



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
Monday, June 16, 2014

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

1. The meeting was called to order at 7:03 p.m. in the Forum at Beloit City Hall
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS - None
4. PUBLIC HEARINGS
 - a. Community Development Director Julie Christensen presented a proposed Ordinance amending the Future Land Use Map of the City of **Beloit Comprehensive Plan** to change the future land use designation of the property located at 308 W. Grand Avenue from Single-family Residential, Urban, to Office. Ms. Christensen stated the applicant intends to renovate the building on the property to create long- and short-term rentable office space. She stated the Plan Commission held a public hearing and voted to adopt the amendment to the Comprehensive Plan. President Spreitzer opened and closed the public hearing with no appearances. Councilor Kincaid moved to suspend the rules and offer a second reading of the ordinance, second by Councilor Kelly. Motion was approved 7-0. Councilor Kincaid moved to approve the ordinance, second by Councilor Kelly. Motion carried 7-0. File 8058 Ordinance 3540
5. CITIZENS PARTICIPATION - None
6. CONSENT AGENDA

Councilor De Forest requested that item 6. l. be removed from the Consent Agenda. Councilor Luebke made a motion to adopt the consent agenda, which consists of items 6.a. through 6.k., second by Councilor Haynes. 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 June 2, 2014 were approved
- b. The Resolution approving renewal of a **Class "B" Beer and "Class C" Wine License** for Salvador's Restaurant, located at 907 Bayliss Avenue, Salvador Sanchez, Owner, was approved. File 8645
- c. The Resolution approving renewal of a **Class "B" Beer and Reserve "Class B" Liquor License** for BMC Property Management LLC, d/b/a Rivals Sports Bar and Grill, located at 443 East Grand Avenue, Michael Dennis Jero, Agent, was approved. File 8645
- d. The Resolution approving **Change of Agent** for BRBK, LLC, d/b/a The Alibi, 1180 Madison Road, from Bonnie R. Kunde to Wendy K. Drake, was approved. File 8645
- e. The Resolution approving **Change of Agent** for CVS Pharmacy, d/b/a CVS Pharmacy #5600, located at 2149 Prairie Avenue from Kimberly Kitchens to Debra Gajdoski was approved. File 8645
- f. The Resolution approving **Change of Agent** for Beloit Express, Inc. d/b/a Holiday Inn Express, located at 2790 Milwaukee Road from Kelsey Szudy to Liza Carrasco was approved. File 8645
- g. The Resolution approving **Improvements** within Riverside Park- West located at 1055 Third Street was approved. File 8647

- h. The Resolution Setting a Date for a Public hearing for the **Vacation** of Milwaukee Road Frontage in the City of Beloit, Rock County, Wisconsin was accepted and referred to the Plan Commission. File 8650_
- i. 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 approved. File 8599
- j. The Resolution approving the Conveyance of a **Utility Easement** to the City of Beloit, 856 Fourth Street, was approved. File 8615
- k. The Resolution awarding **Public Works Contract C14-12** Soil Cap for 202 Shirland Avenue was approved. File 8651
- l. Attorney Casper presented a Resolution releasing City's **Right of First Refusal and Waiving Lease Restrictions** on 2555 Kennedy Drive in the Beloit Industrial Park. City Attorney Casper stated the buyer of the property found a 1983 Restrictive Covenant that the City recorded that stated if the owner were to sell the property the City should be notified and be given the opportunity to purchase the property under the same terms and conditions as any buyer. Attorney Casper explained the second covenant stated there could be no leasing or rental of the property, and this new owner intends to rent the property and asks the City to waive the Restrictive Covenants. Economic Development Director Andrew Janke stated the Covenant was protection for the City if the undeveloped land was sold and the buyer did not develop the land, and the City would have the right to repurchase the site. Mr. Janke stated this property was developed 30+ years ago and if the City did exercise this covenant, we would have to reimburse the owner for the cost of the land and the value of the building. Councilor Luebke made a motion to release the City's Right of First Refusal and Waiving Lease Restrictions on 2555 Kennedy Drive, second by De Forest. Motion carried 7-0. File 7009

7. ORDINANCES

- a. Director of Water Resources Harry Mathos, presented the proposed Ordinance to amend the Table of Contents, Sections 27.01(1), 27.02, 27.03(2), 27.03(4), 27.04, 27.11, 27.15, 27.16, 27.18(2), 27.18(5), 27.19(2), 27.19(4) and 27.20; to create Section 27.15(3)(c); and repeal section 27.20 of Chapter 27 of the Code of General Ordinances of the City of Beloit as it relates to **Private Wells**. Mr. Mathos stated the DNR requires the Water Utility to develop and implement a private well abandonment program to protect the City's drinking water supply from contaminants that may be introduced through inadequately designed, non-compliant private wells. Mr. Mathos said an ordinance was amended to authorize well operating permits and a resolution was written and appears later on the Agenda. On the merits of the ordinance, Councilor Haynes made a motion to enact, second by Councilor Luebke. Motion carried 7-0. File 8044 Ordinance 3539

8. APPOINTMENTS

President Spreitzer 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 Haynes and a second by Councilor Kelly. The motion carried 7-0.

- a. **Alcohol Beverage License Control Committee:** Betty B Barnett for a term ending June 30, 2017 and Tina Goecks as School District of Beloit Representative for the 2014-2015 school year. File 6145
- b. **Equal Opportunities Commission:** Joe Hansen and Mike Zoril for terms ending June 30, 2017. File 7465
- c. **Municipal Library Board:** John Watrous and Sandra Kincaid for terms ending June 30, 2017. File 5991

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

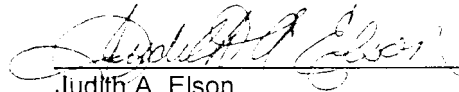
- a. Councilor Luebke said that he attended the demolition of the former Turtle Town Hall.
- b. Councilor De Forest congratulated Councilor Regina Hendrix on her appointment and welcomed her to the Council; expressed gratitude to Human Resources Director Florence Haley for her years of service to the City; congratulated Tony Farrell and the Finnegan Brothers for their induction in the Hall of Honor. She stated she attended the Save Our Youth breakfast, Porter Avenue Watch Group picnic, dinner theater at The Castle and the Rock County Prevention Strategic Planning meeting.
- c. Councilor Kincaid attended Farmers Market and acquired a pen listing the summer programs by the Friends of Riverfront and encouraged the public to attend the many Friday evening events.
- d. Councilor Hendrix expressed her gratitude to be appointed to the Council and stated she was looking forward to the remainder of her term.
- e. Councilor Kelly stated she attended the ground breaking at the old Turtle Town Hall, Beloit Memorial graduation and the Plein Air event which was well attended.
- f. Councilor Haynes welcomed Regina Hendrix as the newly appointed Councilor.
- g. Councilor Spreitzer stated he attended the ground breaking at the old Turtle Town Hall, the picnic at the Community Garden in the Merrill Neighborhood, and enjoyed Beloit College's reunion weekend celebrating his five year reunion.

10. CITY MANAGER'S PRESENTATION - None

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Public Works Director, Gregory Boysen, presented a resolution adjusting the award amount and authorizing **Final Payment** of Public Works Contract C13-07 Street Resurfacing. He stated the additional costs were for the addition of Reynolds Drive to the Alcoa Building; because of the unexpected poor conditions of streets during resurfacing which required base repairs; and for the paving done in Big Hill Park to prevent two years of construction which would disrupt park activities. Councilor De Forest made a motion to lay over this resolution as she would like to see detailed documentation for the variances, documentation related to the additional expenses and why these decisions were made, second by Councilor Kincaid. City Manager Larry Arft explained that the City did not go over budget as there were plenty of funds in the Capital Budget to cover the required paving which was not a discretionary decision as the repairs had to be made. Manager Arft stated there was money in the parks budget for the Big Hill Park plan and to complete it in one year was more efficient and less disruptive. President Spreitzer called for a roll call vote to layover. Motion failed 3-4 with Councilors Haynes, Spreitzer, Kelly and Luebke voting no. President Spritzer called for a vote on the resolution, and it carried with a vote of 6-1 with Councilor De Forest voting no. File 8605
- b. Mr. Mathos presented a resolution for **Fees** for Private Wells and explained the resolution included a waiver for the first permit fee. Councilor Haynes made a motion to approve the resolution, second by Councilor De Forest. Motion carried 7-0. File 8044
- c. Mr. Janke presented a resolution authorizing the City Manager to enter into a Wisconsin Economic Development Corporation (WEDC) Idle Industrial Sites **Development Agreement** with Hendricks Commercial Properties. He explained that the Council authorized the application for this grant partnered with Hendricks Development and this past December was notified that the City would receive the grant of one million dollars. Mr. Janke said one of the requirements of this grant was the City had to enter into a development agreement with Hendricks Commercial Properties. He stated another requirement of the grant was for matching contributions and Hendricks Commercial Properties is investing thirty-eight million dollars which is more than required for matching funds. Mr. Janke stated this was not a job creation project, and jobs were not a requirement of this agreement, however, in the long history of working with Hendricks Commercial Properties, jobs will be created in the community. Councilor Luebke made a motion to approve this resolution, second by Councilor Haynes. Motion carried 7-0 File 8619
- d. Mr. Janke introduced a resolution amending the **2014 Capital Budget** for the WEDC Idle Industrial Site Grant Project which would enable the one million dollar grant to be passed through to Hendricks Commercial Properties. Councilor Haynes moved approval, second by Councilor Kelly. Motion carried 7-0. File 8619/8618

- e. Mr. Mathos presented a resolution approving the **Compliance Maintenance Annual Report** for 2013 and explained that this report from the Department of Natural Resources is an evaluation of the Wastewater Treatment Facility and again this year they scored a perfect 4.0 which he stated was a testament to the staff at the facility. Councilor Haynes made a motion to approve, second by Councilor Kelly. Motion carried 7-0. File 5303
12. At 7:40 p.m., Councilor Hendrix made a motion to adjourn the meeting, second by Councilor De Forest. The motion carried 7-0.



Judith A. Elson
Deputy City Clerk

www.beloitwi.gov

Date approved by Council: July 7, 2014