 7-0. File 5187

12. At 9:15 p.m., Councilor Leavy made a motion to adjourn the meeting, and Councilor Haynes seconded. The motion carried 7-0.



Jelene J. Ahrens, WCMC
Deputy City Clerk

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Date approved by Council: June 2, 2014