



**AGENDA
BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Monday, March 7, 2016**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
4. PUBLIC HEARINGS- None
5. CITIZEN PARTICIPATION
6. CONSENT AGENDA

All items listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the General Order of Business and considered at this point on the agenda.

- a. Approval of the **Minutes** of the Regular Meeting of February 15, 2016 (Stottler)
- b. Resolution approving the **Construction of a Parking Lot** in Turtle Creek Park located at 1312 East Grand Avenue (Christensen)
Parks, Recreation, and Conservation Advisory recommendation for approval 6-0
Landmarks Commission recommendation for approval 5-0
Plan Commission recommendation for approval 6-0
- c. Resolution approving authorizing **Final Payment for C14-12**, Soil Cap for 202 Shirland Avenue (Boysen)
- d. Resolution awarding **Public Works Contract C16-04**, Wisconsin Avenue Reconstruction-Woodward to White (Boysen)
- e. Resolution awarding **Public Works Contract C16-02**, Concrete Pavements Kettle, Cranston and Gateway (Boysen)
- f. Application for **Class “B” Beer and “Class B” Liquor License** for Evans Group, LLC, d/b/a Royalty, 530 E Grand Avenue, Donta Evans, Agent (Stottler)
Refer to ABLCC
- g. Application for **Class “A” Beer and “Class A” Liquor License** for Beloit Mobil on the Run, 2883 Milwaukee Road, Akbir Kang, Agent (Stottler)
Refer to ABLCC
- h. Consideration of a **Change of Agent** on the Class “B” Beer and Reserve “Class B” Liquor License for Buffalo Wild Wings, 2747 Milwaukee Road, to James F. Gleich (Stottler) Refer to ABLCC

- i. Consideration of **Change of Agent** on the Class “B” Beer and “Class B” Liquor License of Beloit Snappers, 2301 Skyline Drive, to Timothy Hinds (Stottler)
Refer to ABLCC

7. ORDINANCES

- a. An **Ordinance to Amend Section 15.01 and to Repeal Sections 15.07(2) and (3)** of the Code of General Ordinances of the City of Beloit Pertaining to Regulations of Knives (Krueger) First Reading

8. APPOINTMENTS – None

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

10. CITY MANAGER’S PRESENTATION – None

11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Resolution approving Advanced **Life Support Intercept Ambulance Service Agreement** with the Village Fire Protection District of Clinton, Wisconsin (Liggett)
- b. Resolution approving **First Amendment to Clubhouse Food and Beverage Operating Agreement** for Krueger-Haskell Municipal Golf Course (Ramsey)

12. ADJOURNMENT

** Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk’s Office at 364-6680, 100 State Street, Beloit, WI 53511.

Dated: March 2, 2016
Lorena Rae Stottler
City of Beloit City Clerk
www.beloitwi.gov

You can watch this meeting live on Charter PEG digital channel 992. Meetings are rebroadcast during the week of the Council meeting on Tuesday at 1:00 p.m.; Thursday at 8:30 a.m.; and Friday at 1:00 p.m.



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Tuesday, February 15, 2016

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

1. President Haynes called the meeting 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 De Forest presented to BIFF President, Marty Densch a proclamation in recognition of **Beloit International Film Festival**. BIFF is entering its 11th year and runs from February 19-28, 2016. File 7148
4. PUBLIC HEARINGS
 - a. Community Development Director, Julie Christensen, presented a Proposed Ordinance amending the City of Beloit's **Zoning District Map** to change the zoning district classification of the property located at 736 Oak Street from R-1B, Single-Family Residential District to R-2, Two-Family Residential District for a first reading. The Plan Commission recommendation was for denial 6-0. President Haynes opened the hearing. Katherine Swain, 737 Elm, spoke in objection to this classification change. She requested it remain zoned single family and said they have lived next to the property for 43 years. She stated that the number of rental units in this area has reached a tipping point and believes allowing more will move the neighborhood in the wrong direction. No other citizens spoke. President Haynes closed the public hearing. Councilors De Forest and Luebke made a motion to lay over to the March 7 council meeting. Motion failed on a vote of 0-7. File 8709
5. CITIZEN PARTICIPATION
 - Executive Director Celestino Ruffini spoke on behalf of Visit Beloit. He explained that he will return to provide his annual report in a couple of months but wanted to share that to date, more than \$35,000 in community improvement grant dollars have been awarded through Stateline Community Foundation which includes monies for historic neighborhood signage. A new website www.visitbeloit.com has been launched and new Visit Beloit tourism guides. He said that new literature racks were recently delivered to local lodging properties and the lobby at 500 Public Avenue is refreshed. Two new videos for winter activities are out, one including the BIFF program. He said that they are working on strategic goals and feasibility studies. He said that 2015 did end in record growth and that announcement will come in the near future.
6. CONSENT AGENDA

Councilor Luebke and Kincaid made a motion to adopt the consent Agenda as presented. Motion carried.

 - a. The **Minutes** of the Regular Meeting of February 1, 2016 were approved.
 - b. A resolution approving **Change of Agent** for Casey's Marketing Company d/b/a Casey's General Store #3316, located at 2350 Cranston Road from Nancy Gollmer to Jeff Kimberly was approved. File 8688

7. ORDINANCES

- a. Interim Police Chief David Zibolski presented a proposed Ordinance to Amend Sections 25.04(4)(d) and 13.18 of the Code of General Ordinances of the City of Beloit pertaining to **Parking Enforcement**. In an effort to maximize city resources, staff is requesting the attached ordinance amendment which allows civilian city staff to assist law enforcement during times of snow emergencies. The proposed ordinance allows civilian staff in the Community Development Department and Fire Department to assist police operations during times of snow emergencies by issuing parking tickets. The current ordinance limits this authority to police officers.

The proposed ordinance also codifies the ability for community service officers to issue parking tickets. This is a second reading. Councilors Luebke and De Forest made a motion to approve as presented. Motion carried. File 7906 Ordinance 3566

- b. Community Development Director, Julie Christensen, presented an Ordinance to Amend Section 25.04(4)(d) of the Code of General Ordinances of the City of Beloit pertaining to Officials authorized to Issue Citations related to **Annual Rental Dwelling Permits**. Section 14.06 of the City's Code of General Ordinances requires property owners to obtain a rental permit before leasing any dwelling unit to another person. Chapter 25 of the City's Municipal Code identifies who can issue municipal citations for different sections of the code. For Section 14.06 (Annual Rental Permits) of the Code of General Ordinances, the employees currently authorized to issue municipal citations are the Director of Community and Housing Services, Inspection Official, and the Secretary to the Director of Community and Housing Services. We are proposing to amend this ordinance to allow the Administrative Assistant in the Planning and Building Services to also issue municipal citations under this code. This will allow the Community Development Department to more efficiently manage this program. This is second reading. Councilors Kincaid and Kelly made a motion to approve as presented. Motion carried. File 5130
- c. Community Development Director, Julie Christensen, presented a proposed Ordinance amending the City of Beloit's **Zoning District Map** to change the zoning classification of the property located at 2345 Prairie Avenue (River of Life UMC) from R-1A, Single-Family Residential District to PLI, Public Lands and Institutions District. Kevin Cook of JNB Signs, on behalf of River of Life United Methodist Church (RLUMC), has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-1A, Single-Family Residential District to PLI, Public Lands and Institutions District, for the property located at 2345 Prairie Avenue. This is second reading. Councilors De Forest and Sloniker made a motion to approve as presented. Motion carried. File 8706

8. APPOINTMENTS – None

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor Hendrix thanked the community for their support of the Soulfood luncheon on behalf of the minority excellence organization. She announced the election on Tuesday, February 16th and reminded voters of the two polling locations and hours of voting.
- Councilor Sloniker announced an upcoming EOC meeting this Wednesday.
- Councilor Kelly has been very busy with BIFF planning and looks forward to seeing the community come out this week and next. She attended the Downtown Beloit annual dinner.
- Councilor Luebke welcomed council candidates present in the audience. He was happy to see the BPD officer highlighted in the Channel 27 news assisting an elderly citizen with her walkway.
- Councilor De Forest welcomed newly sworn firefighters. She's excited for BIFF and invited the public to attend a fundraiser for Project 16:49 where she will be lip syncing in a battle to raise funds for homeless youth.
- Councilors Kincaid and Haynes had nothing to add.

10. CITY MANAGER'S PRESENTATION

- a. Chairperson Alex Blazer presented the annual **Landmarks Commission Report for 2015**. This annual report is provided in accordance with Section 32.05(10) of the Historic Preservation Ordinance. This report documents the activities and accomplishments of the Landmarks Commission during 2015. The Commission currently consists of Chair Alex Blazer, Vice-Chair Ruth Vater, Donna Johnson, Ellen Joyce, Terri Kaye, Steve Truesdale, Steve Vollmer, and City Councilor Ana Kelly. The city staff representative is Alex Morganroth. The Commission currently monitors 115 properties in the Bluff Street Historic District, 156 properties in the College Park Historic District, 4 properties in the Merrill Street Historic District, and 46 individually listed Landmarks and Landmark Sites.

The Landmarks Commission met twelve times in 2015 to review Certificate of Appropriateness (COA) applications. Many of these applications included more than one item concerning repairs, replacements, additions, or demolitions. Planning Division staff also reviewed and approved COA applications. Of the **55** COA applications processed in 2015, **23** (42%) were approved by staff. The number and types of requests considered by the Commission and staff are as follows:

General Repair Projects:

Gutters/Fascia/Soffit - 6
Fence Installation - 9
Handrails and Porch Repair - 5
Ramps/Sidewalks/Pavement - 5
Roof Repair/Replacement - 12
Siding - 4
Signs - 3
Structural Repair - 6
Windows and Doors - 8

Special Projects:

422 Bluff St Demolition
251 Roosevelt Ave Demolition
Horace White Park Memorial Garden

The Landmarks Commission engaged in a number of projects in 2015 including an update to the Historic Intensive Survey, the creation of a Facebook page, and the revival of the process to install identification signage in Beloit's three historic districts. The Intensive Survey, funded by the Wisconsin State Historical Society and conducted by Legacy Architecture, is half-way completed and will be finished in August of 2016. The final document presented to the City and Commission will include analysis and recommendations for new historic districts. The Landmarks Commission Facebook page provides a new way for the Commission and Staff to engage with the community on preservation activities and issues. Lastly, a \$1000.00 donation from Fairbanks Morse and \$3,476.00 grant from Visit Beloit will allow the Commission to move forward with the design and production of various identification signs for the Bluff Street, Merrill Street, and College-Park Historic Districts. The goal is to have the first signs installed by fall of 2016. File 5860

11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Senior Center Coordinator Paula Schutt presented a resolution Authorizing **Application and Acceptance of a Community Grant** from the National Council on Aging for "The Aging Mastery Program" and amending the 2016 Grinnell Senior Center Operating Budget for this Grant Program.

She explained that in November, 2015 the City of Beloit completed an application to the National Council on Aging (NCOA) to consider Grinnell Hall as a site for implementing their Aging Mastery Program (AMP). Shortly after the first of the year, the City of Beloit was notified that they would receive one of only 13 Grants that will be awarded within the State of Wisconsin. The grant is for a maximum of \$12,000 to cover the cost of implementing the AMP. There are no matching funds required and funds will be distributed over the 2016-2017 time period.

Grantees will be required to:

- Provide at least three (3), 10-week courses (the AMP core program) involving a total of 80-90 people over 24 months; one or more courses in the spring of 2016, one or more courses in the fall of 2016, and one or more in the spring of 2017. NCOA will provide all of the materials as an in-kind contribution for each participant in each offered course.
- Offer ongoing AMP engagement activities for the period of the grant.
- Assuming the program is successful, work with state leads and NCOS to develop and implement sustainability strategies.

AMP is a comprehensive and fun approach to aging well that encourages people to take actions to enhance their health, financial well-being, social connectedness, and overall quality of life. Participants in AMP will go through a 10 week core program followed by optional elective classes and activities that will be offered at Grinnell Hall.

Councilors De Forest and Sloniker made a motion to approve the resolution as presented. Motion carried 7-0. File 8711

- b. Councilors Luebke and Sloniker moved that the City Council convene into closed session at 7:37 p.m. pursuant to section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, specifically to consider the possible **settlement of Mark Johnson v. City of Beloit**, 13-CV-863. Motion carried 7-0.

Councilors Luebke and De Forest moved that the City Council reconvene into open session at 7:41 p.m. pursuant to section 19.85(2), Wis. Stats., for possible action on the matter discussed in closed session. Motion carried 7-0.

Councilors Luebke and Hendrix made a motion to approve a resolution authorizing the City Manager to enter into litigation settlement agreement. Motion carried 7-0. File 8712

12. Councilors Hendrix and Sloniker made a motion to adjourn the meeting at 7:43 p.m. Motion carried.

Lorena Rae Stottler, City Clerk

www.beloitwi.gov

Date approved by City Council:

**RESOLUTION APPROVING THE
CONSTRUCTION OF A PARKING LOT IN TURTLE CREEK PARK LOCATED AT 1312
EAST GRAND AVENUE**

WHEREAS, *Beloit Parks, Recreation, and Open Space Plan* (2012-2016) recommends the construction of a parking lot at Turtle Creek Park; and

WHEREAS, adding a paved parking lot will provide safe and reliable off-street parking for the visitors and guests of Turtle Creek Park; and

WHEREAS, the construction of the parking lot must be reviewed and approved by the Landmarks Commission due to the park's status as a landmark; and

WHEREAS, the City of Beloit Landmarks Commission reviewed the construction of the parking lot at the meeting on February 16, 2016, and voted to approve the Certificate of Appropriateness to allow the parking lot; and

WHEREAS, the City of Beloit Parks Commission reviewed the construction of the parking lot at the meeting on January 13, 2016, and voted to approve the improvement; and

WHEREAS, the location of parking lots on public lands must be reviewed by the Plan Commission and approved by the City Council to comply with State Statutes; and

WHEREAS, the City of Beloit Plan Commission reviewed the construction of the parking lot at the meeting on February 17, 2016, and voted to recommend approval of the project.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Beloit, Rock County, Wisconsin, hereby approves the construction of a parking lot in Turtle Creek Park located at 1312 East Grand Avenue.

Adopted this 7th day of March, 2016.

BELOIT CITY COUNCIL

Charles M. Haynes, Council President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Construction of New Parking Lot at Turtle Creek Park (1312 E Grand Ave)

Date: March 7, 2016

Presenter(s): Julie Christensen

Department(s): Community Development

Request Overview/Background Information:

The City of Beloit Engineering Division has requested permission to construct a parking lot at Turtle Creek Park, located at 1312 E Grand Avenue in the City of Beloit. The location of parking lots on public lands must be reviewed by the Plan Commission and approved by the City Council to comply with State Statutes.

Key Issues:

- The “Capital Improvement Recommendations” section of the *Beloit 2012-2016 Parks, Open Space and Recreation Plan* recommends the construction of a paved parking lot at Turtle Creek Park.
 - **Project Description**
 - A new asphalt lot will be constructed at Turtle Creek Park and will provide visitors with 10 off-street parking spaces, including one handicap space. Visitors currently park on a dirt/grassy area in the same location as the proposed paved lot.
 - See the attached Location and Zoning Map and aerial rendering.
 - The proposed lot would be paved with three inches of asphalt and have 18-inch curb and gutter to direct storm water runoff.
 - The Parks, Recreation, and Conservation Advisory Commission reviewed this item on January 13, 2016 and voted unanimously (6-0) to approve the design of the parking lot.
 - The Landmarks Commission reviewed this item on February 16, 2016 and voted unanimously (5-0) to approve the Certificate of Appropriateness for the parking lot construction.
 - The Plan Commission reviewed this item on February 17, 2016 and voted unanimously (6-0) to recommend approval of the parking lot construction.
-

Conformance to Strategic Plan:

- The *Comprehensive Plan* designates the property located at 1312 E Grand Avenue as appropriate for Parks and Open Space uses.
 - Consideration of this request supports *Strategic Goals #1 and #5*.
-

Sustainability:

- **Reduce dependence upon fossil fuels** – N/A
 - **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
 - **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
 - **Meet the hierarchy of present and future human needs fairly and efficiently** – The proposed parking lot will provide safe and reliable off-street parking for the visitors and guests of Turtle Creek Park and prevent further damage to the area currently being used for parked vehicles.
-

Action required/Recommendation:

- City Council consideration and action on the proposed Resolution
-

Fiscal Note/Budget Impact:

The construction of the parking lot in Turtle Creek Park is budgeted in the *2016 Capital Improvements Budget*.

Attachments:

Resolution and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date:
February 17, 2016

Agenda Item:
5

File Number:
RPB-2016-01

Applicant:
Engineering Division

Owner:
City of Beloit

Location:
1312 E Grand Ave (Turtle Creek Park)

Request Overview/Background Information:

The City of Beloit Engineering Division has requested that the Plan Commission review the proposed plans for the construction of a new parking lot at Turtle Creek Park located at 1312 E Grand Avenue in the City of Beloit. The location of parking lots on public lands must be reviewed by the Plan Commission and approved by the City Council to comply with State Statutes.

Key Issues:

- In the “Site Inventory and Analysis” section of the *Beloit 2012-2016 Parks, Open Space and Recreation Plan*, the parking lot condition at Turtle Creek Park was rated as “poor”.
- The “Capital Improvement Recommendations” section of the 2012-2016 Beloit Parks, Open Space and Recreation Plan recommends the construction of a paved parking lot at Turtle Creek Park.
- Project Description
 - A new asphalt lot will be constructed at Turtle Creek Park and provide visitors with 10 off-street parking spaces. Visitors currently park on a dirt/grassy area in the same location as the proposed paved lot.
 - See the attached *Location and Zoning Map* and design rendering.
- The proposed lot would be paved with three inches of asphalt and have 18-inch curb and gutter to direct storm water runoff.
- The Engineering Division will work with Planning Staff to add landscaping as necessary to comply with Section 34.21 of the Architectural Review and Landscape Code.
- Turtle Creek Park is a landmark site and any construction, reconstruction, or alterations are regulated by the Landmarks Commission in accordance with Section 32.06 of the Historic Preservation Ordinance (Chapter 32).
 - The Commission reviewed the parking lot proposal at the February 16, 2016 meeting.
- The City Council will review the proposal on March 7, 2016.

Consistency with Comprehensive Plan and Strategic Plan:

- The *Comprehensive Plan* designates the property located at 1312 E Grand Avenue as appropriate for Parks and Open Space uses.
- Consideration of this request supports *Strategic Goals #1 and #5*.

Sustainability:

- **Reduce dependence upon fossil fuels – N/A**
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature – N/A**
- **Reduce dependence on activities that harm life sustaining eco-systems – N/A**
- **Meet the hierarchy of present and future human needs fairly and efficiently –** The proposed parking lot will provide safe and reliable off-street parking for the visitors and guests of Turtle Creek Park and prevent further damage to the area already being used for parked vehicles.

Staff Recommendation:

The Planning and Building Services Division recommends **approval** of the proposed construction of a new parking lot on public land at Turtle Creek Park located at 1312 E Grand Ave in the City of Beloit.

Fiscal Note/Budget Impact:

The construction of the parking lot in Turtle Creek Park is budgeted in the 2016 Capital Improvements Budget.

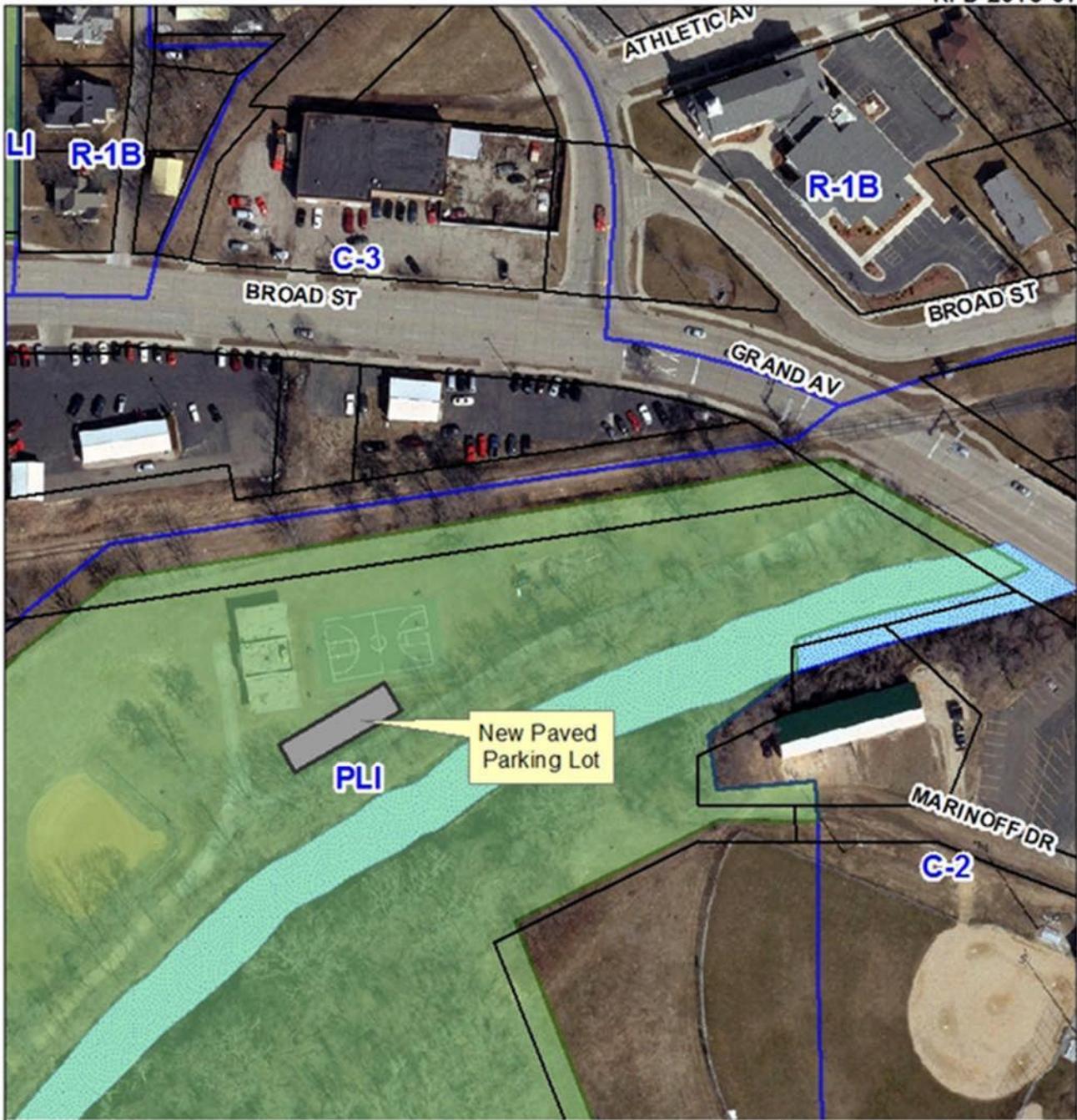
Attachments:

Park Location Map, Proposed Parking Lot Rendering

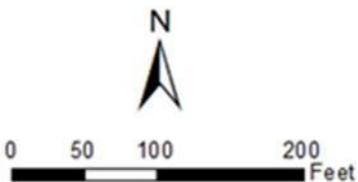
Turtle Creek Park

1312 E Grand Ave

RPB-2016-01



Document Path: \\sbs\backslashgis\work\2016\RPB\2016-01\Turtle Creek Park\1312 E Grand Ave



Legend

- COB Parcels
- Zoning District
- Turtle Creek Park

Planning and Building Services Division

Map prepared by: Alex Morganroth
Date: January 2016
For: City of Beloit
Planning & Building Services
Date of Aerial Photography: April 2011



DISPATCH HOTLINE
FOR FIRE 9001 242-6311
FOR POLICE 9001 242-6311
FOR AMBULANCE 9001 242-6311
FOR TOWING 9001 242-6311
WWW.CITYOFMARIETTA.COM



PROJECT NAME:
2016 PARKS PARKING LOTS
TURTLE CREEK PARK PARKING LOT

ID: C16-16 SHEET 1

RESOLUTION
AUTHORIZING FINAL PAYMENT OF PUBLIC WORKS CONTRACT C14-12
Soil Cap For 202 Shirland

WHEREAS, work under this contract has been completed satisfactorily and in conformance with the requirements of the contract; and

WHEREAS, This project removed the existing impervious surface of 202 Shirland Ave and replaced it with a Wisconsin Department of Natural Resources (WDNR) approved soil cap. Also approximately 100 linear feet of driveway/street was reconstructed.; and

WHEREAS, the city engineer, comptroller, and attorney recommend final payment to the contractor.

NOW, THEREFORE, BE IT RESOLVED, by the City of Beloit City Council that Rock Road Companies, Inc.. be paid \$5,798.36 as the final payment for Public Works Contract C14-12 Soil Cap For 202 Shirland as recommended by the City Engineer.

Dated at Beloit, Wisconsin, this 7th day of March 2016.

BELOIT CITY COUNCIL

Charles M. Haynes, President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF БЕЛОIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Final Payment for Contract C14-12, Soil Cap For 202 Shirland

Date: March 7, 2016

Presenter(s): Gregory Boysen

Department(s): Public Works/ Engineering

Overview/Background Information:

This project removed the existing impervious surface of 202 Shirland Ave and replaced it with a Wisconsin Department of Natural Resources (WDNR) approved soil cap. Also approximately 100 linear feet of driveway/street was reconstructed..

Key Issues (maximum of 5):

1. The requirements of the contract have been completed to the satisfaction of the City.
2. The awarded contract amount was \$ 83,273.00
Quantity increases and change orders \$ 0.00
Net payment due contractor \$ 5,798.36
3. The City Engineer, City Attorney, and Director of Accounting recommend that a final payment be made to Rock Road Companies, Inc. in the amount of \$5,798.36.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**

This project enhanced the quality of life in Beloit by improving the appearance and containing the contamination of a former condemned gas station.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **Reduce dependence upon fossil fuels**
n/a
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
n/a
- **Reduce dependence on activities that harm life sustaining eco-systems**
n/a
- **Meet the hierarchy of present and future human needs fairly and efficiently**
The soil cap will limit human exposure to contaminated soils while providing a green space.
-

If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space.

Action required/Recommendation:

Engineering recommends approval of the Resolution authorizing the Final Payment.

Fiscal Note/Budget Impact:

Adequate funding is available in the 2014 Capital Improvement Plan.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch

FROM: Scott Schneider, Project Engineer

DATE: January 22, 2016

SUBJECT: Final Payment Contract C14-12, Soil Cap For 202 Shirland

The work on this project was completed on July 7, 2015. I have inspected the work and find it to be satisfactory and in compliance with the requirements of the contract. The contractor has asked for final payment. The project was inspected by city staff. The final payment quantities have been approved by the contractor.

The original contract amount was for \$83,273.00 and the final contract amount is \$83,273.00. Payments to date under this contract total \$77,474.64, and all lien waivers from subcontractors are on file.

Therefore, I recommend a final payment in the amount of \$5,798.36 be made to Rock Road Companies, Inc.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Scott Schneider, Project Engineer

FROM: Elizabeth A. Krueger, City Attorney 

DATE: January 28, 2016

SUBJECT: **Final Payment Public Works Contract C14-12**
Rock Road Companies, Inc.
Soil Cap for 202 Shirland Ave.

I have reviewed the materials you sent over for final payment approval on the above contract. Everything appears in order and you may process the matter in your normal fashion.

/tdh
encs.

RESOLUTION
AWARDING PUBLIC WORKS CONTRACT C16-04
Wisconsin Ave. Reconstruction - Woodward to White

WHEREAS, on February 25, 2016, three competitive bids were received, the low bid being from Rock Road Companies; and

WHEREAS, Rock Road Companies is a qualified bidder.

THEREFORE, BE IT RESOLVED that Public Works Contract C16-04, Wisconsin Ave. Reconstruction - Woodward to White, is hereby awarded to Rock Road Companies, Janesville, WI, WI, in the following amounts:

Rock Road Companies
P.O. Box 1818
Janesville, WI, 53547

Base Bid	\$ 815,744.84
<u>Allowance for Change Orders and/or Extra Work</u>	<u>\$ 122,255.16</u>
TOTAL PROJECT COST	\$ 938,000.00

BE IT FURTHER RESOLVED that the amount of \$ 938,000.00 is hereby funded as follows:

P2902187-5514-2013 Street Maintenance	\$ 130,000.00
P2902187-5514-2014 Street Maintenance	\$ 108,000.00
P2903301 - 5514-2016 Wisconsin Ave. Reconstruction	\$ 700,000.00
TOTAL	\$ 938,000.00

Dated at Beloit, Wisconsin this 7th day of March, 2016.

City Council of the City of Beloit

Charles M. Haynes, President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Award of Contract C16-04, Wisconsin Ave. Reconstruction - Woodward to White

Date: March 7, 2016

Presenter(s): Greg Boysen P.E., Public Works Director **Department(s):** Public Works/ Engineering

Overview/Background Information:

This project will reconstruct the curbs, pavement, storm sewer, and street lighting.

Key Issues (maximum of 5):

1. Three bids were received for this project. The low bid of \$ 815,744.84 was from Rock Road Companies and is 28.5% more than the engineer's estimate of \$ 634,696.76.
 2. Rock Road Companies is considered a responsible bidder for this project.
 3. The costs for this project are as follows: \$ 815,744.84 for construction, \$ 122,255.16 for Change Orders or extra work, for a total of \$ 938,000.00.
-

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**

This project will enhance the quality of life in Beloit by restoring this corridor to its potential beauty and function.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **Reduce dependence upon fossil fuels**
n/a
 - **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
n/a
 - **Reduce dependence on activities that harm life sustaining eco-systems**
n/a
 - **Meet the hierarchy of present and future human needs fairly and efficiently**
The restored pavement and improved street lighting meets the present and future human needs by restoring ride quality to the road surface, eliminating lead water services, and increasing illumination of the street after dark.
-

If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space.

Action required/Recommendation:

The Engineering Division recommends awarding this Public Works Contract to Rock Road Companies in the amount of \$ 815,744.84.

Fiscal Note/Budget Impact:

Funding is available.

CITY OF BELOIT

DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch
FROM: Andy Hill, Project Engineer 
DATE: February 25, 2016
SUBJECT: Bid Results for Contract C16-04
Wisconsin Ave. Reconstruction - Woodward to White

Pursuant to advertisements placed February 10 and February 17, bids were received until 3:00 PM on February 25 for the Wisconsin Ave. Reconstruction - Woodward to White. A tabulation of bids is attached.

Three bids were received for this project as follows:

1. Rock Road Companies	Janesville, WI	\$ 815,744.84 *Low
Engineer's Estimate		\$ 634,696.76
2. E and N Hughes Co. Inc.	Monroe, WI	\$ 826,521.90
3. Corporate Contractors, Inc.	Beloit, WI	\$ 874,827.50

Upon review of the Contractor's Proof of Responsibility Statement, Rock Road Companies is determined to be a responsible bidder.

I recommend that the contract be awarded to Rock Road Companies of Janesville, WI. The following is a breakdown of the proposed project cost:

COSTS

Rock Road Companies	\$ 815,744.84
Allowance for Change Orders and/or Extra Work	\$ <u>122,255.16</u>
TOTAL PROJECT COST	\$ 938,000.00

PROJECT INFORMATION

This project will reconstruct the curbs, pavement, storm sewer, and street lighting.

Tabulation of Bids

Contract C16-04

Consin Ave. Reconstruction - Woodward to White

Bids Opened February 25, 3:00 PM

Item No.	Bid Item Description	Quantity	Unit	Rock Road Companies Janesville, WI		E and N Hughes Co. Inc. Monroe, WI		Corporate Contractors, Inc. Beloit, WI	
				Price	Extended	Price	Extended	Price	Extended
1	MOBILIZATION	1	LS	\$14,000.00	\$14,000.00	\$11,015.00	\$11,015.00	\$13,900.00	\$13,900.00
2	TRAFFIC CONTROL	1	LS	\$3,800.00	\$3,800.00	\$5,091.00	\$5,091.00	\$7,800.00	\$7,800.00
3	FULL DEPTH SAW CUT	385	LF	\$1.75	\$673.75	\$3.00	\$1,155.00	\$2.40	\$924.00
4	REMOVING PAVEMENT	4,531	SY	\$5.75	\$26,053.25	\$2.60	\$11,780.60	\$10.00	\$45,310.00
5	REMOVING CURB & GUTTER	2,322	LF	\$4.65	\$10,797.30	\$1.90	\$4,411.80	\$5.00	\$11,610.00
6	CLEARING	131	ID	\$28.00	\$3,668.00	\$35.00	\$4,585.00	\$16.00	\$2,096.00
7	GRUBBING	131	ID	\$16.00	\$2,096.00	\$7.60	\$995.60	\$24.00	\$3,144.00
8	SPECIAL - UTILITY LINE POTHOLE	32	EA	\$205.00	\$6,560.00	\$109.00	\$3,488.00	\$100.00	\$3,200.00
9	EXCAVATION COMMON (INCLUDES 650 CY EBS)	2,491	CY	\$15.25	\$37,987.75	\$12.10	\$30,141.10	\$7.00	\$17,437.00
10	CONCRETE COLLAR (UNDISTRIBUTED)	3	EA	\$232.62	\$697.86	\$246.00	\$738.00	\$520.00	\$1,560.00
11	TRENCH BACKFILL	1,122	TON	\$6.00	\$6,732.00	\$6.90	\$7,741.80	\$12.00	\$13,464.00
12	BASE AGGREGATE DENSE (1 1/4 INCH)	2,270	TON	\$14.00	\$31,780.00	\$14.00	\$31,780.00	\$10.00	\$22,700.00
13	SELECT CRUSHED MATERIAL (3 INCH)	2,819	TON	\$13.50	\$38,056.50	\$11.00	\$31,009.00	\$14.00	\$39,466.00
14	CONCRETE CURB, TYPE L (24 INCH)	2,312	LF	\$11.75	\$27,166.00	\$12.10	\$27,975.20	\$12.50	\$28,900.00
15	BITUMINOUS ASPHALT, TYPE E-0.3, PG64-22	1,470	TON	\$56.50	\$83,055.00	\$58.20	\$85,554.00	\$59.00	\$86,730.00
16	TACK COAT	215	GALLON	\$3.58	\$769.70	\$3.70	\$795.50	\$4.00	\$860.00
17	CONCRETE SIDEWALK (4 INCH)	1,266	SF	\$5.00	\$6,330.00	\$4.50	\$5,697.00	\$6.50	\$8,229.00
18	CURB RAMP DETECTABLE WARNING FIELD	8	EA	\$260.00	\$2,080.00	\$206.00	\$1,648.00	\$260.00	\$2,080.00
19	CONCRETE DRIVEWAY (6 INCH)	980	SY	\$43.00	\$42,140.00	\$44.70	\$43,806.00	\$44.70	\$43,806.00
20	ASPHALTIC SURFACE DRIVEWAYS (UNDISTRIBUTED)	25	TON	\$135.00	\$3,375.00	\$139.00	\$3,475.00	\$140.00	\$3,500.00
21	CORNER TREATMENTS AT STREET QUADRANTS	537	SF	\$8.00	\$4,296.00	\$13.40	\$7,195.80	\$8.00	\$4,296.00
22	INSULATION POLYSTYRENE (2 INCH)	25	SY	\$15.73	\$393.25	\$12.20	\$305.00	\$27.00	\$675.00

Tabulation of Bids

Contract C16-04

Consin Ave. Reconstruction - Woodward to White

Bids Opened February 25, 3:00 PM

Item No.	Bid Item Description	Quantity	Unit	Rock Road Companies Janesville, WI		E and N Hughes Co. Inc. Monroe, WI		Corporate Contractors, Inc. Beloit, WI	
				Price	Extended	Price	Extended	Price	Extended
23	PAVEMENT MARKING, EPOXY (4 INCH)	3,072	LF	\$1.25	\$3,840.00	\$1.30	\$3,993.60	\$1.50	\$4,608.00
24	FINISHING ROADWAY	1	EA	\$3,673.18	\$3,673.18	\$5,800.00	\$5,800.00	\$4,740.00	\$4,740.00
25	MOBILIZATION EROSION CONTROL	1	EA	\$125.00	\$125.00	\$100.00	\$100.00	\$160.00	\$160.00
26	MOBILIZATION EMERGENCY EROSION CONTROL	1	EA	\$175.00	\$175.00	\$123.00	\$123.00	\$160.00	\$160.00
27	SILT FENCE (UNDISTRIBUTED)	100	LF	\$1.18	\$118.00	\$2.50	\$250.00	\$4.00	\$400.00
28	INLET PROTECTION (TYPE A)	2	EA	\$115.00	\$230.00	\$80.00	\$160.00	\$125.00	\$250.00
29	INLET PROTECTION (TYPE C)	19	EA	\$32.00	\$608.00	\$70.00	\$1,330.00	\$62.00	\$1,178.00
30	STONE TRACKING PAD	324	SY	\$9.50	\$3,078.00	\$12.00	\$3,888.00	\$10.25	\$3,321.00
31	SOD LAWN RESTORATION	3,543	SY	\$8.25	\$29,229.75	\$8.15	\$28,875.45	\$8.50	\$30,115.50
32	VIDEO SANITARY LATERALS	70	EA	\$250.00	\$17,500.00	\$275.00	\$19,250.00	\$286.00	\$20,020.00
33	SANITARY MANHOLE COVERS	4	EA	\$750.00	\$3,000.00	\$428.00	\$1,712.00	\$445.00	\$1,780.00
34	8" SANITARY MAIN (BEYOND 15 FEET) (UNDISTRIBUTED)	20	LF	\$112.00	\$2,240.00	\$91.75	\$1,835.00	\$95.00	\$1,900.00
35	8" SANITARY MAIN SPOT REPAIR (UP TO 15 FEET) (UNDISTRIBUTED)	2	EA	\$2,800.00	\$5,600.00	\$3,137.00	\$6,274.00	\$2,740.00	\$5,480.00
36	SANITARY LATERAL WYE	35	EA	\$850.00	\$29,750.00	\$875.00	\$30,625.00	\$806.00	\$28,210.00
37	RELAY SANITARY LATERAL	1,120	LF	\$58.00	\$64,960.00	\$68.00	\$76,160.00	\$68.00	\$76,160.00
38	SANITARY LATERAL SPOT REPAIRS (UNDISTRIBUTED)	2	EA	\$2,200.00	\$4,400.00	\$1,824.00	\$3,648.00	\$1,900.00	\$3,800.00
39	ADJUSTING MANHOLE COVERS (SANITARY)	1	EA	\$450.00	\$450.00	\$555.00	\$555.00	\$580.00	\$580.00
40	RECONSTRUCT SANITARY MANHOLE (WITH CASTING)	3	EA	\$1,500.00	\$4,500.00	\$1,407.00	\$4,221.00	\$1,500.00	\$4,500.00
41	HYDRANT	1	EA	\$5,500.00	\$5,500.00	\$7,598.00	\$7,598.00	\$7,900.00	\$7,900.00
42	HYDRANT LEAD (6 INCH)	21	LF	\$92.00	\$1,932.00	\$95.75	\$2,010.75	\$100.00	\$2,100.00
43	WATER VALVE REPLACEMENT (10 INCH)	2	EA	\$6,500.00	\$13,000.00	\$7,446.00	\$14,892.00	\$7,740.00	\$15,480.00
44	INSTALL WATER VALVE IN EXISTING MAIN (6 INCH)	1	EA	\$4,500.00	\$4,500.00	\$4,081.00	\$4,081.00	\$4,240.00	\$4,240.00

Tabulation of Bids

Contract C16-04

Consin Ave. Reconstruction - Woodward to White

Bids Opened February 25, 3:00 PM

Item No.	Bid Item Description	Quantity	Unit	Rock Road Companies Janesville, WI		E and N Hughes Co. Inc. Monroe, WI		Corporate Contractors, Inc. Beloit, WI	
				Price	Extended	Price	Extended	Price	Extended
45	WATER SERVICE TAP, SADDLE & CORP. COCK	17	EA	\$600.00	\$10,200.00	\$481.00	\$8,177.00	\$500.00	\$8,500.00
46	RELAY WATER SERVICE PIPE, HDPE (1 INCH)	622	LF	\$58.00	\$36,076.00	\$66.90	\$41,611.80	\$68.00	\$42,296.00
47	INSTALL WATER VALVE IN EXISTING MAIN (10 INCH)	1	EA	\$6,000.00	\$6,000.00	\$7,816.00	\$7,816.00	\$8,130.00	\$8,130.00
48	CURB STOP & BOX (1 INCH)	17	EA	\$400.00	\$6,800.00	\$329.00	\$5,593.00	\$342.00	\$5,814.00
49	ABANDON WATER SERVICES (UNDISTRIBUTED)	3	EA	\$550.00	\$1,650.00	\$673.50	\$2,020.50	\$700.00	\$2,100.00
50	WATER MAIN LINE STOP (UNDISTRIBUTED)	3	EA	\$2,200.00	\$6,600.00	\$2,575.00	\$7,725.00	\$2,700.00	\$8,100.00
51	REMOVING MANHOLES (STORM)	4	EA	\$411.87	\$1,647.48	\$188.00	\$752.00	\$196.00	\$784.00
52	REMOVING INLETS	7	EA	\$338.32	\$2,368.24	\$647.00	\$4,529.00	\$673.00	\$4,711.00
53	REMOVING STORM SEWER PIPE (12 INCH)	936	LF	\$12.54	\$11,737.44	\$17.80	\$16,660.80	\$19.00	\$17,784.00
54	STORM MANHOLE, TYPE 1 (48 INCH)	7	EA	\$1,599.71	\$11,197.97	\$2,329.00	\$16,303.00	\$2,420.00	\$16,940.00
55	STORM MANHOLE, TYPE X (60 INCH)	1	EA	\$2,917.93	\$2,917.93	\$4,493.00	\$4,493.00	\$4,700.00	\$4,700.00
56	STORM MANHOLE, SPECIAL STRUCTURE	1	EA	\$5,528.76	\$5,528.76	\$7,239.00	\$7,239.00	\$7,530.00	\$7,530.00
57	STORM MANHOLE COVERS	6	EA	\$694.86	\$4,169.16	\$666.00	\$3,996.00	\$700.00	\$4,200.00
58	STORM INLETS, TYPE 3	11	EA	\$1,409.52	\$15,504.72	\$1,128.00	\$12,408.00	\$1,170.00	\$12,870.00
59	STORM INLET COVERS	14	EA	\$728.22	\$10,195.08	\$816.00	\$11,424.00	\$850.00	\$11,900.00
60	STORM SEWER PIPE (12 INCH)	271	LF	\$53.87	\$14,598.77	\$52.00	\$14,092.00	\$54.00	\$14,634.00
61	STORM SEWER PIPE (18 INCH)	7	LF	\$74.28	\$519.96	\$71.00	\$497.00	\$73.00	\$511.00
62	STORM SEWER PIPE (24 INCH)	648	LF	\$67.45	\$43,707.60	\$58.55	\$37,940.40	\$61.00	\$39,528.00
63	ADJUSTING MANHOLE COVERS (STORM) (UNDISTRIBUTED)	2	EA	\$333.50	\$667.00	\$296.00	\$592.00	\$310.00	\$620.00
64	RECONSTRUCT STORM MANHOLES WITH CASTING (UNDISTRIBUTED)	2	EA	\$1,714.55	\$3,429.10	\$2,821.00	\$5,642.00	\$3,000.00	\$6,000.00
65	RECONSTRUCT STORM INLETS (UNDISTRIBUTED)	2	EA	\$1,004.44	\$2,008.88	\$1,550.00	\$3,100.00	\$1,612.00	\$3,224.00
66	COMPLETE ELECTRICAL WIRING SYSTEM	1	LS	\$8,830.00	\$8,830.00	\$11,845.00	\$11,845.00	\$9,180.00	\$9,180.00

Tabulation of Bids
Contract C16-04
Windsin Ave. Reconstruction - Woodward to White
Bids Opened February 25, 3:00 PM

Item No.	Bid Item Description	Quantity	Unit	Rock Road Companies Janesville, WI		E and N Hughes Co. Inc. Monroe, WI		Corporate Contractors, Inc. Beloit, WI	
				Price	Extended	Price	Extended	Price	Extended
67	ELECTRICAL SERVICE METER PEDESTAL	1	EA	\$1,314.00	\$1,314.00	\$1,236.00	\$1,236.00	\$1,400.00	\$1,400.00
68	PULL BOX, STEEL (24 X 36 INCH)	6	EA	\$588.00	\$3,528.00	\$705.00	\$4,230.00	\$612.00	\$3,672.00
69	NONMETALLIC CONDUIT, SHEDULE 40 (2 INCH)	1,804	LF	\$4.39	\$7,919.56	\$4.80	\$8,659.20	\$5.00	\$9,020.00
70	NONMETALLIC CONDUIT, SHEDULE 40 (3 INCH)	5	LF	\$46.68	\$233.40	\$6.00	\$30.00	\$49.00	\$245.00
71	STREET LIGHTS (STERNBERG)	3	EA	\$4,016.00	\$12,048.00	\$4,378.00	\$13,134.00	\$4,180.00	\$12,540.00
72	INSTALL STREET LIGHTS	3	EA	\$389.00	\$1,167.00	\$515.00	\$1,545.00	\$405.00	\$1,215.00
73	PEDESTRIAN LIGHTS	8	EA	\$2,267.00	\$18,136.00	\$2,421.00	\$19,368.00	\$2,360.00	\$18,880.00
74	INSTALL PEDESTRIAN LIGHTS	8	EA	\$336.00	\$2,688.00	\$310.00	\$2,480.00	\$350.00	\$2,800.00
75	CONCRETE BASES, TYPE 1	8	EA	\$335.00	\$2,680.00	\$567.00	\$4,536.00	\$350.00	\$2,800.00
76	CONCRETE BASES, TYPE 2	3	EA	\$781.00	\$2,343.00	\$824.00	\$2,472.00	\$810.00	\$2,430.00
77	CONSTRUCTION STAKING	1	LS	\$6,417.50	\$6,417.50	\$6,610.00	\$6,610.00	\$11,000.00	\$11,000.00
Total Proposal				\$815,744.84		\$826,521.90		\$874,827.50	

RESOLUTION
AWARDING PUBLIC WORKS CONTRACT C16-02
Concrete Pavements - Kettle, Cranston, & Gateway

WHEREAS, on February 25, 2016, four competitive bids were received, the low bid being from Parisi Construction Co. Inc.; and

WHEREAS, Parisi Construction Co. Inc. is a qualified bidder.

THEREFORE, BE IT RESOLVED that Public Works Contract C16-02, Concrete Pavements - Kettle, Cranston, & Gateway, is hereby awarded to Parisi Construction Co. Inc., Verona, WI, in the following amounts:

Parisi Construction Co. Inc.
508 S. Nine Mound Rd.
Verona, WI 53593

Base Bid	\$ 187,404.05
<u>Allowance for Change Orders and/or Extra Work</u>	<u>\$ 27,595.95</u>
TOTAL PROJECT COST	\$ 215,000.00

BE IT FURTHER RESOLVED that the amount of \$215,000.00 is hereby funded as follows:

P5003637-5514-2015	Gateway - Cranston Intersection	\$ 145,000.00
P2902187-5514-2014	Street Maintenance	\$ 70,000.00
TOTAL		\$ 215,000.00

Dated at Beloit, Wisconsin this 7th day of March, 2016.

City Council of the City of Beloit

Charles M. Haynes, President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Award of Contract C16-02, Concrete Pavements - Kettle, Cranston, & Gateway

Date: March 7, 2016

Presenter(s): Greg Boysen P.E., Public Works Director **Department(s):** Public Works/ Engineering

Overview/Background Information:

This project will construct turn lanes for Pratt Industries and repair slabs on Kettle Way.

Key Issues (maximum of 5):

1. Four bids were received for this project. The low bid of \$ 187,404.05 was from Parisi Construction Co. Inc. and is 27.6% less than the engineer's estimate of \$ 259,008.35.
 2. Parisi Construction Co. Inc. is considered a responsible bidder for this project.
 3. The costs for this project are as follows: \$ 187,404.05 for construction, \$ 27,595.95 for Change Orders or extra work, for a total of \$ 215,000.00.
-

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**

This project will enhance the quality of life in Beloit by repairing broken pavement and installing turn lanes.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **Reduce dependence upon fossil fuels**
n/a
 - **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
n/a
 - **Reduce dependence on activities that harm life sustaining eco-systems**
n/a
 - **Meet the hierarchy of present and future human needs fairly and efficiently**
The added turn lanes meet the present and future human needs by supporting industry and creating jobs.
-

If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space.

Action required/Recommendation:

The Engineering Division recommends awarding this Public Works Contract to Parisi Construction Co. Inc. in the amount of \$ 187,404.05.

Fiscal Note/Budget Impact:

Funding is available from the Street Maintenance budget and the TIFF district.

CITY OF BELOIT

DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch
FROM: Andy Hill, Project Engineer 
DATE: February 25, 2016
SUBJECT: Bid Results for Contract C16-02
Concrete Pavements - Kettle, Cranston, & Gateway

Pursuant to advertisements placed February 10 and February 17, bids were received until 3:15 PM on February 25 for the Concrete Pavements - Kettle, Cranston, & Gateway. A tabulation of bids is attached.

Four bids were received for this project as follows:

1. Parisi Construction Co. Inc.	Verona, WI	\$ 187,404.05	*Low
2. Cornerstone Pavers	Racine, WI	\$ 216,774.02	
3. J.W. Schultz Construction Inc.	Ft. Atkinson, WI	\$ 229,605.75	
4. Corporate Contractors, Inc.	Beloit, WI	\$ 234,351.00	
Engineer's Estimate		\$ 259,008.35	

Upon review of the Contractor's Proof of Responsibility Statement, Parisi Construction Co. Inc. is determined to be a responsible bidder.

I recommend that the contract be awarded to Parisi Construction Co. Inc. of Verona, WI. The following is a breakdown of the proposed project cost:

COSTS

Parisi Construction Co. Inc.	\$ 187,404.05
Allowance for Change Orders and/or Extra Work	\$ 27,595.95
TOTAL PROJECT COST	\$ 215,000.00

PROJECT INFORMATION

This project will construct turn lanes for Pratt Industries and repair slabs on Kettle Way.

Tabulation of Bids
Contract C16-02
Concrete Pavements - Kettle, Cranston, & Gateway
Bids Opened February 25, 3:15 PM

				Engineer's Estimate		Parisi Construction Co. Inc. Verona, WI		Cornerstone Pavers Racine, WI	
Item No.	Bid Item Description	Quantity	Unit	Price	Extended	Price	Extended	Price	Extended
Site Preparation									
1	Mobilization	2	LS	\$7,500.00	\$15,000.00	\$1,700.00	\$3,400.00	\$6,510.00	\$13,020.00
2	Construction Staking	1	LS	\$3,850.00	\$3,850.00	\$1,700.00	\$1,700.00	\$1,750.00	\$1,750.00
3	Traffic Control	2	LS	\$5,000.00	\$10,000.00	\$1,900.00	\$3,800.00	\$4,460.00	\$8,920.00
4	Erosion Control	2	LS	\$3,000.00	\$6,000.00	\$400.00	\$800.00	\$500.00	\$1,000.00
5	Removing Pavement	696	SY	\$20.00	\$13,920.00	\$14.75	\$10,266.00	\$6.00	\$4,176.00
6	Removing Curb & Gutter	660	LF	\$8.00	\$5,280.00	\$8.00	\$5,280.00	\$4.39	\$2,897.40
7	Sawcut - Horizontal (curb head for ped ramp)	1	EACH	\$500.00	\$500.00	\$260.00	\$260.00	\$200.00	\$200.00
8	Manhole Adjustments	4	EACH	\$300.00	\$1,200.00	\$300.00	\$1,200.00	\$400.00	\$1,600.00
9	Full Depth Sawcut	1,443	LF	\$3.50	\$5,050.50	\$1.80	\$2,597.40	\$1.80	\$2,597.40
10	Cut Abandoned Billboard Sign Base	1	LS	\$500.00	\$500.00	\$500.00	\$500.00	\$250.00	\$250.00
11	Removing Concrete Bases	4	EACH	\$400.00	\$1,600.00	\$280.00	\$1,120.00	\$400.00	\$1,600.00
12	Removing Pull Boxes	5	EACH	\$250.00	\$1,250.00	\$200.00	\$1,000.00	\$300.00	\$1,500.00
13	Common Excavation - Includes asphalt removal	1,350	CY	\$18.00	\$24,300.00	\$11.25	\$15,187.50	\$24.38	\$32,913.00
Pavements									
14	3-Inch Select Crushed Material	70	TON	\$20.00	\$1,400.00	\$11.85	\$829.50	\$18.00	\$1,260.00
15	Base Aggregate Dense 1-1/4 Inch	478	TON	\$18.50	\$8,843.00	\$10.70	\$5,114.60	\$16.24	\$7,762.72
16	Urban Doweled Concrete Pavement, 9-Inch	1,581	SY	\$65.10	\$102,923.10	\$57.00	\$90,117.00	\$57.55	\$90,986.55
17	Drilled Tie Bars	483	EACH	\$9.00	\$4,347.00	\$7.60	\$3,670.80	\$6.50	\$3,139.50
18	Drilled Dowel Bars	86	EACH	\$18.00	\$1,548.00	\$17.25	\$1,483.50	\$16.00	\$1,376.00
19	Concrete Curb & Gutter, Type K 30-Inch	665	LF	\$26.75	\$17,788.75	\$16.75	\$11,138.75	\$21.44	\$14,257.60
20	Concrete Median Sloped Nose Type 1	90	SF	\$10.00	\$900.00	\$7.90	\$711.00	\$10.77	\$969.30
21	Concrete Sidewalk 4-Inch	280	SF	\$8.00	\$2,240.00	\$7.30	\$2,044.00	\$5.28	\$1,478.40
22	Concrete Sidewalk 6-Inch	240	SF	\$9.10	\$2,184.00	\$7.20	\$1,728.00	\$6.95	\$1,668.00
23	Detectable Warning Fields	32	SF	\$40.00	\$1,280.00	\$40.00	\$1,280.00	\$35.00	\$1,120.00
Restoration									
24	Curb Backfill and imported topsoil	327	CY	\$22.00	\$7,194.00	\$18.00	\$5,886.00	\$18.45	\$6,033.15
25	Sod Lawn Restoration	1,810	SY	\$11.00	\$19,910.00	\$9.00	\$16,290.00	\$7.90	\$14,299.00
Total Proposal				\$259,008.35		\$187,404.05		\$216,774.02	

Tabulation of Bids
Contract C16-02
Concrete Pavements - Kettle, Cranston, & Gateway
Bids Opened February 25, 3:15 PM

				J.W. Schultz Construction Inc. Ft. Atkinson, WI		Corporate Contractors, Inc. Beloit, WI	
Item No.	Bid Item Description	Quantity	Unit	Price	Extended	Price	Extended
Site Preparation							
1	Mobilization	2	LS	\$5,000.00	\$10,000.00	\$3,960.00	\$7,920.00
2	Construction Staking	1	LS	\$1,200.00	\$1,200.00	\$2,170.00	\$2,170.00
3	Traffic Control	2	LS	\$1,500.00	\$3,000.00	\$2,600.00	\$5,200.00
4	Erosion Control	2	LS	\$500.00	\$1,000.00	\$640.00	\$1,280.00
5	Removing Pavement	696	SY	\$18.00	\$12,528.00	\$19.00	\$13,224.00
6	Removing Curb & Gutter	660	LF	\$5.00	\$3,300.00	\$10.00	\$6,600.00
7	Sawcut - Horizontal (curb head for ped ramp)	1	EACH	\$400.00	\$400.00	\$463.00	\$463.00
8	Manhole Adjustments	4	EACH	\$450.00	\$1,800.00	\$650.00	\$2,600.00
9	Full Depth Sawcut	1,443	LF	\$3.00	\$4,329.00	\$2.50	\$3,607.50
10	Cut Abandoned Billboard Sign Base	1	LS	\$750.00	\$750.00	\$1,583.00	\$1,583.00
11	Removing Concrete Bases	4	EACH	\$250.00	\$1,000.00	\$360.00	\$1,440.00
12	Removing Pull Boxes	5	EACH	\$300.00	\$1,500.00	\$150.00	\$750.00
13	Common Excavation - Includes asphalt removal	1,350	CY	\$15.00	\$20,250.00	\$30.00	\$40,500.00
Pavements							
14	3-Inch Select Crushed Material	70	TON	\$20.00	\$1,400.00	\$21.00	\$1,470.00
15	Base Aggregate Dense 1-1/4 Inch	478	TON	\$20.00	\$9,560.00	\$16.00	\$7,648.00
16	Urban Doweled Concrete Pavement, 9-Inch	1,581	SY	\$67.50	\$106,717.50	\$59.00	\$93,279.00
17	Drilled Tie Bars	483	EACH	\$10.00	\$4,830.00	\$8.50	\$4,105.50
18	Drilled Dowel Bars	86	EACH	\$15.00	\$1,290.00	\$18.00	\$1,548.00
19	Concrete Curb & Gutter, Type K 30-Inch	665	LF	\$24.25	\$16,126.25	\$17.40	\$11,571.00
20	Concrete Median Sloped Nose Type 1	90	SF	\$10.00	\$900.00	\$8.20	\$738.00
21	Concrete Sidewalk 4-Inch	280	SF	\$9.00	\$2,520.00	\$7.60	\$2,128.00
22	Concrete Sidewalk 6-Inch	240	SF	\$9.00	\$2,160.00	\$7.50	\$1,800.00
23	Detectable Warning Fields	32	SF	\$35.00	\$1,120.00	\$42.00	\$1,344.00
Restoration							
24	Curb Backfill and imported topsoil	327	CY	\$20.00	\$6,540.00	\$20.00	\$6,540.00
25	Sod Lawn Restoration	1,810	SY	\$8.50	\$15,385.00	\$8.20	\$14,842.00
Total Proposal					\$229,605.75	\$234,351.00	



CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: **REFER TO ABLCC.** Request to transfer License from The Bop to new business on same premise (530 E. Grand) to be established as Royalty (owner/agent Donta Evans) and begin operating April 1, 2016.

Date: March 7, 2016

Presenter(s): Lorena Rae Stottler

Department: City Clerk

Overview/Background Information: On February 23rd, 2016 Roberta Ciulla, owner of The Bop, and Donta Evans, new owner of Royalty presented documents to the City Clerk's office to:

1 – Donta Evans is making application to establish his business to be located at 530 E. Grand to be known as Royalty. He has presented the Clerk's office a complete business and marketing plan to compliment his application.

2 – Upon referral to ABLCC, recommendation and approval of the City Council to grant Donta Evans a full liquor license, property owner Roberta Ciulla will relinquish her full license to the Evans Group, LLC and execute a lease of which our office will be supplied before license is issued to become effective April 1.

3 – If this application is approved, Mr. Evans will pay the pro-rated fee for April 1 – June 30, 2016 and the full 2016-2017 license fee of \$600 if approved and a full lease of the property will be executed.

Key Issues (maximum of 5):

1. The Clerk has received a completed application, an auxiliary questionnaire, the supplemental questionnaire for agent, the drawing of the store indicating the location of alcohol storage and serving, and has initiated the appropriate steps accordingly. He is waiting on the state for his seller's permit, but has applied. He did not furnish a lease as Roberta Ciulla is waiting to execute pursuant to the decision of the ABLCC and City Council.
2. This is a referral to ABLCC only at this time and will be presented at their March 8th meeting.
3. Upon recommendation, this will return to the City Council on March 21st for a decision.
4. Should the council vote in favor of the issuing of this license, the clerk will execute proper requests for inspections prior to issuing license.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.): Taking action regarding this license conforms to the City's Strategic Plan by encouraging economic development in the entrepreneurial community while applying sound, sustainable practices to promote high quality development.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- Reduce dependence upon fossil fuels – N/A
- Reduce dependence on chemicals and other manufacturing substances that accumulate in nature – N/A
- Reduce dependence on activities that harm life sustaining eco-systems – N/A
- Meet the hierarchy of present and future human needs fairly and efficiently – N/A

Action required/Recommendation: Staff recommends that the City Council refer this item to the Alcohol Beverage License Control Committee for review and recommendation.

Fiscal Note/Budget Impact: Action on this item does not have a significant impact on the City's budget.

Attachments: Original Alcohol Beverage Retail License Application, Schedule of Appointment of Agent, Auxiliary Questionnaire, and letter of intent from both parties.

456 - 102906 360 302

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning 04/01/2016 ending 6/30/2016

TO THE GOVERNING BODY of the: Town of Village of City of Beloit

County of Rock Aldermanic Dist. No. _____ (if required by ordinance)

Applicant's WI Seller's Permit No.: <u>49-5343737</u>	
FEIN Number: _____	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	<u>\$50 PD 2-23-16</u>
TOTAL FEE	\$

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY CORPORATION/NONPROFIT ORGANIZATION hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Evans Group, LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>Donta Evans</u>	<u>729 Center</u>	<u>Beloit, WI 53511</u>
Vice President/Member	_____	_____	_____
Secretary/Member	_____	_____	_____
Treasurer/Member	_____	_____	_____
Agent	<u>Donta Evans</u>	<u>(608) 302-5666</u>	_____

3. Trade Name RoyalTY Business Phone Number _____
 4. Address of Premises 530 E. Grand, Beloit, WI Post Office & Zip Code 53511

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 3/2014 of registration.
 (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
 (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 1 main floor (barroom)

10. Legal description (omit if street address is given above): _____
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? Roberta Culla / Sicilian Restaurant + Pizzeria INC
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 23rd day of February, 20 16

Christy Johnson
(Clerk/Notary Public)

[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

My commission expires August 4 2018

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>2-23-16</u>	Date reported to council/board <u>3-7-16</u>	Date provisional license issued _____	Signature of Clerk / Deputy Clerk _____
Date license granted _____	Date license issued _____	License number issued _____	

I, Roberta Cuilla, will relinquish my city of Beloit Liquor License to the Evans Group, LLC (Donta Evans, Agent/Member, when:

1. The Evans Group, LLC license is approved by the Alcohol Commission and the City Council of Beloit, WI, and,
2. The Evans Group, LLC and I execute a written agreement concerning the leasing my property at 530 Grand Avenue Beloit, WI, (which has been a successful establishment for the past 20 years). The lease will take effect beginning April 1st, 2016.

If both of the above mentioned contingencies do not occur, I will continue operating The BOP and be the authorized license holder for the property at 530 Grand Avenue, Beloit, WI.

I, Donta Evans, Agent/Member of the Evans Group, LLC, hereby certify that the Evans Group LLC will be applying for the licenses to operate a bar at 530 Grand Avenue, Beloit WI beginning April 1st, 2016, and the Evans Group LLC is negotiating leasing terms with Roberts Cuilla for the bar property.


Roberta Cuilla, Owner

Dated February 29, 2016

Evans Group, LLC

By: 
Donta Evans, Agent/Member

Dated February 29, 2016

Original

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Evans, Danta</u> (first name) <u>Terel</u> (middle name)	
Home Address (street/route) <u>729 Central</u>	Post Office <u>Beloit</u> City <u>Beloit</u> State <u>WI</u> Zip Code <u>53511</u>
Home Phone Number <u>608-302-5666</u>	Age <u>38</u> Date of Birth <u>11/23/77</u> Place of Birth <u>Beloit, WI</u>

The above named individual provides the following information as a person who is (check one):

Applying for an alcohol beverage license as an individual.

A member of a partnership which is making application for an alcohol beverage license.

President/Agent of Evans Group, LLC
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 3-9 months
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. _____
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name <u>School District of Janesville</u>	Employer's Address <u>527 Franklin St Janesville, WI</u>	Employed From <u>Aug. 2014</u>	To <u>Present</u>
Employer's Name <u>School District of Beloit</u>	Employer's Address <u>1633 Keebler Ave, Beloit WI</u>	Employed From <u>Aug. 2012</u>	To <u>June 2014</u>

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 23rd day of February, 20 16

[Signature]
(Clerk/Notary Public)

[Signature]
(Signature of Named Individual)

My commission expires August 4 2018



Printed on Recycled Paper

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: [] Town [] Village of Beloit County of Rock [X] City

The undersigned duly authorized officer(s)/members/managers of Evans Group, LLC (registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Prive' (trade name)

located at 530 E Grand Ave

appoints DANA EVANS (name of appointed agent) 729 Central Beloit, WI 53511 (home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

[] Yes [X] No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? [] Yes [X] No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 4 months

Place of residence last year 15623 Lucena Dr. S. Beloit, IL

For: Evans Group, LLC (name of corporation/organization/limited liability company)

By: [Signature] (signature of Officer/Member/Manager)

And: [Signature] (signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Dana Evans (print/type agent's name), hereby accept this appointment as agent for the

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 2/22/16 (signature of agent) (date)

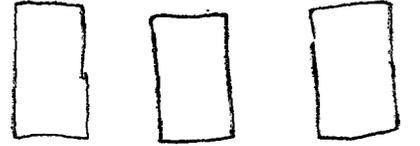
Agent's age 38

729 Central Ave (home address of agent) Date of birth 11/23/77

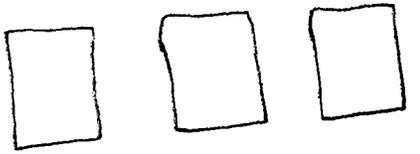
APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on [] by [] Title [] (date) (signature of proper local official) (town chair, village president, police chief)



Tables
↓
Lounge Seating



MENS Restroom

WOMENS Restroom

Exit

Smart Machines



Lounge Seating Area

Entrance

Utility Closet

Pool Table

Dance Floor

Juke Box

Bar Seating ○○○○○○

Bar Seating

Beer + Wine Storage
Coolers

Ice machine

Beer + Wine cooler

Storage for liquor
Liquor Storage

Storage for liquor

Stage Area

Bar + Table Seating



Window



CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: **REFER TO ABLCC.** Request to transfer License from ND Gas LLC to new business on same premise (2883 Milwaukee Road) to ARP Petroleum LLC (owner/agent Akbir Kang) and begin operating April 1, 2016. (Business will remain as Beloit Mobil on the Run)

Date: March 7, 2016

Presenter(s): Lorena Rae Stottler

Department: City Clerk

Overview/Background Information: On February 29th, 2016 Akbir Kang, future owner of Beloit Mobil on the Run came to apply for a liquor license with the understanding that Rao Ahmed of ND Gas LLC would need to relinquish his liquor license upon sale of the business.

1 – Ms. Akbir Kaur Kang of ARP Petroleum is making application to establish her business to be located and named at the same premise – Beloit Mobil on the Run at 2883 Milwaukee Road. She has presented the Clerk's office a complete application.

2 – Upon referral to ABLCC, recommendation and approval of the City Council to grant ARP Petroleum a full liquor license, property owner Rao Ahmed has agreed to relinquish his full license to the new owner upon successful execution of a sale and approval of said license to become effective April 1.

3 – If this application is approved, Ms. Kang will pay the pro-rated fee for April 1 – June 30, 2016.

Key Issues (maximum of 5):

1. The Clerk has received a completed application, an auxiliary questionnaire, the supplemental questionnaire for agent, the drawing of the store indicating the location of alcohol storage and serving, and has initiated the appropriate steps accordingly. She has applied to the state for her seller's permit. The sale is scheduled to be complete before the April 1 opening and execution of new liquor license.
2. This is a referral to ABLCC only at this time and will be presented at their March 8th meeting.
3. Upon recommendation, this will return to the City Council on March 21st for a decision.
4. Should the council vote in favor of the issuing of this license, the clerk will execute proper requests for inspections prior to issuing the liquor license.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.): Taking action regarding this license conforms to the City's Strategic Plan by encouraging economic development in the entrepreneurial community while applying sound, sustainable practices to promote high quality development.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **Reduce dependence upon fossil fuels** – N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A

Action required/Recommendation: Staff recommends that the City Council refer this item to the Alcohol Beverage License Control Committee for review and recommendation.

Fiscal Note/Budget Impact: Action on this item does not have a significant impact on the City's budget.

Attachments: Original Alcohol Beverage Retail License Application, Schedule of Appointment of Agent, Auxiliary Questionnaire, and letter of intent from both parties.

456-102914011302

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning April 1st 20 16 ending June 30th 20 16

TO THE GOVERNING BODY of the: Town of Village of City of Beloit

County of Rock Aldermanic Dist. No. _____ (if required by ordinance)

- 1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

- 2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Arp Petroleum LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

President/Member President, Akbir Kang Title President Name Akbir Kang Home Address 176 W. Main St. Whitewater WI Post Office & Zip Code 53190

Vice President/Member _____

Secretary/Member _____

Treasurer/Member _____

Agent Akbir Kang

Directors/Managers _____

- 3. Trade Name Arp Petroleum / Beloit Mobil on The Road Business Phone Number _____

- 4. Address of Premises 2883 Milwaukee Rd, Beloit WI Post Office & Zip Code 53511

- 5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
- 6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
- 7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
- 8. (a) Corporate/limited liability company applicants only: Insert state _____ and date _____ of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

- 9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Cooler, back stock room, sales floor ice cooler, wine

- 10. Legal description (omit if street address is given above): ND Gas LLC

- 11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
- (b) If yes, under what name was license issued? ND Gas LLC

- 12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No

- 13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No

- 14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 29 day of February, 20 16

[Signature]
(Clerk/Notary Public)

[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

My commission expires 8-23-19

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

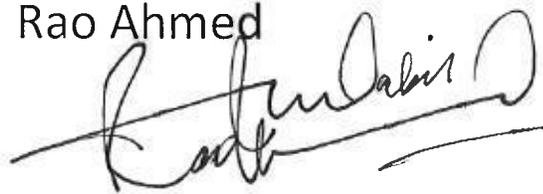
Date received and filed with municipal clerk	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Attn: City Clerk

City of Beloit Wisconsin

This is to state that we are in process of selling our business located at 2883 Milwaukee rd, Beloit WI 53511, Known as Beloit Mobil on the run to ARP Petroleum LLC. In order to complete the transaction, ARP petroleum is required to have a Liquor license from city of Beloit. That is why; Ms Akbir Kaur Kang of ARP Petroleum LLC is applying for the liquor license. ND Gas LLC will like to keep our existing liquor license until deal is closed & everything is transferred to ARP Petroleum LLC. City of Beloit will be notified of closing date in due time.

Rao Ahmed

A handwritten signature in black ink, appearing to read 'Rao Ahmed', written over a horizontal line.

ND Gas LLC

2883 Milwaukee rd,

Beloit , WI 53511

*Business
Address*

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village of Beloit County of Rock
 City

The undersigned duly authorized officer(s)/members/managers of Arp Petroleum
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as _____
(trade name)

located at 2883 Milwaukee Rd, Beloit Wi 53511

appoints AKbir Kang
(name of appointed agent)

176 W. Main St. Whitewater, Wi 53190
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 4yrs, 5months

Place of residence last year 2764 Kadec Dr #9 Beloit, Wi 53511

For: Arp Petroleum LLC.
(name of corporation/organization/limited liability company)

By: [Signature]
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Akbir Kang, hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 2-29-16 Agent's age 33
(signature of agent) (date)

176 W. Main St. Whitewater, Wi 53190 Date of birth 3-3-82
(home address of agent)

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(date) (signature of proper local official) (town chair, village president, police chief)

**AUXILIARY QUESTIONNAIRE
ALCOHOL BEVERAGE LICENSE APPLICATION**

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)	(middle name)	
Kang		AKbir	Kaur	
Home Address (street/route)	Post Office	City	State	Zip Code
176 W. Main St		Whitewater	WI	53190
Home Phone Number	Age	Date of Birth	Place of Birth	
(319) 572-9432	33	3-3-82	India	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
 - A member of a partnership which is making application for an alcohol beverage license.
 - President/Agent of Arp Petroleum
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)
- which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 4 yrs 5 months
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. Profuel Seven Inc in Beloit: 1888 Shopiere Rd, Gas Station
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. Profuel Seven Inc. 1888 Shopiere Rd, Beloit W., Rock
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Profuel Seven Inc.	1888 Shopiere Rd Beloit WI	2011	Present
Employer's Name	Employer's Address	Employed From	To
Annie's Pantry	176 W. Main St #2 Whitewater, WI	2015	Present

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 29 day of February, 20 16

[Signature]
(Clerk/Notary Public)

[Signature]
(Signature of Named Individual)

My commission expires 8-21-17

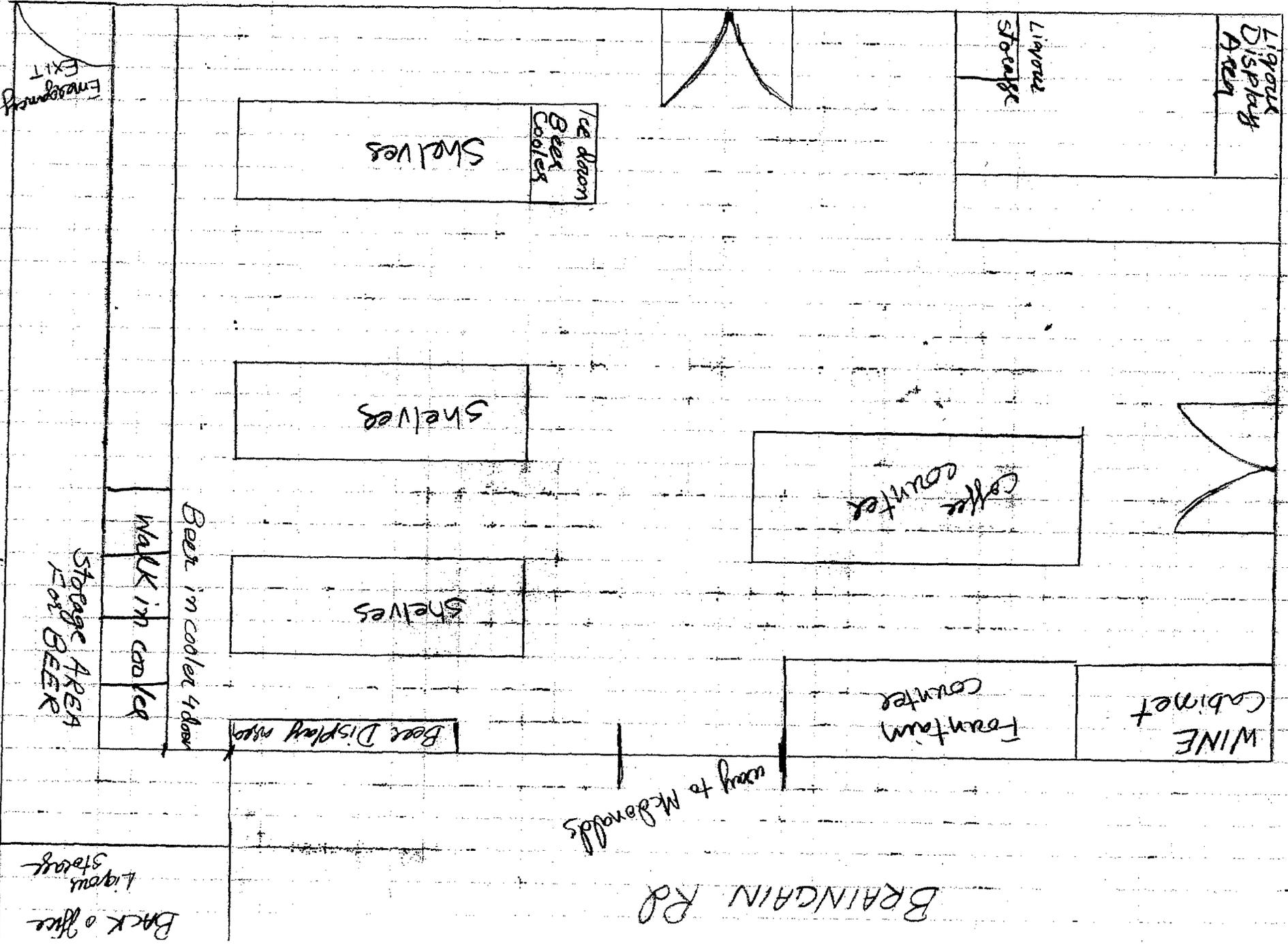


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ND GAS LLC, 2883 Milwaukee Rd, BELMONT WI 53571

BRAINRAIN Rd

way to McDonald's



Application for Cigarette and Tobacco Products License

MUNICIPAL USE ONLY

Applicant's Wisconsin 15-digit Sales Tax Account Number
456-1029140113-02

← This must be issued in the same Legal Name of the licensee below.

License Number
Period Covered 4-1-16 to 6-30-16
Date of Issuance

Legal Name (corporation, limited liability company, partnership or sole proprietorship) Arp Petroleum LLC		Federal Employer Identification No. (FEIN) 81-1455064
Trade or Business Name (if different than Legal Name) Beloit Mobil on The Run		Telephone Number (608) 365-0943
Business Address (Permit Location) 2887 Milwaukee Rd.	Business Located In <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Town	Business Telephone ()
City Beloit	State WI	ZIP Code 53511
Mailing Address (if different than Business Address)		County Rock
City		State ZIP Code

Organization (check one)

- Sole Proprietor Wisconsin Corporation – Enter date incorporated: **2-10-16**
- Partnership Out-of-State Corporation – Are you registered to do business in Wisconsin? YES NO
- Other (describe) _____

- YES NO 1. Does the applicant understand that they must purchase cigarettes only from manufacturers, distributors or jobbers who hold a permit with the Wisconsin Department of Revenue?
- YES NO 2. Does the applicant understand that they must obtain a Tobacco Products Distributor permit if purchasing untaxed tobacco products from an out-of-state company? (Tobacco Products Distributor permit is available from the Wisconsin Department of Revenue at 608-261-6435.)
- YES NO 3. Does the applicant understand that they cannot purchase/exchange cigarettes or tobacco products from another retailer, including transferring existing stock to a new owner?
- YES NO 4. Does the applicant understand that they must provide employees with tobacco sales training approved by the Wisconsin Department of Health and Family Services? (SmokeCheck.org)
- YES NO 5. Does the applicant understand that they may not sell, give or otherwise provide cigarettes/tobacco products to minors?
- YES NO 6. Does the applicant understand that they may not sell single cigarettes?
- YES NO 7. Does the applicant understand that cigarette and tobacco products invoices must be kept on the licensed premises for two years from the date of the invoice and be available for inspection by the Wisconsin Department of Revenue/law enforcement and that failure to comply can result in criminal penalties, including loss of cigarettes/tobacco products?
- YES NO 8. Does the applicant understand that only cigarettes and roll-your-own (RYO) tobacco products listed on the Wisconsin Department of Justice's website labeled "Directory of Certified Tobacco Manufacturers and Brands" at www.doj.state.wi.us/dls/tobacco/index.html may be sold in Wisconsin?

Cigarettes / Tobacco will be sold over counter through vending machine both

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the applicant. Applicant agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another.

Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME
 this 27 day of February, 20 16

[Signature]
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

[Signature]
 (Clerk / Notary Public)

My commission expires 8-23-19

#10 Pd 2-16-16

Original

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village of Beloit County of Rock
 City

The undersigned duly authorized officer(s)/members/managers of Blazin Wings, Inc.
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Buffalo Wild Wings
(trade name)

located at 2747 Milwaukee Road, Beloit, WI 53511

appoints James F. Gleich
(name of appointed agent)
1007 North Church Road, #101, Elkhorn, WI 53121
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 3 years

Place of residence last year 1007 North Church Road, #101, Elkhorn, WI 53121

For: Blazin Wings, Inc.
(name of corporation/organization/limited liability company)

By: [Signature]
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, James F. Gleich, hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 1-12-16 Agent's age 48
(signature of agent) (date)
1007 North Church Road, #101, Elkhorn, WI 53121 Date of birth 11/24/1967
(home address of agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 02/29/16 by [Signature] Title Cy John BPA
(date) (signature of proper local official) (town chair, village president, police chief)

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)	(middle name)	
GLEICH		JAMES	F	
Home Address (street/route)	Post Office	City	State	Zip Code
1007 N. CHURCH ROAD, #101		ELKHORN	WI	53121
Home Phone Number	Age	Date of Birth	Place of Birth	
815-325-7967	48	11/24/1967	Chicago, IL	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- Agent of Blazin Wings, Inc. of Blazin Wings, Inc.
- (Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 3 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. Agent of Blazin Wings, Inc. which holds retail liquor licenses throughout the US
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Applebees	Romeoville, IL	11/01/2004	11/01/2006
Employer's Name	Employer's Address	Employed From	To
Sage dining	Chicago, IL	11/01/2002	11/01/2004

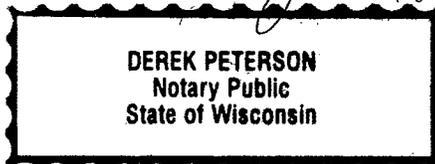
The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 12 day of January, 2016
Derek Peterson
(Clerk/Notary Public)

James Gleich
(Signature of Named Individual)

My commission expires February 24, 2019



Printed on Recycled Paper

Wisconsin Department of Revenue

SUPPLEMENTAL QUESTIONNAIRE FOR AGENTS

You are required to provide the following information to the City of Beloit to assist determining whether you meet the qualifications necessary to act as agent for the corporation or limited liability company that has submitted your appointment as agent. (Wis. Stats. 125.04(5) and (6)).

Please attach as many sheets as necessary to provide your answers to the questions below. Your notarized signature is required on the next page and constitutes your sworn statement that the information provided by you is truthful and accurate. It is also necessary that you have a corporate officer sign the second page and have that signature notarized also. The signing and notarization by the corporate officer constitutes a representation to the city that the corporation is requesting that the city rely on the information provided by the agent, which you attach.

QUESTIONS

1. The law requires that the entity appointing you as agent vest in you, by properly authorized and executed written delegation, full authority and control of the premises described in the license or permit of the entity, and of the conduct of all business on the premises relative to alcohol beverages, that the licensee or permittee could have and exercise if it were a natural person. Please state in your own words how you intend to fulfill those duties and exercise your authority.
2. Please describe any previous experience you have had in retail alcohol sales.
3. Please state how many other people will be under your supervision and engaged in alcohol beverage business.
4. Please describe what type of training you will offer to those under your supervision, describe whether the training will be ongoing and attach any written training materials or policy manuals you intend to rely on.
5. Please describe in detail what training, policy and procedures you intend to implement to ensure against underage sales.
6. Please describe what other employees will hold licenses to directly dispense alcohol.
7. Please describe whether you are going to be a full time employee and further state whether you either act as an alcohol agent for any other business or hold any other employment.

8. Please state your intended hours or schedule of being physically present at the licensed premises. Your intended hours should be set out on a daily, weekly or monthly basis as appropriate.

9. Please state whether you understand that you can be personally given citations by the police department for such things as underage sales, open after hours or other alcohol related violations even when you are not on the premises.

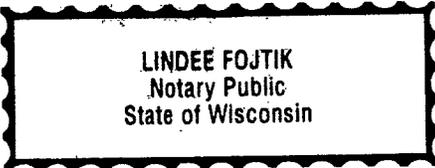
10. Please describe any alcohol related violations you have been charged with in the last five (5) years. Provide the date of the offense, the nature of the charge and the disposition of the matter. If there are none, so state.

11. Please provide any other information you believe that the City of Beloit should be aware of in deciding whether you satisfactorily qualify to be an alcohol beverage agent.

James F. Gleich
Agent Signature

James F Gleich
(Print Agent Name)

Subscribed and sworn to before me this 5th day of Feb, 2016

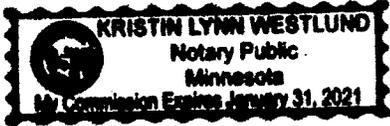


Lindee Fojtik
Notary Public
My commission: 4-5-2019
Corporate Officer Signature
(Designate Office)

Michael J. [Signature]
(Print Corporate Officer Name)

Subscribed and sworn to before me this 15 day of February, 2016

Kristin Westlund
Notary Public
My commission: 1/31/2021



Buffalo Wild Wings
James F. Gleich

1. I spend 5-6 days a week in my stores and constantly watching the staff to be sure they are exercising serve safe practices. Serving alcohol as well as food safely are my number 1 goals
2. I am the regional manager of 7 Buffalo Wild wings stores and have been in the food and beverage field for over 30 years.
3. Between my 7 stores I oversee 35 managers and almost 500 staff members
4. All of our managers and front of house staff are serve safe alcohol certified. We also employ a third part to do liquor stings in our stores.
5. If an employee fails our third party sting operation they are put on a final warning, if it happens again they are terminated. If they fail any local or state stings they are fired on the spot.
6. All of the managers and bartenders have a Wisconsin bartender license
7. I am a fulltime employee and also hold a license in our Kenosha WI location
8. My hours in each location vary. I am usually in each store at least every other week from 6-10 hours per visit and they vary from afternoon to evening. They also vary from weekdays to weekends
9. I do understand my personal liability when it comes to citations related to alcohol service
10. Approximately 1 year ago I paid a fine in our Kenosha store for not having a licensed bartender behind the bar at the time of a sting.
11. My 7 stores have the lowest amount of failed internal and external stings in the BWW Company. We always exercise safety first when it comes to not overserving our guests.



**BUFFALO
WILD
WINGS.**
WINGS. BEER. SPORTS.™

March 5, 2015

City of Beloit
100 State Street
Beloit, WI 53511

**Re: Blazin Wings, Inc. d/b/a Buffalo Wild Wings
2747 Milwaukee Road, Beloit, WI 53511**

To Whom It May Concern:

Please accept this letter as written authorization appointing James Gleich as Agent until the Beloit City Council officially appoints him as agent.

Should you have any questions, please contact Kristin Westlund, Licensing Coordinator at (952) 516-8072.

Sincerely,

Emily C. Decker
Vice President
Blazin Wings, Inc.

4/10 Fee
School Completed 3-23-15
Original

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village City of Beloit County of Rock

The undersigned duly authorized officer(s)/members/managers of Beloit Professional Baseball Association, Inc.
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

Beloit Snappers
(trade name)

located at 2301 Skyline Drive, Beloit, WI 53511

appoints Timothy Richard Hinds
(name of appointed agent)

1974 Cleora Drive #8 Beloit, WI 53511
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 1 Year

Place of residence last year Beloit WI

For: Beloit Professional Baseball Association, Inc.
(name of corporation/organization/limited liability company)

By: Glenn W. Loveston, President
(signature of Officer/Member/Manager)

And: Mary J. Foster, secretary
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Timmy Hinds
(print/type agent's name), hereby accept this appointment as agent for the

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 2/22/16
(signature of agent) (date) Agent's age 27

1974 Cleora Dr. Beloit WI 53511 Apt. 8
(home address of agent) Date of birth 8/30/88

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 02/29/16 by [Signature] Title Captain
(date) (signature of proper local official) (town chair, village president, police chief)

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print)		(last name)	(first name)	(middle name)
1974 Cleora Dr. Apt. 8			Beloit	WI 53511
Home Address (street/route)		Post Office	City	State Zip Code
Home Phone Number		Age	Date of Birth	Place of Birth
513-602-8131		27	08/30/1988	Cleora, Ohio

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- Director of Operations of Beloit Professional Baseball Association Inc
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 1 year
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. _____
(Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. _____
(Name of Wholesale Licensee, or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Dick's Sporting Goods	5555 Glenway Ave. Chesham, IL	Aug. 2007	Feb. 2013
New Orleans Zephyrs	6000 Airline Dr. Metairie, LA	March 2013	Feb 2015

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me
this 24th day of February, 2016
John J. Adams
(Clerk/Notary Public)
My commission expires 10-12-19

[Signature]
(Signature of Named Individual)



Printed on Recycled Paper

Wisconsin Department of Revenue

Beloit Snappers

SUPPLEMENTAL QUESTIONNAIRE FOR AGENTS

You are required to provide the following information to the City of Beloit to assist determining whether you meet the qualifications necessary to act as agent for the corporation or limited liability company that has submitted your appointment as agent. (Wis. Stats. 125.04(5) and (6)).

Please attach as many sheets as necessary to provide your answers to the questions below. Your notarized signature is required on the next page and constitutes your sworn statement that the information provided by you is truthful and accurate. It is also necessary that you have a corporate officer sign the second page and have that signature notarized also. The signing and notarization by the corporate officer constitutes a representation to the city that the corporation is requesting that the city rely on the information provided by the agent, which you attach.

QUESTIONS

1. The law requires that the entity appointing you as agent vest in you, by properly authorized and executed written delegation, full authority and control of the premises described in the license or permit of the entity, and of the conduct of all business on the premises relative to alcohol beverages, that the licensee or permittee could have and exercise if it were a natural person. Please state in your own words how you intend to fulfill those duties and exercise your authority.
2. Please describe any previous experience you have had in retail alcohol sales.
3. Please state how many other people will be under your supervision and engaged in alcohol beverage business.
4. Please describe what type of training you will offer to those under your supervision, describe whether the training will be ongoing and attach any written training materials or policy manuals you intend to rely on.
5. Please describe in detail what training, policy and procedures you intend to implement to ensure against underage sales.
6. Please describe what other employees will hold licenses to directly dispense alcohol.
7. Please describe whether you are going to be a full time employee and further state whether you either act as an alcohol agent for any other business or hold any other employment.

8. Please state your intended hours or schedule of being physically present at the licensed premises. Your intended hours should be set out on a daily, weekly or monthly basis as appropriate.

9. Please state whether you understand that you can be personally given citations by the police department for such things as underage sales, open after hours or other alcohol related violations even when you are not on the premises.

10. Please describe any alcohol related violations you have been charged with in the last five (5) years. Provide the date of the offense, the nature of the charge and the disposition of the matter. If there are none, so state.

11. Please provide any other information you believe that the City of Beloit should be aware of in deciding whether you satisfactorily qualify to be an alcohol beverage agent.



Agent Signature

Thomas Hinds Thomas Hinds
(Print Agent Name)

Subscribed and sworn to before me this 22 day of February, 2016.

John J. Ahrens
Notary Public
My commission: 10-12-19

Dennis M. Conerton
Corporate Officer Signature President
(Designate Office)
Dennis M. Conerton
(Print Corporate Officer Name)

Subscribed and sworn to before me this 24th day of _____, 2016.

John J. Ahrens
Notary Public
My commission: 10-12-19



- 1.) I will be present for all Snappers games where alcohol sales are made by the Beloit Snappers Organization. I also intend to be present for any other events involving alcohol sales at our stadium. I plan to train and supervise all employees selling alcoholic beverages so that they are within compliance with all federal and state regulations. Using my experience over the 2015 season, as well as my knowledge gained through the "learn 2 serve training program, I will be able to instruct anyone involved on how to protect our customers and members of the organization by maintaining proper guidelines.
- 2.) Alcoholic practices from our catering company in New Orleans with the New Orleans Zephyrs were similar to our practices here in Beloit. I was able to gain knowledge of the operations through closely working with them at their concessions for all games and concerts held on the premises. Through my first season with the Snappers in 2015, I was able to oversee the entire operation, and learn the proper steps in save serving alcoholic beverage. I was able to recognize signs of impairment and understand the importance of requesting proper forms of age identification.
- 3.) On a given game night, I would have between 3 to 6 staff members serving alcoholic beverages. Alternate events would include 1-2 other servers operating under my supervision.
- 4.) Training will include, but is not limited to: Proper identification of any customer consuming alcoholic beverages. How to handle any customers with ID's that are deemed faulty or tampered in any way. They will be instructed on how to recognize the signs and indications of customers who are too intoxicated to continue serving at our events; which will include understanding how to handle these customers properly. Training will also include how to take the proper steps on how to handle these intoxicated customers if corrective action is necessary.
- 5.) Not only will staff members be instructed to ask for identification of anyone who appears to be 35 years of age or younger, but to also be aware of any situations that occur where it appears that the customer purchasing the alcoholic beverage is providing to anyone who maybe a minor. The proper way to handle such a situation is something that will be discussed in training as well.
- 6.) Currently there are 2 employees with serving license for the 2016 season; Angela Branz and myself. Prior to opening day, two more staff members will be licensed prior to opening day: Crystal Bowen and Mitchell Hooten.
- 7.) I am a full time employee with the Beloit Snappers, and the Snappers are my only employer.
- 8.) I hold a 9-5 office schedule during the off season and while the team is on the road during the season. My schedule on game day and event days vary and could run from 9 AM to as late as midnight.
- 9.) As the licensed alcohol agent of the Beloit Snappers, I understand that I will be held accountable and will be subject to any citations given for violations on our premises.
- 10.) I have zero violations related to alcohol.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 15.01 AND TO REPEAL SECTIONS 15.07(2) AND (3) OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO REGULATION OF KNIVES

The City Council of the City of Beloit, Rock County, Wisconsin, do ordain as follows:

Section 1. Section 15.01 of the Code of General Ordinances of the City of Beloit is hereby amended to include, in chronological order, the following deletion to statutes adopted:

941.24	Possession of Switchblade Knife
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Section 2. Section 15.07 (2) of the Code of General Ordinances of the City of Beloit is hereby repealed.

Section 3. Section 15.07 (3) of the Code of General Ordinances of the City of Beloit is hereby repealed.

Section 4. This ordinance shall be in force and take effect upon passage and publication.

Adopted this _____ day of March 2016.

BELOIT CITY COUNCIL

By: _____
Charles M. Haynes, President

ATTEST:

By: _____
Lorena Rae Stottler, City Clerk

PUBLISHED: _____
EFFECTIVE DATE: _____
01-611100-5231- _____

CITY OF БЕЛОIT



REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: AN ORDINANCE TO AMEND SECTION 15.01 AND TO REPEAL SECTIONS 15.07(2) AND (3) OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO REGULATION OF KNIVES

Date: March 7, 2016

Presenter: Elizabeth Krueger

Department: City Attorney

Overview/Background Information:

On February 7, 2016, 2015 Wisconsin Act 149 became law. The Act strictly limits the authority for local governments to regulate knives. The proposed ordinance removes sections of the Code of General Ordinances for the City of Beloit that are no longer permissible under the new law.

Key Issues:

1. Switchblade knives are no longer illegal in Wisconsin, therefore the adoption of the state law and local ordinance related to switchblades are repealed by the proposed ordinance.
 2. Local governments may not regulate knives in a stricter fashion than state law. Therefore, the section of the Code of General Ordinances for the City of Beloit that regulated the sale of knives to minors is repealed by the proposed ordinance. There are state laws that regulate in this area and enforcement may be taken in criminal court.
 3. Local governments will still be able to regulate the possession of knives in buildings owned, occupied or controlled by the local government. Therefore the city's current prohibition for possession of a dangerous weapon on city property would remain intact.
-

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- Reduce dependence upon fossil fuels N/A
- Reduce dependence on chemicals and other manufacturing substances that accumulate in nature N/A
- Reduce dependence on activities that harm life sustaining eco-systems N/A
- Meet the hierarchy of present and future human needs fairly and efficiently N/A

If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space

Action required/Recommendation:

Staff recommends approval of the proposed ordinance

Fiscal Note/Budget Impact:

There is no fiscal impact to the City.

Attachments:

Proposed ordinance

20160212 (16-1035)

**RESOLUTION APPROVING
ADVANCED LIFE SUPPORT INTERCEPT AMBULANCE SERVICE AGREEMENT
WITH THE VILLAGE FIRE PROTECTION DISTRICT OF CLINTON, WISCONSIN**

WHEREAS, the City of Beloit and the Village Fire Protection District of Clinton has cooperated with one another in the provision of ambulance services; and

WHEREAS, the Village Fire Protection District of Clinton provides basic ambulance service and the City of Beloit is equipped and trained to provide Advanced Life Support Intercepts and has done so for some time in the areas served by the Village Fire Protection District of Clinton; and

WHEREAS, Medicare law necessitates a specific contractual arrangement between the City of Beloit and the Village Fire Protection District of Clinton; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Beloit, Rock County, Wisconsin, hereby finds that the attached intergovernmental agreement is in the best interests of the City of Beloit and the City Manager of the City of Beloit be, and is hereby, authorized to execute said intergovernmental agreement on behalf of the City of Beloit and to do all other things necessary to implement the provisions therein.

Adopted this 7th day of March 2016.

City Council of the City of Beloit

Charles M. Haynes, President

Attest:

Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Intercept Agreement with Clinton Fire Protection District

Date: March 7, 2016

Presenter(s): Fire Chief Brad Liggett and Deputy Chief Joseph Murray

Department: Fire

Overview/Background Information: The Beloit Fire Department has been providing Advanced Life Support intercept services to the Clinton Fire Protection District for over 25 years. These services are meant to augment the EMT-Basic level of care provided to the citizens and visitors of Clinton when the patient is in critical condition. There is no doubt that countless lives have been saved because of the intercept services provided. In 2015 the Beloit Fire Department ambulances responded to 10 requests for paramedic intercepts.

Intercept Procedure- When an intercept occurs the Clinton Fire Protection District will respond with an EMT-Basic level crew. If the patient needs advanced care then they will request an ambulance from either the City of Beloit or the City of Janesville dependent on the location of the call and patient request. The paramedics who respond will normally use the Clinton ambulance to transport the patient and will take all of the necessary equipment in to their ambulance. The patient is then transported to the appropriate facility.

Billing - Normally the Beloit Fire Department would bill for transport services but because the patient is being transported in a different agencies ambulance only they can bill for the call. The fire department has no ability to be reimbursed for the Advanced Life Support services because there is no written agreement between the City of Beloit and Clinton Fire Protection District. This applicable language in Medicare rule is as follows;

CMS IOM Publication 100-02, Chapter 10, Section 10.5 defines the following.

A. BLS/ALS Joint Response

In situations where a BLS entity provides the transport of the beneficiary and an ALS entity provides a service that meets the fee schedule definition of an ALS intervention (e.g., ALS assessment, Paramedic Intercept services, etc.), the BLS supplier may bill Medicare the ALS rate provided that a written agreement between the BLS and ALS entities exists prior to submitting the Medicare claim. Providers/suppliers must provide a copy of the agreement or other such evidence (e.g., signed attestation) as determined by their intermediary or carrier upon request. Contractors must refer any issues that cannot be resolved to the regional office.

Medicare does not regulate the compensation between the BLS entity and the ALS entity. If there is no agreement between the BLS ambulance supplier and the ALS entity furnishing the service, then only the BLS level of payment may be made. In this situation, the ALS entity's services are not covered, and the beneficiary is liable for the expense of the ALS services to the extent that these services are beyond the scope of the BLS level of payment.

Key Issues (maximum of 5):

- This agreement will solidify the fire department's ability to continue of Advanced Life Support Services.
- This agreement will allow the department to be reimbursed for its services in a manner consistent with current Medicare rules and regulations.
- This agreement will also allow the Clinton Fire Protection District to be reimbursed for their services provided.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

3. Proactively partner with individuals and businesses to promote a safe and healthy community, minimize personal injury, prevent loss of life and protect property and natural resources.

The Beloit Fire Department provides paramedic level care to all citizens of the Stateline Area through the paramedic intercept program. Providing this service to our surrounding communities fosters good stewardship between organizations and is responsible for saving numerous lives.

4. Collaborate with other jurisdictions and organizations to foster effective and efficient service delivery, reducing cost for taxpayers and stimulating regional prosperity.

This agreement is a collaborative effort between two government entities that will allow the fire department ambulance budget to be reimbursed for the Advanced Life Support Services provided on intercepts.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **Reduce dependence upon fossil fuels – N/A**
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature – N/A**
- **Reduce dependence on activities that harm life sustaining eco-systems – N/A**
- **Meet the hierarchy of present and future human needs fairly and efficiently – N/A**

Action required/Recommendation:

Vote and approve the Intergovernmental Agreement between the City of Beloit and the Clinton Fire Protection District.

Fiscal Note/Budget Impact: There will be a positive financial impact on the ambulance enterprise fund.

Attachments: A copy of the Intercept Billing Agreement

**ADVANCED LIFE SUPPORT BILLING AGREEMENT BETWEEN THE
CITY OF BELOIT, WISCONSIN AND THE
VILLAGE FIRE PROTECTION DISTRICT OF CLINTON, WISCONSIN
RELATED TO PARAMEDIC INTERCEPTS**

THIS AGREEMENT is made and entered into this ____ day of _____, 2016, by and between the **City of Beloit**, a Wisconsin municipal corporation, (hereinafter referred to as "**City**") and the **Clinton Fire Protection District**, a Wisconsin association, whose membership consists of the Village of Clinton, Town of Clinton and Town of Bradford, located in Rock County, Wisconsin (hereinafter referred to as "**District**").

WHEREAS, the **District** and the **City** desire to demonstrate their commitment to providing the best possible care to their patients by entering into this Advanced Life Support Billing Agreement related to Paramedic Intercepts; and

WHEREAS, the **City** agrees to provide the **District** with Advanced Life Support (hereinafter "ALS") intercept service when the **District** requests such service.

WHEREAS, the **City** and the **District** are authorized, pursuant to section 66.0301 of the Wisconsin Statutes, to enter into this Agreement.

NOW, THEREFORE, the **City** and the **District** (collectively the "Parties") agree as follows:

1. The **City** shall provide the **District** with ALS intercept service when requested by the **Village** if the **City** is able and available to provide such service. The **City** shall immediately notify the **District** if the requested aid cannot be provided for any reason. When ALS intercept service is provided, the procedures outlined herein shall be followed.
2. When the **City** provides ALS care, but the **District** transports the patient in the **District's** vehicle, the following procedures outlined in this paragraph shall be followed:

- a. The **District** shall be responsible for the billing and collection associated with the ALS service provided by the **City** as required by Health Care Financing Administration (HCFA) regulations.
 - b. The **District** shall pay the **City** \$400.00 for such service and care no later than **60** days following the provision of such service and care.
 - c. It is agreed that the **District** Medicare provider number **000081011** shall only be used when the **District** is involved in an ALS transport. The **District** has the sole responsibility to accurately track reimbursement for ALS intercepts in which the **District** provides transportation so as to adhere to the provisions of this Agreement.
3. When the **City** provides ALS care and transportation to the patient in a **City** vehicle, the following procedures outlined in this paragraph shall be followed:
 - a. The **City** shall be responsible for the billing and collection associated with the services provided pursuant to the terms of this paragraph.
 - b. The **City** shall provide no compensation to the **District** in regard to the transports made pursuant to this paragraph.
 - c. The **City** has the sole responsibility to accurately track reimbursement for ALS intercepts in which the **City** provides transportation so as to adhere to the provisions of this Agreement.
4. The **District** shall indemnify and hold the **City**, its officers, employees and agents, harmless from any liability for claims arising out of the acts or omissions of the District, its officers, employees and agents. Likewise, the **City** shall indemnify and hold the **District**, its officers, employees and agents, harmless from any liability for claims arising out of the acts or omissions of the **City**, its officers, employees and agents. Each party agrees to maintain general liability insurance to cover liability for its acts and omissions, including the acts and omissions of its officers, employees and agents
5. This Agreement may be amended at any time by mutual written agreement of the Parties.
6. This Agreement may be terminated by either party upon thirty (30) days written notice to the other party.

CITY OF БЕЛОIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Consideration of a First Amendment to the Clubhouse and Beverage Operating Agreement for Krueger-Haskell Municipal Golf Course

Date: March 7, 2016

Presenter(s): Brian Ramsey, Director of Parks & Leisure Services

Overview/Background Information:

Over the past seven years (2008-2015) the City of Beloit has previously contracted with three separate business partners in order to operate the Clubhouse Food & Beverage Concessions at the Golf Course. Unfortunately, 2 of the 3 contractors had challenges in operating their business within profitable margins, and declined to renew their agreements at the end of their terms. Currently, due to the contractual arrangement with our current concessionaire, D&D Buck, LLC (aka Bucky's Bunker) their lease requires an increase in payment in 2016 which they believe would create financial hardship for their business. Therefore, unless they can re-negotiate their payment, they have indicated that they will not be returning to operate concessions at the Golf Course in 2016. Therefore, we are proposing an amendment to their agreement which would lower their lease payment to the same level as previously acceptable and paid in 2014.

Key Issues (maximum of 5):

- 1.) As indicated through our customer surveys at the Golf Course, D&D Buck, LLC has done an outstanding job in providing high quality customer services, and in the opinion of our Golf staff, they are an excellent partner for our Food & Beverage Operations at the Golf Course and have assisted in bring in new customers and Golf Outing events.
- 2.) D&D Buck, LLC has provided the City with a copy of their Loss/Profit Reports which indicates their ability to make a profit in 2014, but not in 2015. In their opinion, their losses were compounded by two major criteria:
 - a.) Sales decrease was a direct reflection of the sudden increases of Green Fees in May of 2016, and
 - b.) Increases of their lease payment by \$2,100 annually.
- 3.) In 2013, after appropriately advertising locally and regional three (3) separate times, there were no responses to the City's Advertisement for a new Concessionaire at the Golf Course. In February, 2014, D&D Buck, LLC contacted the City only after hearing through the word of mouth, of the opportunity to operate the Golf Course Concession.
- 4.) By not accepting the amendment to this contract, D&D Buck, LLC (aka Bucky's Bunker) will not be returning to the Golf Course in 2016, and it's anticipated that the City would be without food & beverage services at the start of the golf season, and perhaps longer.
- 5.) Without a Food & Beverage Services at the Golf Course would have a devastating effect to the overall operations of the course, as it's anticipated the numerous players would choose to play elsewhere, and we would no longer have the ability to provide Golf Outing events as well.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

Adoption of the Resolution and Contract Amendment would conform to the stated purpose as designated within the City's Vision Statement, as well as goals 1-5 within the Mission Statement of the City of Beloit Strategic Plan.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- | | |
|---|-----|
| ▪ Reduce dependence upon fossil fuels | NA |
| ▪ Reduce dependence on chemicals and other manufacturing substances that accumulate in nature | NA |
| ▪ Reduce dependence on activities that harm life sustaining eco-systems | NA |
| ▪ Meet the hierarchy of present and future human needs fairly and efficiently | YES |

If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space.

Action required/Recommendation:

- Therefore, it is highly recommended by City staff to adopt the Resolution and Amendment to the Clubhouse Food and Beverage Operating Agreement for the Krueger-Haskell Municipal Golf Course with D&D Buck, LLC.

Fiscal Note/Budget Impact:

- Therefore, the Lease Payment to the Golf Course Operating Fund will be \$2,100 less than indicated within the 2016 FY Budget.

Attachments:

- **First Amendment to Clubhouse Food & Beverage Operating Agreement for Krueger-Haskell Municipal Golf Course**

**FIRST AMENDMENT TO THE
CLUBHOUSE FOOD AND BEVERAGE OPERATING AGREEMENT
FOR KRUEGER-HASKELL MUNICIPAL GOLF COURSE**

THIS FIRST AMENDMENT is made this _____ day of _____, 2016, by and between the City of Beloit, a Wisconsin municipal corporation, with its principal offices located at 100 State Street, Beloit, Wisconsin (hereinafter referred to as the “**City**”) and D&D Buck, LLC, 3430 S. Prairie Avenue, Beloit, Wisconsin (hereinafter referred to as the “**Operator**”).

WHEREAS, City and Operator entered into an Operating Agreement dated February 18, 2014 (“Agreement”) whereby **Operator** is the concessionaire and provides food and beverage service at the Krueger Haskell Municipal Golf Course; and

WHEREAS, on July 31, 2015, the **Operator** submitted its request to terminate the Agreement; and

WHEREAS, in lieu of termination of the Agreement, the parties have agreed to reduce the franchise fees payment for the year 2016.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **City and Operator** agree as follows:

1. Section 8.1(A) of the Operating Agreement is hereby amended to read as follows:

“8.1 **Annual Fee:** **Operator** agrees to pay the **City** an annual franchise fee.

(A) **2014 – 2016 Golf Season.** For the 2014 – 2016 golf season, and any subsequent renewals, said base annual franchise fee shall be paid in seven (7) equal installments on the first day of each month starting on April 1, 2014 and ending on October 1, 2016 as indicated in the following matrix (below) and subject to the provisions in Paragraph 1.1 herein:

<u>Year</u>	<u>Monthly Payment (1-7)</u>	<u>Base Total</u>
2014	\$1,200 (April – October)	\$8,400

2015	\$1,500 (April – October)	\$10,500
2016	\$1,200 (April – October)	\$8,400”

2. **Operator** agrees to withdraw its July 31, 2015 letter to the City requesting termination of the Agreement.

3. **Other Terms and Conditions Remain.** In the event of any inconsistencies between the Operating Agreement and this First Amendment, the terms of this First Amendment shall control. Except as expressly set forth in this First Amendment, the Parties agree that the Lease is otherwise unmodified and remains in full force and effect. Each reference in the Lease to itself shall be deemed also to refer to the First Amendment.

IN WITNESS WHEREOF, the parties have caused their properly authorized representatives to execute and seal this First Amendment on the dates set forth below.

CITY OF BELOIT

D&D BUCK, LLC, by all of its members

By: _____
Lori S. Curtis Luther, City Manager

By: _____
Daniel Bucholtz

ATTEST:

By: _____
Deanne Bucholtz

By: _____
Lorena Rae Stottler, City Clerk

APPROVED AS TO FORM:

By: _____
Elizabeth A. Krueger, City Attorney

I hereby certify that funds have been provided to pay the liability that is incurred hereunder.

By: _____
Eric R. Miller, City Comptroller

tdh/files/14-1020/First Amendment = 20160224 (14-1020)