AGENDA
BELoit CITY COUNCIL
Large Conference Room - Engineering and Utilities Building
2400 Springbrook Court, Beloit, WI 53511
7:00 PM
Monday, December 16, 2019

1. CALL TO ORDER AND ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
   3.a. Introducing newly hired and promoted employees

4. PUBLIC HEARINGS
   4.a. Consideration of Ordinance No. 3668 to amend the Zoning District map of the City of Beloit for
        the property located at 656 Pleasant Street  Plan Commission recommendation for approval
        4-0  First reading (Christensen)
        Attachment

5. PUBLIC COMMENTS

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.
   6.a. Consider approval of regular minutes of November 18, 2019 (Stottler)
       Attachment
       Proceeds of Borrowing (Miller)
       Attachment
       Primary Election (Stottler)
       Attachment
   6.d. Consideration of Resolution 2019-174 approving the appointment of Election Officials for the
       2020-2021 Election Cycle (Stottler)
       Attachment
6.e. Referral to Plan: Underground Electrical Easement to Wisconsin Power & Light on the property located at 1111 Elaine Drive (Christensen)
   Attachment

6.f. Referral to Plan: Exception to Section 34.21(2)(c) of the Architectural Review and Landscape Code to Waive the Landscape Strip Requirement for the Property Located at 511 Public Avenue (Christensen)
   Attachment

6.g. Consideration of Resolution No. 2019-183 approving First Amendment to the Clubhouse Food and Beverage Operating Agreement for Krueger-Haskell Municipal Golf Course (Williamson)
   Attachment

6.h. Consideration of Resolution 2019-184 approving an Intergovernmental Agreement between the City of Beloit, Wisconsin and Rock County, Wisconsin for the provision of Paratransit Services (Christensen)
   Attachment

7. LICENSES
7.a. Consideration of Resolution 2019-181 for approval of applicants for an Alcohol Beverage Operator' (Bartender's) License for years 2019-2021 (Stottler)
   Attachment

8. ORDINANCES
8.a. Consideration of Ordinance No. 3672 to amend Section 12.07(3) and (6) of the Subdivision Ordinance, Chapter 12 of the Code of General Ordinances of the City of Beloit pertaining to street standards (Christensen) Plan Commission recommendation for approval 6-0 Second reading
   Attachment

8.b. Consideration of Ordinance No. 3673 to amend Sections 30.11(2)(c), (f), and (i) of the Outdoor Sign Regulations, Chapter 30 of the Code of General Ordinances of the City of Beloit relating to address signs (Christensen) Plan Commission recommendation for approval 6-0 Second reading
   Attachment

8.c. Consideration of Ordinance No. 3674 to amend sections 10.03(1), 10.07(2), 10.08, & 10.09(1) and to repeal sections 10.09(2) and (3) of the Code of General Ordinances related to Electrical Permitting and Inspections (Christensen) First Reading, suspend the rules for second reading
   Attachment

9. APPOINTMENTS
The individuals named below have been nominated for a seat on a city board, committee or commission. Each nomination is subject to confirmation by the City Council, approval of appointment will be accomplished by one motion unless a council member requests to take up a nomination separately, in which event the nomination will be removed from the General Order of Business and considered at this point on the agenda.

9.a. Appointments
   Attachment

10. COUNCILOR ACTIVITIES AND UPCOMING EVENTS
11. CITY MANAGER’S PRESENTATION
   11.a. Blackhawk Technical College - A Perfect Fit for Success (Janke)
   11.b. Economic Development Update (Janke)

12. REPORTS FROM BOARDS AND CITY OFFICERS

13. 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.

Lorena Rae Stottler
City of Beloit Clerk-Treasurer
www.beloitwi.gov

City Council meetings occur on the first and third Mondays of the month. Meetings are televised on Charter Cable Access digital channel 992 and are live streamed via the Beloit Access Television (BATV) YouTube Channel. Council meetings are rebroadcast on Charter Cable Access digital channel 992 and are archived on the BATV YouTube Channel for viewing at your leisure.
### Overview/Background Information

Celestino Ruffini on behalf of Beloit Convention and Visitors Bureau has submitted an application for a Zoning Map Amendment to change the zoning district classification from PLI, Public Lands and Institutions District to CBD-2, Central Business District-Fringe, for the property located at 656 Pleasant Street.

### Key Issues

1. The City posted a Request for Proposals in March of 2019 for an adaptive reuse of the site and Visit Beloit’s project has been selected subject to obtaining all necessary approvals. The applicant has made an offer to purchase the property.

2. The applicant has proposed to use the property as a headquarters for Visit Beloit and its partners along with an event space. The applicant intends on constructing a 7,827 square-foot addition to the south of the existing building in the future.

3. A 2-Lot Certified Survey Map (CSM) was approved by Plan Commission on November 20, 2019 adding a portion of 627 and 714 Pleasant Street to 656 Pleasant Street. An Out-Lot has been created along the west side of the property for the City to maintain the bike and walking path. Lot 1 of the CSM is subject to the rezoning.

4. The proposed redevelopment was approved by the Landmarks Commission on October 15, 2019.

5. This application is being considered in accordance with the Zoning Map Amendment procedures contained in Section 2-300 of the Zoning Ordinance.

6. The Comprehensive Plan’s Future Land Use Map recommends Planned Mixed Use for the subject property. The proposed use complies with the Comprehensive Plan.

7. The Plan Commission reviewed this application on December 4, 2019 and voted unanimously (4-0) to recommend approval of this Zoning Map Amendment.

### Conformance with Strategic Plan

Approval of this action would conform with the stated purpose of the following strategic goal:

- [ ] Goal #1 - Create and Sustain Safe and Healthy Neighborhoods
- [ ] Goal #2 - Create and Sustain a High Performing Organization
- [x] Goal #3 - Create and Sustain Economic and Residential Growth
- [ ] Goal #4 - Create and Sustain a High Quality of Life
- [ ] Goal #5 - Create and Sustain High Quality Infrastructure and Connectivity
- [ ] Goal #6 - Create and Sustain a Positive Image, Enhance Communications and Engage the Community

### Sustainability

(If applicable, 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. Consider whether the policy or program will reduce dependence upon fossil fuels, reduce dependence on chemicals and other manufacturing substances that accumulate in nature, reduce dependence on activities that harm life sustaining eco-systems, and/or meet the hierarchy of present and future human needs fairly and efficiently. Write N/A if not applicable)

The proposal will allow development of a vacant building served by existing public utilities.

### Action Required/Recommendation

- City Council consideration and 1st reading of the proposed Ordinance

### Fiscal Note/Budget Impact

N/A

### Attachments

Ordinance No. 3668 and Staff Report to the Plan Commission
ORDINANCE NO. 3668
AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF THE CITY OF BELOIT

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

Section 1. The Zoning District Map of the City of Beloit, mentioned in the Zoning Code, Chapter 19 of the Code of General Ordinances of the City of Beloit, is amended as follows:

The following described land is hereby changed from PLI, Public Lands and Institutions District to CBD-2, Central Business District-Fringe:

LOT 1 OF CERTIFIED SURVEY MAP DOCUMENT NO. 2142980, RECORDED ON THE 6TH DAY OF DECEMBER 2019, IN VOLUME 40 ON PAGES 131-134 OF CERTIFIED SURVEY MAPS OF ROCK COUNTY, STATE OF WISCONSIN (ALSO KNOWN AS 656 PLEASANT STREET). SAID PARCEL CONTAINS 0.92 ACRES, MORE OR LESS.

Section 2. This Ordinance shall take effect and be in force upon its passage and publication.

Adopted this ____ day of January, 2020.

City Council of the City of Beloit

________________________________________
Regina Dunkin, Council President

Attest:

______________________________________
Lorena Rae Stottler, City Clerk-Treasurer

Published this ____ day of _________, 2020
Effective this ____ day of _________, 2020
01-611100-5231-_______
REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: December 4, 2019
Agenda Item: 3.a.
File Number: ZMA-2019-08

General Information

Applicant: Celestino Ruffini on behalf of the Beloit Convention and Visitors Bureau

Owner: City of Beloit (Note: Applicant Provided Copy of Accepted Offer to Purchase Lot 1)

Address/Location: 656 Pleasant Street (former Angel Museum & St. Paul’s Catholic Church)

Applicant’s Request/Proposal: The applicant is requesting a Zoning Map Amendment from PLI, Public Lands and Institutions to CBD-2, Central Business District -Fringe, for the properties located at 656 Pleasant Street.

Staff Analysis

Project Summary: The City posted a Request for Proposals in March of 2019 for an adaptive reuse of 656 Pleasant Street and Visit Beloit’s project has been selected subject to obtaining all necessary approvals. The applicant has proposed to use the property as a headquarters for Visit Beloit and its partners along with an event space. The applicant intends on constructing a 7,827 square-foot addition to the south of the existing building in the future. A 2-Lot Certified Survey Map (CSM) was approved by Plan Commission on November 20, 2019 adding a portion of 627 and 714 Pleasant Street to 656 Pleasant Street. Lot 1 of the CSM is the subject of the rezoning. An Out-Lot has been created along the west side of the property for the City to maintain the bike and walking path. The Out-Lot will remain PLI, Public Lands and Institution zoning. The proposed redevelopment was approved by the Landmarks Commission on October 15, 2019.

Existing Site Conditions: 656 Pleasant Street contains a vacant church with a parking lot that was most recently used as the Angel Museum and has the Steve Gregg Memorial Path along the river front.

Surrounding Land Use and Zoning: There are commercial and residential uses zoned CBD-2, Central Business District Fringe, to the south of the subject property. To the west across the river are commercial uses zoned M-1, Light Manufacturing District. To the north is a public parking lot zoned PLI, Public Lands and Institutions District. To the east is Beloit College with PLI, Public Lands and Institutions District zoning. The applicant has requested a zoning change from PLI, Public Lands and Institutions to CBD-2, Central Business District Fringe.

City of Beloit Comprehensive and Strategic Plan: The Downtown Redevelopment Plan recommends Planned Mixed Use for the subject properties. The proposed zoning map amendment is consistent with this recommendation. This request supports Strategic Goal #3 by creating economic growth.
Findings of Fact: Based on Section 2-304 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

1. **The existing use of property within the general area of the subject property.**
   The surrounding land uses generally consist of residential, commercial, Institutional, and park land uses. The proposed use is harmonious with the surrounding uses.

2. **The zoning classification of property within the general area of the subject property.**
   The surrounding zoning districts are CBD-2, Central Business District Fringe, M-1, Light Manufacturing District, and PLI, Public Lands and Institutions District.

3. **The suitability of the subject property for the uses permitted under the existing zoning classification.**
   The subject property’s zoning had been suitable for the previous land uses. The new proposed uses are more appropriate for CBD-2, Central Business District Fridge with its combined mixed uses and proximity to the downtown.

4. **The trend of development and zoning map amendments in the general area of the subject property.**
   This area of the city is fully developed and the river front has gone through a redevelopment renaissance over the past few years. This project will extend the revitalization along the east river front from the downtown towards the Beloit College Powerhouse.

STAFF RECOMMENDATION:
The Planning & Building Services Division recommends approval of a Zoning Map Amendment to change the zoning district classification from PLI, Public Lands and Institutions to CBD-2, Central Business District Fringe for 656 Pleasant Street.

ATTACHMENTS: Location and Zoning Map, CSM, Site Plan, Renderings, Application, Public Notice, and Mailing List.
To: Mr. Drew Pennington, Planning and Building Services Director  
City of Beloit  
24-Sep-19  
From: Bradley Werginz, Principal, Architect, AIA  
65090  
Re: CoA Application - Project Description  
CoA Application - Project Description  
Project: Visit Beloit - Angel Museum location  
Page 1 of 1  

This project will re-purpose the former St. Paul's Church (formerly the Angel Museum), located at 636 Pleasant Street, along Beloit's riverfront. The intent is to renovate the existing facility and construct an addition thereto, in a two-phase construction process.

The first phase of the project will convert the existing 3,120 S.F. street level of the former church into an event venue. A raised floor area will be created along the river side of the building with new storefront glazings implemented, allowing views to the Rock River and the Riverwalk from within the building. Interior finishes will be updated, acoustical improvements will be made and support spaces for the event venue will be incorporated.

The lower level will also be remodeled as part of phase 1, improving usability of the lower level kitchen space for events and to provide a temporary office area for Visit Beloit. Lower level finishes, including the existing restrooms, will be updated. The existing wheel chair lift, serving the lower and upper levels of the church, will be removed as part of the phase 2 addition.

Phase 2 of the project will include a single-story 7,827 S.F. addition to the south, with a partial basement connecting the lower level of the church to the new addition. A new elevator will provide accessibility to both levels and permit the movement of services between the venue space and lower level.

Visit Beloit business operations will occupy a portion of the new addition. The remaining spaces will be leased to other business tenants and/or serve as shared use spaces for all building occupants (i.e. toilet rooms and conference rooms).

Phase 2 will also include the development of the river side portion of the building, including an outdoor scating area and connecting walkways to the Riverwalk.

Materials for the new addition, as shown in the support document renderings, will be primarily brick to match the existing church façade, and black masonry and/or metal, to reflect the industrial steel ambiance of the adjacent riverfront. Large storefront windows will introduce an abundance of daylighting into the interior spaces, with circular façade accents to reflect the round window openings of St. Paul's Church.

The overall intent of this project is to assist in the transformation of Beloit's City Center while growing the capacity for Visit Beloit to serve and meet its organizational goals.
Zoning Map Amendment Application Form

1. Address of subject property: Parts of 656 and 714 Pleasant St., Beloit, WI 53511

2. Legal description: Lot: 35/Pt. 36 Block: 35 Subdivision: Original Plat of Beloit
   (If property has not been subdivided, attach a copy of the complete legal description from deed.)
   Property dimensions are: 475' feet by 0' 120' feet = 57,300 square feet.
   If more than two acres, give area in acres: ___________________________ acres.

3. Tax Parcel Number(s): 13254000 and part of 132030355 (being Parcel B) being part of Proposed Lot 1.

4. Owner of record: City of Beloit
   Phone: (608) 364-6600

5. Applicant's Name: Celestino Ruffini on behalf of Beloit Convention and Visitors Bureau, Inc.
   Address: 25 Eclipse Center
   Beloit WI 53511
   (City) (State) (Zip)
   (Office Phone #) (Cell Phone #) (E-mail Address)
   608-365-4838 / / celestino@visitbeloit.com

6. THE FOLLOWING ACTION IS REQUESTED:
   Change zoning district classification from: PLI to: CBD 2
   All existing uses on this property are: Commercial

7. All the proposed uses for this property are:
   Principal use(s): Mixed-Use (Institutional & Entertainment)

   Secondary use(s):

   Accessory use(s):

Planning Form No. 13 Established: January, 1998 (Revised: November 2012)
City of Beloit Zoning Map Amendment Application Form (continued)

8. I/we represent that I/we have a vested interest in this property in the following manner:
   ( ) Owner
   ( ) Leasehold, Length of lease:
   ( ) Contractual, Nature of contract:
   (x) Other, explain: Applicant is seeking to purchase the property

9. Individual(s) responsible for compliance with conditions (if any), if request is granted:
   Name(s): __________________________ Phone: __________________________
   (Address) (City) (State) (Zip)

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/we, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/we represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/we also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

(Signature of Owner) (Print name) (Date)

(Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting. This application must be submitted with the $275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of $0.50 per notice. An invoice for this fee will be sent to the applicant, and it is typically between $5.00 and $20.00.

To be completed by Planning Staff

Filing Fee: $275.00 Amount Paid: $275.00 Meeting Date: 10/14/19
Number of notices: ______ x mailing cost ($0.50) = cost of mailing notices: $
Application accepted by: __________________________ Date: 10/29/19
Date Notice Published: 11/8 + 11/15 = Date Notice Mailed: 11/10

Planning Form No. 13 Established January, 1998 (Revised: November 2012)
NOTICE TO THE PUBLIC

November 20, 2019

To Whom It May Concern:

Celestino Ruffini on behalf of Beloit Convention and Visitors Bureau has submitted an application for a Zoning Map Amendment for redevelopment of the subject properties:

656 Pleasant Street and part of 714 Pleasant Street.

The applicant is seeking approval of a zoning map amendment to use the property as a headquarters for Visit Beloit and its partners along with an event space. The applicant intends on constructing a 7,827 square-foot addition to the south of the exiting building in the future. The subject parcel is zoned PLI, Public Lands and Institutions. The applicant has submitted an application for a Zoning Map Amendment to change the zoning district classification from PLI, Public Lands and Institutions District to CBD-2, Central Business District-Fringe. A copy of the proposed plan is attached.

The following public hearings will be held regarding these applications:

City Plan Commission: Wednesday, December 4, 2019, at 7:00 PM, or as soon thereafter as the matter can be heard at the Engineering & Utilities Building, 2400 Springbrook Court.

City Council: Monday, December 16, 2019, at 7:00 PM, or as soon thereafter as the matter can be heard at the Engineering & Utilities Building, 2400 Springbrook Court.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.
We are interested in your opinion.

Anyone bringing handouts to the Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins.

For additional information, please contact Hilary Rottmann in the Planning & Building Services Division at (608) 364-6708 or rottmannh@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.
Heritage View LLC
525 Third Street, Suite 300
Beloit, WI 53511

Jerome C. Kinder
604 Pleasant Street Unit 230
Beloit, WI 53511

Pamela M. Pier
604 Pleasant Street Unit 240
Beloit, WI 53511

Richard W. Dexter
604 Pleasant Street Unit 250
Beloit, WI 53511

Richard & Lori Star
4675 Somerset Court
Brookfield, WI 53045

Marianna T. Porter
604 Pleasant Street Unit 270
Beloit, WI 53511

Mary Jo Patch Trust Agreement
604 Pleasant Street Unit 310
Beloit, WI 53511

Dennis & Karen Morris
604 Pleasant Street Unit 320
Beloit, WI 53511

Judith A. Warner
604 Pleasant Street Unit 330
Beloit, WI 53511

Alan & Cynthia Rehbein
604 Pleasant Street Unit 340
Beloit, WI 53511

Karen Knox
604 Pleasant Street Unit 360
Beloit, WI 53511

Lindsay Pearman
604 Pleasant Street Unit 370
Beloit, WI 53511

Beloit College Board of Trustees
700 College Street
Beloit WI 53511
1) CALL TO ORDER AND ROLL CALL
President Dunkin called the meeting to order at 7:00pm.
Present: Clinton Anderson, Sherry Blakeley, Regina Dunkin, Beth Jacobsen, Kevin Leavy, Nancy V. Forbeck, Mark Preuschl
Absent: None

2) PLEDGE OF ALLEGIANCE

3) SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS – None

4) PUBLIC HEARINGS
4.a Community Development Director, Julie Christensen presented Ordinance No. 3672 to amend Section 12.07(3) and (6) of the Subdivision Ordinance, Chapter 12 of the Code of General Ordinances of the City of Beloit pertaining to street standards for a first reading.
City staff has drafted an Ordinance to amend six (6) sections of the Subdivision Ordinance related to design standards for new streets. The amendments are intended to address existing deficiencies in the Ordinance while lowering infrastructure costs associated with unnecessarily wide streets. The revised standards would only apply to subdivisions platted in the future after the effective date of the Ordinance.

1. Section 1 of the attached Ordinance stipulates that a turnaround may be required for dead-end streets that will be extended in the future if necessary for fire department apparatus and/or trash & recycling collection. Section 2 of the attached Ordinance allows the City Engineer to increase minimum street widths and alter on-street parking allowances in non-residential areas. Section 3 is a technical correction.

2. Section 4 of the attached Ordinance retains the maximum cul-de-sac length of 600 feet for residential and 900 feet for non-residential streets, but clarifies that the cul-de-sac curb radius must comply with the fire code (NFPA) and designed to accommodate fire and DPW trucks. Section 5 of the attached Ordinance provides the City Engineer with the option of requiring increased street widths and altering on-street parking allowances.

3. Section 6 of the attached Ordinance decreases the minimum street width for sub-collector and minor streets to 36 and 30 feet, respectively. This section also increases the minimum right-of-way width for cul-de-sacs to 66 feet and consolidates two categories of minor streets into one with parking allowed on both sides.
4. The Plan Commission reviewed this item on November 20, 2019 and voted unanimously (6-0) to recommend approval of the proposed Ordinance. President Dunkin opened the public hearing. No one spoke. President Dunkin closed the public hearing.
Moved by Mark Preuschl – Seconded by Nancy V. Forbeck to lay over to the December 16th regular meeting. Motion carried 7 – 0. File 7750
AYES: Clinton Anderson, Sherry Blakeley, Regina Dunkin, Beth Jacobsen, Kevin Leavy, Nancy V. Forbeck, Mark Preuschl
NOES: None
Attachment

4.b Community Development Director, Julie Christensen presented Ordinance No. 3673 to amend Sections 30.11(2)(c), (f), and (i) of the Outdoor Sign Regulations, Chapter 30 of the Code of General Ordinances of the City of Beloit relating to address signs for a first reading.
Planning staff has drafted an Ordinance to amend three sections of the City’s Sign Ordinance, Chapter 30 of the Code of General Ordinances. The proposed amendments will allow zero-setback buildings to have projecting address signs up to ten (10) square feet in area, subject to certain dimensional standards.

1. This request was originally submitted by Hendricks Commercial Properties (HCP), in their attempt to increase the navigability of the Ironworks Campus with all of its new tenant spaces and somewhat hidden entrances. An example of the proposed address signs at Ironworks is attached.
2. The current Sign Ordinance limits the size of address signs to two (2) feet, and does not allow them to project/extend beyond the property line over the right-of-way unless located in the Central Business District (CBD). If a business in the CBD elects to erect a projecting address sign, the current Ordinance counts that sign against their overall sign allowance, which can discourage this practice.
3. The proposed Ordinance will allow buildings on the lot line (a/k/a zero-setback buildings) anywhere in the City to install a projecting address sign that does not count against their overall sign allowance. The projecting address sign must be at least ten (10) feet above the sidewalk and may not extend more than five (5) feet from the building. Further, the sign must be set back at least two (2) feet from the curb line. Address signs do not require a Sign Permit.

4. The Plan Commission reviewed this item on November 20, 2019 and voted unanimously (6-0) to recommend approval of the proposed Ordinance.
President Dunkin opened the public hearing. No one spoke. President Dunkin closed the public hearing.
Moved by Clinton Anderson – Seconded by Sherry Blakeley to lay over to the December 16th regular meeting. Motion carried 7 – 0. File 7643
AYES: Clinton Anderson, Sherry Blakeley, Regina Dunkin, Beth Jacobsen, Kevin Leavy, Nancy V. Forbeck, Mark Preuschl
NOES: None
Attachment

5) PUBLIC COMMENTS – None

6) CONSENT AGENDA
Moved by Mark Preuschl – Seconded by Beth Jacobsen to approve the consent agenda as presented. Motion carried 7 – 0.
AYES: Clinton Anderson, Sherry Blakeley, Regina Dunkin, Beth Jacobsen, Kevin Leavy, Nancy V. Forbeck, Mark Preuschl
NOES: None

6.a The regular minutes of November 18, 2019 were approved.

6.b An application for a Zoning Map Amendment for a portion of 656 Pleasant Street from PLI, Public Lands and Institutions District, to CBD-2, Central Business District-Fringe was referred to Plan Commission. File 8401

6.c An application for a Class “B” Beer and “Class C” Wine License for Board of Trustees of Beloit College d/b/a Beloit College Powerhouse located at 850 Pleasant Street, Ken Hnilo, Agent for license period ending June 30, 2020 was referred to ABLCC. File 8816

6.d Resolution 2019-175 authorizing final payment for Public Works Contract C18-07 Street Resurfacing was adopted. File 8789

6.e Resolution 2019-163 approving a Cranston Road Cost Sharing Agreement between the Town of Beloit and the City of Beloit was adopted. File 8837

6.f Resolution 2019-177 approving a Release of Public Utility Easements in Vacated Executive Road was adopted. File 7895

6.g Resolution 2019-178 approving the Release of Platted Drainage Easements located on the property at 1255 Gateway Blvd, 3230 Colley Road and 3310 Colley Road was adopted. File 7895

6.h Resolution 2019-179 approving a Release of Memorandum of Agreement related to the property located at 1255 Gateway Blvd, 3190 Colley Road, 3230 Colley Road and 3310 Colley Road was adopted. File 8306

7) LICENSES

7.a Clerk-Treasurer Lori Stottler presented Resolution 2019-176 for approval/denial of applicants for an Alcohol Beverage Operator's (Bartender's) License for years 2019-2021. There are 8 applications being recommended for approval and 1 application being recommended for denial. The deadline to appeal the denial has passed.

Moved by Beth Jacobsen – Seconded by Kevin Leavy to adopt the applications and resolution as presented. Motion carried 7 – 0. File 8822

AYES: Clinton Anderson, Sherry Blakeley, Regina Dunkin, Beth Jacobsen, Kevin Leavy, Nancy V. Forbeck, Mark Preuschl
NOES: None

8) ORDINANCES

8.a Assistant City Engineer Jason Dupuis presented Ordinance No. 3670 to amend certain sections of the Index of Special Locations Section 13.02 of the Code of General Ordinances of the City of Beloit, relating to the establishment of Electric Vehicle parking stalls in the Iron Works South Parking Lot for a second reading.
Moved by Nancy V. Forbeck – Seconded by Sherry Blakeley to adopt the Ordinance as presented. Motion carried 7 – 0. File 7914
AYES: Clinton Anderson, Sherry Blakeley, Regina Dunkin, Beth Jacobsen, Kevin Leavy, Nancy V. Forbeck, Mark Preuschl
NOES: None
Attachment
8.b Assistant City Engineer Jason Dupuis presented Ordinance No. 3671 to amend certain sections of the Index of Special Locations Section 13.02 of the Code of General Ordinances of the City of Beloit, relating to traffic signals and turning movements along Prairie Avenue for a second reading.
Moved by Beth Jacobsen – Seconded by Mark Preuschl to adopt the Ordinance as presented. Motion carried 7 – 0. File 7914
AYES: Clinton Anderson, Sherry Blakeley, Regina Dunkin, Beth Jacobsen, Kevin Leavy, Nancy V. Forbeck, Mark Preuschl
NOES: None Attachment

9) APPOINTMENTS – None

10) COUNCILOR ACTIVITIES AND UPCOMING EVENTS
• Councilor Preuschl attended the lighted holiday parade on Friday. It was really well attended and he stated appreciation to law enforcement for keeping the public safe as well as the volunteers who made the event successful.
• Councilor Jacobsen had no report.
• Councilor Blakeley had a good time at the parade and was impressed with the turnout. She mentioned that this Friday is Holidazzle downtown and she invited everyone to come out.
• Councilor Leavy share concerns with the increased numbers of missing persons not just locally but throughout the country. There is one missing person currently in Beloit. He asked that we all be aware of our surroundings and personal safety. He feels that children must always be attended to and stated they depend on us for safety. He applauded Julie Christensen and her staff for working to combat homelessness and he also wants all of us to seek new solutions to address this crisis. He knows this is not just a Beloit problem. One way to help the homeless is by collecting socks and blankets on December 14th from 1:30-3:30pm at Community Center with Marc Perry and he invited everyone to drop off socks or blankets during that time.
• Councilor Forbeck thanked the police department for helping to accommodate a family this past weekend.
• Vice President Anderson enjoyed bringing family to downtown Beloit and said they were so impressed with the City. He reminded everyone that tomorrow is Giving Tuesday and he encouraged all to donate to local non-profits.
• President Dunkin shared a list of recent meetings and activities she has attended. She also encouraged citizens to consider serving on a board, committee of commission.

11) CITY MANAGER’S PRESENTATION – None

12) REPORTS FROM BOARDS AND CITY OFFICERS – None

13) ADJOURNMENT
Moved by Mark Preuschl – Seconded by Beth Jacobsen to adjourn at 7:26pm.
Motion carried 7 – 0.
AYES: Clinton Anderson, Sherry Blakeley, Regina Dunkin, Beth Jacobsen, Kevin Leavy,
Nancy V. Forbeck, Mark Preuschl
NOES: None

________________________________
Lorena Rae Stottler, City Clerk-Treasurer

www.beloitwi.gov
Date approved by City Council: December 16, 2019
### Topic:
Resolution Declaring Intent to Reimburse Expenditures from Bond Proceeds

### Date:
December 16, 2019

### Presenter:
Eric R. Miller, Finance Director

### Department:
Finance

#### Overview/Background Information
Each year as part of the City's budget and capital project planning process, staff evaluates scheduled capital improvement projects included in the Capital Budget and CIP to determine those that are eligible and require debt financing as a funding source for project completion. For those projects included in the adopted 2020 Capital Budget, the plan is to issue approximately $5.42 million in General Obligation debt. A list of the capital projects scheduled for 2020 bond financing is included in the Declaration of Intent to Reimburse Resolution. U.S. Treasury Regulations Section 1.150-2 requires the City to declare its official intent to reimburse any advance payments of project expenditures from the bond proceeds. The Council must make this declaration by resolution.

#### Key Issues
1) As part of the approved 2020 Capital Budget and CIP, debt financing is required to fund scheduled capital improvement projects.
2) In order to reimburse project expenditures incurred prior to completion of the bond financing, a formal declaration of intent to reimburse is required by U.S. Treasury Regulation Section 1.150-2.

#### Conformance with Strategic Plan
Approval of this action would conform with the stated purpose of the following strategic goal:
- Goal #1 - Create and Sustain Safe and Healthy Neighborhoods
- Goal #2 - Create and Sustain a High Performing Organization
- Goal #3 - Create and Sustain Economic and Residential Growth
- Goal #4 - Create and Sustain a High Quality of Life
- Goal #5 - Create and Sustain High Quality Infrastructure and Connectivity
- Goal #6 - Create and Sustain a Positive Image, Enhance Communications and Engage the Community

#### Sustainability
(If applicable, 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. Consider whether the policy or program will reduce dependence upon fossil fuels, reduce dependence on chemicals and other manufacturing substances that accumulate in nature, reduce dependence on activities that harm life sustaining eco-systems, and/or meet the hierarchy of present and future human needs fairly and efficiently. Write N/A if not applicable)

#### Action Required/Recommendation
Staff recommends Council approve the intent to reimburse resolution.

#### Fiscal Note/Budget Impact
There is no fiscal impact related to the reimbursement resolution.

#### Attachments
Revised 05-24-2018
RESOLUTION 2019-157

DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING

WHEREAS, the City of Beloit, Rock County, Wisconsin plans to undertake capital projects hereinafter (the "Projects") approved by the City Council in the 2020 Capital Improvements Budget, as follows:

<table>
<thead>
<tr>
<th>Project Title</th>
<th>GO Debt</th>
</tr>
</thead>
<tbody>
<tr>
<td>TERRACE TREE PLANTING &amp; REMOVAL</td>
<td>$50,000</td>
</tr>
<tr>
<td>SIDEWALK IMPROVEMENTS</td>
<td>20,000</td>
</tr>
<tr>
<td>CITY OWNED PARKING LOT REHAB</td>
<td>50,000</td>
</tr>
<tr>
<td>CITY CENTER PARKING LOT SIGNAGE</td>
<td>20,000</td>
</tr>
<tr>
<td>STREET MAINTENANCE</td>
<td>1,633,000</td>
</tr>
<tr>
<td>TURN LANE: SIXTH &amp; MIDDLE – SIXTH &amp; NORTH</td>
<td>75,000</td>
</tr>
<tr>
<td>LIBERTY AVE INTERSECTION CONCRETE PAVEMENT REPAIRS: BLUFF-CITY LIMITS</td>
<td>275,000</td>
</tr>
<tr>
<td>HENRY AVE RESURFACING: RIVERSIDE – PARK AVE</td>
<td>365,000</td>
</tr>
<tr>
<td>CRANSTON ROAD PHASE 1</td>
<td>110,000</td>
</tr>
<tr>
<td>KEELER AVE RECONSTRUCTION: PARK AVE – WISCONSIN AVE</td>
<td>288,576</td>
</tr>
<tr>
<td>EUCLID RECONSTRUCTION &amp; WATERMAIN REPLACEMENT</td>
<td>220,000</td>
</tr>
<tr>
<td>BROAD ST. BRIDGE DECK REPAIRS</td>
<td>125,000</td>
</tr>
<tr>
<td>PARK FACILITIES &amp; AMENITIES ENHANCEMENT</td>
<td>199,000</td>
</tr>
<tr>
<td>CITY OWNED BUILDING EVALUATION &amp; REPAIRS</td>
<td>125,000</td>
</tr>
<tr>
<td>CITY HALL SECURITY IMPROVEMENTS</td>
<td>159,000</td>
</tr>
<tr>
<td>TRANSIT FUELING SYSTEM</td>
<td>15,600</td>
</tr>
<tr>
<td>KRUEGER POOL BATHHOUSE EXTERIOR REPAIRS</td>
<td>175,000</td>
</tr>
<tr>
<td>ROTARY RIVER CENTER EXTERIOR REPAIRS</td>
<td>45,000</td>
</tr>
<tr>
<td>CITY HALL SMOKE DETECTION UPGRADE</td>
<td>45,000</td>
</tr>
<tr>
<td>ADA FACILITY AUDIT</td>
<td>50,000</td>
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<tr>
<td>PORTABLE RADIO REPLACEMENT</td>
<td>469,000</td>
</tr>
<tr>
<td>HANDGUN REPLACEMENT</td>
<td>27,500</td>
</tr>
<tr>
<td>VIRTUAL DESKTOP PC REPLACEMENT</td>
<td>200,000</td>
</tr>
<tr>
<td>EXCHANGE EMAIL SERVER 2016</td>
<td>75,000</td>
</tr>
<tr>
<td>HEAVY DUTY VEHICLE LIFTS</td>
<td>67,186</td>
</tr>
<tr>
<td>TRANSIT BUS</td>
<td>103,328</td>
</tr>
<tr>
<td>SECURITY ENHANCEMENTS: CAMERAS &amp; DOOR SYSTEMS</td>
<td>50,000</td>
</tr>
<tr>
<td>PROPERTY ACQUISITION &amp; DEMOLITION</td>
<td>250,000</td>
</tr>
<tr>
<td>FINANCING OF ISSUE</td>
<td>132,180</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$5,419,370</strong></td>
</tr>
</tbody>
</table>
WHEREAS, the City of Beloit expects to finance the Projects on a long-term basis by issuing tax-exempt bonds, notes, or other tax-exempt obligations (collectively, the "Bonds"); and

WHEREAS, because the Bonds may not be issued prior to commencement of the Projects, the Issuer must provide interim financing to cover costs of the Projects incurred prior to receipt of the proceeds of the Bonds; and

WHEREAS, the City Council deems it to be necessary, desirable, and in the best interests of the City to advance moneys from its funds on hand on an interim basis to pay the costs of the Projects until the Bonds are issued.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Beloit, Wisconsin that;

Section 1. Expenditure of Funds. The City of Beloit shall make expenditures as needed from its funds on hand to pay the cost of the Projects until proceeds of the Bonds become available.

Section 2. Declaration of Official Intent. The City of Beloit hereby officially declares its intent under Treas. Reg. Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed $5,419,370 including estimated cost of issuance.

Section 3. Unavailability of Long-Term Funds. No funds for payments for the Projects, from sources other than the Bonds, are or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the City pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. The Resolution shall be made available for public inspection at the office of the City Clerk/Treasurer within 30 days after its approval in compliance with the applicable state law governing the availability of records of official acts including Subchapter II of Chapter 19, Wisconsin Statutes, and shall remain available for public inspection until the Bonds are issued.

Section 5. Effective Date. This Resolution shall be effective upon its adoption and approval.

Dated at Beloit, Wisconsin this 16th day of December, 2019.

CITY COUNCIL OF THE CITY OF BELOIT

______________________________
Regina Dunkin, President

ATTEST:

______________________________
Lorena Rae Stottler, City Clerk-Treasurer
CITY OF BELOIT
REPORTS AND PRESENTATIONS TO CITY COUNCIL

<table>
<thead>
<tr>
<th>Topic:</th>
<th>Combining Polling Places for February 18, 2020 Spring Primary Election</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date:</td>
<td>December 16, 2019</td>
</tr>
<tr>
<td>Presenter:</td>
<td>Lorena Rae Stottler</td>
</tr>
</tbody>
</table>

**Overview/Background Information**

A Spring Primary Election will/may take place in the City of Beloit on February 18, 2020. It is likely that only one contest will be on the ballot in Beloit (State Superintendent of Public Instruction). In the past, elections with only one contest on the ballot have experienced extremely low voter turnout. Because of the low anticipated voter turnout, the Clerk’s office is requesting that the City Council combine the regular nine polling places into two: one on the west side at the Beloit Historical Society, and on the east side at Central Christian Church. Voters who typically vote in Wards 1-12 will vote at the Beloit Historical Society, and voters who typically vote in Wards 13-25 will vote at Central Christian Church. All Absentee ballots will be processed on one machine at City Hall by the Municipal Board of Absentee Canvassers. Per Wisconsin Statute §5.25(3), the City Council shall establish the location of polling places at least 30 days prior to an election.

**Key Issues**

1. The Wisconsin Election Commission has announced the need for a Spring Primary Election.
2. There are no local contests scheduled to be on the February 18, 2020 (City Council, School Boards). However, the State Superintendent of Public Instruction contest has three (3) candidates and will require a primary.
4. The last time polling places were combined was for the February 2018 Spring Primary with much success and without negative impact on the voting process. The cost savings were over $8,000 including savings in the areas of personnel, computer programming costs, polling place rental, and copy and production costs of voting materials and notices.
5. Voters will be notified of the combination of polling places by various means including postings on doors of all polling places; public notices, press releases, and articles in the Beloit Daily News and Shopping News; postings on the City’s website, at City Hall, the Beloit Public Library, and Grinnell Senior Center; and through information provided to the Beloit School District.
6. This model may continue to be used in the future for elections when turnout is anticipated to be extremely low.

**Conformance with Strategic Plan**

Approval of this action would conform with the stated purpose of the following strategic goal:

- Goal #1 - Create and Sustain Safe and Healthy Neighborhoods
- Goal #2 - Create and Sustain a High Performing Organization
- Goal #3 - Create and Sustain Economic and Residential Growth
- Goal #4 - Create and Sustain a High Quality of Life
- Goal #5 - Create and Sustain High Quality Infrastructure and Connectivity
- Goal #6 - Create and Sustain a Positive Image, Enhance Communications and Engage the Community

**Sustainability**

(If applicable, 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. Consider whether the policy or program will reduce dependence upon fossil fuels, reduce dependence on chemicals and other manufacturing substances that accumulate in nature, reduce dependence on activities that harm life sustaining eco-systems, and/or meet the hierarchy of present and future human needs fairly and efficiently. Write N/A if not applicable)

Combining Polling places will save money while establishing one polling place on each side of the City for the convenience of voters.

**Action Required/Recommendation**

City Council consideration and adoption of the proposed Resolution.

**Fiscal Note/Budget Impact**

The reduction in the number of polling places will save several thousand dollars in personnel and material costs.

**Attachments**
RESOLUTION 2019-173
RESOLUTION COMBINING POLLING PLACES FOR
FEBRUARY 18, 2020 SPRING PRIMARY ELECTION

WHEREAS, the City of Beloit has 25 wards and uses nine polling places for elections; and

WHEREAS, a Spring Primary Election is scheduled for Tuesday, February 18, 2020; and

WHEREAS, voter turnout for this election is expected to be extremely low; and

WHEREAS, per §5.25(3) of the Wisconsin Statutes, the governing body shall establish the location of polling places at least 30 days prior to the election; and

WHEREAS, providing open and accessible polling places to the voters is critically important, as is considering the prudent use of City tax dollars, and combining polling places can result in savings of more than $6,000.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Beloit does hereby combine polling places for the February 18, 2020 Spring Primary Election.

BE IT FURTHER RESOLVED that the regular nine polling places will be reduced to two, with voters in Wards 1-12 voting at the Beloit Historical Society (845 Hackett Street) and voters in Wards 13-25 voting at Central Christian Church (2460 Milwaukee Road), and all absentee ballots for Wards 1-25 being processed at City Hall by the Municipal Board of Absentee Canvassers and all efforts possible will be made to inform the voters of this temporary change.

Adopted this 16th day of December, 2019.

City Council of the City of Beloit

Regina Dunkin, President

ATTEST:

Lorena Rae Stottler, City Clerk-Treasurer
In accordance with State Statutes, the Clerk’s office has compiled a list of election officials to be appointed for the 2020-2021 election cycle. Statutes require that the City Council appoint election officials between December 1, 2019, and December 31, 2019, for the 2020-2021 election cycle. The Clerk’s office requests that the City Council approve this list thereby appointing these election officials, whose positions are briefly described below.

Key Issues

1. Chief Inspectors, Inspectors, and Alternates:
   - Chief Inspectors are designated on the attached list in alphabetical order. One Chief Inspector is required for each polling place. We typically appoint two Chiefs at each polling place to work together on Election Day. Chief Inspectors are required to have at least six hours of election training during each appointment cycle to be certified. These individuals act as the liaisons between the election inspectors and the municipal clerk and oversee all Election Day activities at the polling places.
   - Election inspectors and alternates are designated on the attached list in alphabetical order. The number of inspectors per polling place varies with the size of the election and the number of wards at the polling place. Election inspectors are trained prior to elections by the Clerk. Alternates are not designated separately on this list. They are called upon when the regular inspectors are unable to work and/or during large elections.

2. Politically-Appointed Election Inspectors:
   - County Republican and Democratic Party chairpersons have the opportunity to submit a list of nominees for election inspectors to be appointed with priority by November 30, 2019.

3. Special Voting Deputies for Nursing Homes:
   - The Special Voting Deputies designated on the list visit specified nursing homes prior to each election to allow those temporarily or permanently living in the facilities to vote by absentee ballot. These individuals are trained by the Clerk.

4. Municipal Board of Canvassers:
   - The Municipal Board of Canvassers is made up of the Clerk, the Deputy Clerk, and two other electors. The MBOC meets after each election to certify the results of municipal elections or referenda (spring elections only).

5. Municipal Board of Absentee Canvassers
   - The MBAC is appointed to process absentee ballots on Election Day for all 25 wards. Generally, there are 6 or 7 members per election except in November elections when we run two groups due to volume. This is allowed by Ordinance and approved by Wisconsin Election Commission.

Conformance with Strategic Plan

Approval of this action would conform with the stated purpose of the following strategic goal:

- Goal #1 - Create and Sustain Safe and Healthy Neighborhoods
- Goal #2 - Create and Sustain a High Performing Organization
- Goal #3 - Create and Sustain Economic and Residential Growth
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Sustainability

(If applicable, 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. Consider whether the policy or program will reduce dependence upon fossil fuels, reduce dependence on chemicals and other manufacturing substances that accumulate in nature, reduce dependence on activities that harm life sustaining eco-systems, and/or meet the hierarchy of present and future human needs fairly and efficiently. Write N/A if not applicable)

N/A

Action Required/Recommendation

N/A
<table>
<thead>
<tr>
<th>Fiscal Note/Budget Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Election officials are paid an hourly or daily stipend for working before, during, and/or after Election Day and for any associated training. The Clerk’s office has included funding in the 2020 budget to pay election officials for the four scheduled elections and the associated training.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Attachments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution and City of Beloit Election Official List</td>
</tr>
</tbody>
</table>

Revised 05-24-2018
RESOLUTION 2019-174

RESOLUTION APPROVING THE APPOINTMENT OF ELECTION OFFICIALS
FOR THE 2020-2021 ELECTION CYCLE

WHEREAS, Wisconsin State Statutes mandate the appointment of Election Officials, including Chief Election Inspectors, Election Inspectors, Special Voting Deputies for Nursing Homes, and Board of Canvass members, on the Municipal level; and

WHEREAS, the City Clerk’s office develops and maintains said list to provide coverage at all polling places and for all functions related to the election process; and

WHEREAS, the election officials on the list have agreed to perform their functions and receive training in accordance with State Statutes; and

WHEREAS, one of the two major Rock County political parties have submitted their lists of nominees for election inspectors by the November 30, 2019 deadline, and those individuals are included in this list per State Statutes.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Beloit approves the attached list of Election Officials for the following terms of office:

Chief Election Inspectors and Election Inspectors: 1/1/20-12/31/21
Municipal Board of Absentee Canvassers: 1/1/20-12/31/21
Special Voting Deputies for Nursing Homes: 1/1/20-12/31/21
Municipal Board of Canvassers: 1/1/20-12/31/21

BE IT FURTHER RESOLVED that the official list of Election Officials be maintained by the Office of the City Clerk and be open to public inspection.

Adopted this 16th day of December 2019.

City Council of the City of Beloit

__________________________
Regina Dunkin, President

ATTEST:

__________________________
Lorena Rae Stottler, City Clerk/Treasurer
<table>
<thead>
<tr>
<th>PREFERRED POLLING LOCATION</th>
<th>POSITION</th>
<th>SHIFT</th>
<th>LAST</th>
<th>FIRST</th>
<th>Home Address Line 1 1</th>
<th>Home City 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beloit Historical Society W 10-12</td>
<td>Election Official</td>
<td>All Day</td>
<td>ADAMS</td>
<td>VERONICA</td>
<td>2522 CRESTVIEW DR</td>
<td>BELOIT</td>
</tr>
<tr>
<td>Beloit Historical Society W 10-12</td>
<td>Chief/BOC/Office</td>
<td>All Day</td>
<td>BENNETT</td>
<td>LINA</td>
<td>431 OLYMPIAN BLVD #37</td>
<td>BELOIT</td>
</tr>
<tr>
<td>Beloit Historical Society W 10-12</td>
<td>Election Official</td>
<td>All Day</td>
<td>CARLSON</td>
<td>NED</td>
<td>1044 BLUFF ST</td>
<td>BELOIT</td>
</tr>
<tr>
<td>Beloit Historical Society W 10-12</td>
<td>Election Official</td>
<td>All Day</td>
<td>EDMONDS</td>
<td>DONNA</td>
<td>2907 PARK AVE UNIT F</td>
<td>BELOIT</td>
</tr>
<tr>
<td>Beloit Historical Society W 10-12</td>
<td>Election Official/SVD</td>
<td>All Day</td>
<td>FALLON</td>
<td>DEBORAH</td>
<td>1232 ELM ST</td>
<td>BELOIT</td>
</tr>
<tr>
<td>Beloit Historical Society W 10-12</td>
<td>Election Official</td>
<td>All Day</td>
<td>HERBST</td>
<td>MARGARET</td>
<td>737 11TH STREET</td>
<td>BELOIT</td>
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<tr>
<td>Beloit Historical Society W 10-12</td>
<td>Election Official</td>
<td>All Day</td>
<td>LENTINE</td>
<td>LYNN</td>
<td>1837 JANIE LN</td>
<td>BELOIT</td>
</tr>
<tr>
<td>Beloit Historical Society W 10-12</td>
<td>Election Official</td>
<td>All Day</td>
<td>RICHARDT</td>
<td>RICK</td>
<td>1723 ARBOR DR</td>
<td>BELOIT</td>
</tr>
<tr>
<td>Beloit Historical Society W 10-12</td>
<td>Chief Inspector</td>
<td>All Day</td>
<td>SORS</td>
<td>MARGARET</td>
<td>431 OLYMPIAN BLVD #26</td>
<td>BELOIT</td>
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<tr>
<td>Beloit Historical Society W 10-12</td>
<td>Election Official</td>
<td>All Day</td>
<td>TROPP</td>
<td>JENNIFER</td>
<td>1025 GARFIELD AVE</td>
<td>BELOIT</td>
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<tr>
<td>Beloit Historical Society W 10-12</td>
<td>Election Official</td>
<td>All Day</td>
<td>TURNER</td>
<td>SUSAN</td>
<td>2200 BURTON ST #321</td>
<td>BELOIT</td>
</tr>
<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
<td>Election Official/SVD</td>
<td>All Day</td>
<td>ADAMS</td>
<td>SUSAN</td>
<td>703 MILWAUKEE RD</td>
<td>BELOIT</td>
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<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
<td>Election Official</td>
<td>All Day</td>
<td>CONLEY</td>
<td>MICHELLE</td>
<td>2118 MILRED ST</td>
<td>BELOIT</td>
</tr>
<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
<td>Election Official</td>
<td>All Day</td>
<td>EL-AMIN</td>
<td>ISAAM</td>
<td>1014 ALICE AVE</td>
<td>BELOIT</td>
</tr>
<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
<td>Election Official</td>
<td>All Day</td>
<td>ERKEL</td>
<td>JOANNE</td>
<td>2512 CAMELOT CT</td>
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<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
<td>Election Official</td>
<td>AM Shift</td>
<td>GIBSON</td>
<td>SUSAN</td>
<td>2285 COBBLESTONE LN</td>
<td>BELOIT</td>
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<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
<td>Chief Inspector</td>
<td>All Day</td>
<td>GIBSON</td>
<td>WILLIAM</td>
<td>2285 COBBLESTONE LN</td>
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<tr>
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<td>AM Shift</td>
<td>GREEN</td>
<td>PRISCILLA</td>
<td>1719 GRANDVIEW DRIVE</td>
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<tr>
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<td>AM Shift</td>
<td>HOTCHKISS</td>
<td>RICHARD</td>
<td>2318 PARKMEADOW</td>
<td>BELOIT</td>
</tr>
<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
<td>Election Official</td>
<td>All Day</td>
<td>JACKSON</td>
<td>WHISPER</td>
<td>1131 HIGHLAND AVE*</td>
<td>MADISON</td>
</tr>
<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
<td>Election Official</td>
<td>All Day</td>
<td>JOHNSON</td>
<td>JOAN</td>
<td>1742 ARROWHEAD DR</td>
<td>BELOIT</td>
</tr>
<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
<td>Election Official</td>
<td>All Day</td>
<td>KUHNLE</td>
<td>LINDA</td>
<td>2039 HIGHLAND AVE</td>
<td>BELOIT</td>
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<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
<td>Election Official</td>
<td>All Day</td>
<td>LOCKHART</td>
<td>LUDEAN</td>
<td>1407 DEWEY</td>
<td>BELOIT</td>
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<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
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<td>AM Shift</td>
<td>MARTON</td>
<td>PATRICIA</td>
<td>1844 SHOPIERE RD</td>
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<td>Beloit Public Library 13-15 &amp; 22</td>
<td>Election Official</td>
<td>AM Shift</td>
<td>PURIFOY</td>
<td>WANDA</td>
<td>1810 CHIPPEWA TRAIL</td>
<td>BELOIT</td>
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<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
<td>Election Official</td>
<td>All Day</td>
<td>ROACH</td>
<td>DEBORAH</td>
<td>2345 GRANITE TER</td>
<td>BELOIT</td>
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<tr>
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<td>Election Official</td>
<td>PM Shift</td>
<td>ROBSON</td>
<td>JUDY</td>
<td>2411 EAST RIDGE ROAD</td>
<td>BELOIT</td>
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<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
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<td>All Day</td>
<td>SAMUELS</td>
<td>JOANNE</td>
<td>1250 6TH ST #6</td>
<td>BELOIT</td>
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<tr>
<td>Beloit Public Library 13-15 &amp; 22</td>
<td>Election Official</td>
<td>AM Shift</td>
<td>SANDLIN</td>
<td>MARY</td>
<td>1145 BLUFF ST</td>
<td>BELOIT</td>
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## Topic
Underground Electric Easement for the City-Owned Property at 1111 Elaine Drive - Council Referral to the Plan Commission

## Date
December 16, 2019

## Presenter
Julie Christensen

## Department
Community Development

### Overview/Background Information
Wisconsin Power & Light Company has requested a 12-foot wide easement to the transformer on City owned property located 1111 Elaine Drive as described and illustrated on the attachments.

### Key Issues
1. The proposed easement will allow Wisconsin Power & Light (DBA Alliant Energy) to install a new underground electric line from the transformer pad out to the right-of-way. An existing electric line will be retired.
2. The subject property is City owned and used for Water Utility Well #11, a 0.53-acre parcel located on the corner of Elaine Drive and Weiser Road.
3. As shown on Exhibit B, the proposed easement is a 12 x 47 foot rectangle that measures from the right-of-way along Weiser Road to the transformer which is located on the west side of Water Utility Well #11.

### Conformance with Strategic Plan
Approval of this action would conform with the stated purpose of the following strategic goal:

- Goal #1 - Create and Sustain Safe and Healthy Neighborhoods
- Goal #2 - Create and Sustain a High Performing Organization
- Goal #3 - Create and Sustain Economic and Residential Growth
- Goal #4 - Create and Sustain a High Quality of Life
- Goal #5 - Create and Sustain High Quality Infrastructure and Connectivity
- Goal #6 - Create and Sustain a Positive Image, Enhance Communications and Engage the Community

### Sustainability
(If applicable, 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. Consider whether the policy or program will reduce dependence upon fossil fuels, reduce dependence on chemicals and other manufacturing substances that accumulate in nature, reduce dependence on activities that harm life sustaining eco-systems, and/or meet the hierarchy of present and future human needs fairly and efficiently. Write N/A if not applicable)

N/A

### Action Required/Recommendation
- Referral to the Plan Commission for the December 18, 2019 meeting
- This item will most likely return to the City Council for possible action on January 6, 2020

### Fiscal Note/Budget Impact
N/A

### Attachments
- Underground Electric Easement and Exhibits
The undersigned City of Beloit, Rock County, Wisconsin, a Wisconsin municipal corporation, (hereinafter called the "Grantor"), in consideration of the sum of one dollar ($1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey and warrant unto Wisconsin Power and Light Company, a Wisconsin corporation, (hereinafter called the "Grantee"), the Grantee's successors and assigns, the perpetual right and easement to construct, install, maintain, operate, repair, inspect, replace, add, relocate and remove the Designated Facilities, as defined below, upon, in, over, through and across lands owned by the Grantee in the City of Beloit, County of Rock, State of Wisconsin, said "Easement Area" to be described as follows:

See Exhibit "A" for the legal description of the Easement Area, attached hereto and made a part hereof.

This easement is subject to the following conditions:

1. **Designated Facilities:** This easement is for underground electric line and underground communication line facilities, including but not limited to conduit, cables, above ground electric pad-mount transformers, secondary pedestals, riser equipment, and any other components as Grantee may select for use in transmitting electricity or communication signals (collectively, the "Designated Facilities").

2. **Access:** The Grantee and its agents shall have the right of reasonable ingress and egress to, over and across the Grantor's land adjacent to the Easement Area.

3. **Buildings and Structures:** The Grantor agrees within the Easement Area not to construct or place buildings, structures, or other improvements, or place water, sewer or drainage facilities; all without the express written consent of the Grantee. It is understood that the City of Beloit has a fiber optic cable running across the easement area that is allowed to remain in place and the Grantor retains the right to install, maintain, operate, repair, inspect, replace, add, relocate and remove facilties related to this fiber optic cable across the easement area in perpetuity.

4. **Landscaping and Vegetation:** No plantings and landscaping are allowed within the Easement Area that will interfere with the easement rights herein granted. The Grantee has the right to trim or remove trees, bushes and brush within the Easement Area without replacement or compensation hereinafter. The Grantee may treat the stumps of any trees, bushes or brush to prevent re-growth and apply herbicides in accordance with applicable laws, rules and regulations, for tree and brush control.

5. **Elevation:** After the installation of the facilities and final grading of the Easement Area, the Grantor agrees not to alter the grade of the existing ground surface by more than six (6) inches or place rocks or boulders more than eight (8) inches in diameter, within the Easement Area, without the express written consent of the Grantee.

6. **Restoration and Damages:** The Grantee shall restore, cause to have restored or pay a reasonable sum for all damages to property, fiber optic cables, fences, livestock, lawns, roads, fields and field tile (other than trees trimmed or cut down and removed), caused by the construction, maintenance or removal of said facilities.

7. **Rights not granted to the Grantee:** The Grantee shall not have the right to construct or place fences, buildings or any other facilities other than the above Designated Facilities.

8. **Reservation of Use by the Grantor:** The right is hereby expressly reserved to the Grantor, the heirs, successors and assigns, of every use and enjoyment of said land within the Easement Area consistent with rights herein granted.

9. **Binding Effect:** This agreement is binding upon the heirs, successors and assigns of the parties hereinto, and shall run with the lands described herein.

10. **Easement Brochure:** As provided by PSC 113, the Grantor shall have a minimum period of five days to examine materials approved or provided by the Public Service Commission of Wisconsin describing the Grantor's rights and options in the easement negotiating process. The Grantor hereby voluntarily waives the five day review period or acknowledges that they have had at least five days to review such materials.

ECRM713485 Rev 2 05/18
WITNESS the signature(s) of the Grantor this ______ day of __________, 20____.
City of Beloit, Rock County, Wisconsin, a Wisconsin municipal corporation

Signature

Printed Name and Title

Signature

Printed Name and Title

STATE OF WISCONSIN
COUNTY OF ROCK

Personally came before me this ______ day of __________, 20____, the above named ______________

__________________________________________
Signature of Notary

Printed Name of Notary
Notary Public, State of Wisconsin
My Commission Expires (is) __________________________

ACKNOWLEDGEMENT

STATE OF ___________________________ } SS
COUNTY OF ____________________________

Personally came before me this ______ day of __________, 20____, the above named ______________

__________________________________________
Signature of Notary

Printed Name of Notary
Notary Public, State of
My Commission Expires (is) __________________________

This instrument drafted by
Seth J. Raasch

Jordon R. Oosterhouse

Checked by

ECRM713489 Rev 2 05/18

PROJECT TITLE: 1115 Elaine Dr.
ERP Activity ID: 4173564
Tract No.: 2 of 2
REROW No.: 
Exhibit A

An easement twelve (12) feet in width located within Lot 1, Block 2 of Beloit Industrial Park, recorded in Volume 24 of Plats, Pages 2 & 3, as Document Number 723242, in the office of the Register of Deeds for Rock County, Wisconsin, and more particularly described as follows:

Commencing at the northwest (nw) corner of said Lot 1, Block 2 of Beloit Industrial Park;

thence South 00°25'18" East, 92 feet along the westerly margin of said Lot 1 to the Point of Beginning of an easement twelve (12) feet in width lying six (6) feet on each side of the following described reference line;

thence South 89°34'27" East, 47 feet and there terminating.

Also, an easement sixteen (16) feet in width lying 8 feet on each side of the following described reference line and more particularly described as follows:

Commencing at the northwest (nw) corner of said Lot 1, Block 2 of Beloit Industrial Park;

thence South 00°25'18" East, a distance of 92 feet along the westerly margin of said Lot 1;

thence South 89°34'27" East, 39 feet;

thence North 00°25'18" West, a distance of six (6) feet to the point of beginning,

thence continuing North 0°26'18" West, a distance of eighteen (18) feet and there terminating.

The Grantor’s deed recorded on November 18, 2003, as Document Number 1642370, in the office of the Register of Deeds for Rock County, Wisconsin.

Being located within the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 13, Township 1 North, Range 12 East, City of Beloit, Rock County, Wisconsin.
### Overview/Background Information

Hendricks Commercial Properties, LLC has filed an application for an Exception to Section 34.21(2)(c) of the Architectural Review and Landscape Code to waive the landscape strip requirement for the property located at 511 Public Avenue.

### Key Issues

1. The subject property is the site of an approved PUD - Master Land Use Plan that authorizes a redevelopment consisting of up to fourteen (14) row house units in two buildings, a small (2,400 SF) commercial building, and an off-street parking lot.
2. The site plans for this redevelopment are under review. As part of this review, the plans are evaluated against the City’s Architectural Review and Landscape Code. Section 34.21(2)(c) of the Code requires a landscape strip along the perimeter of a commercial parking lot adjacent to a public street. A landscape strip located between a commercial parking lot and public street must include trees, shrubs, and other landscaping in an amount equal to 10 landscape units per linear foot of frontage.
3. As shown on the attached plan, the applicant’s proposed parking lot will be adjacent to the public sidewalk along Public Avenue, and has been proposed without any landscaping along the street frontage. In lieu of revising the plans to provide a landscape strip, the applicant has elected to seek this Exception.
4. The standards for granting an Exception can be found in Section 34.22 of the Architectural Review and Landscape Code and will be analyzed in the Staff Report to the Plan Commission along with the applicant’s hardship argument.

### Conformance with Strategic Plan

Approval of this action would conform with the stated purpose of the following strategic goal:

- [ ] Goal #1 - Create and Sustain Safe and Healthy Neighborhoods
- [ ] Goal #2 - Create and Sustain a High Performing Organization
- [X] Goal #3 - Create and Sustain Economic and Residential Growth
- [ ] Goal #4 - Create and Sustain a High Quality of Life
- [ ] Goal #5 - Create and Sustain High Quality Infrastructure and Connectivity
- [ ] Goal #6 - Create and Sustain a Positive Image, Enhance Communications and Engage the Community

### Sustainability

(If applicable, 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. Consider whether the policy or program will reduce dependence upon fossil fuels, reduce dependence on chemicals and other manufacturing substances that accumulate in nature, reduce dependence on activities that harm life sustaining eco-systems, and/or meet the hierarchy of present and future human needs fairly and efficiently. Write N/A if not applicable)

N/A

### Action Required/Recommendation

- Referral to the Plan Commission for the December 18, 2019 meeting
- This item will most likely return to the City Council for a public hearing and possible action on January 6, 2020

### Fiscal Note/Budget Impact

N/A

### Attachments

- Proposed Landscape Plan and Application
CITY of BELOIT
Planning & Building Services Division
100 State Street, Beloit, WI 53511  Phone: (608) 364-6700  Fax: (608) 364-6609

Architectural Review Exception Application Form

(Please Type or Print)  File number: AEC/EXP-2019-01

1. Name of applicant: Hendricks Commercial Properties LLC  Phone #: (608) 362-8981
   525 3rd Street, Suite 300 Beloit, Wisconsin 53511
   (Address)  (City)  (State)  (Zip)

2. Address of subject property:  511 Public Ave  Beloit WI

3. Tax Parcel Number(s):  355 096-7

4. Legal description: "Lots 1, 2, 3, 4, 15, 16, 17 and the West 5.94 feet of Lots 5 & 14, Block 58 of the
   Original Plat of the City of Beloit, in the City of Beloit, Rock County, Wisconsin."

5. Present zoning: PUD  Present use: Residential, Commercial, Parking

6. Proposed use (if different):

7. Owner of record: Hendricks Commercial Properties LLC  Phone: (608) 362-8981
   525 3rd Street, Suite 300 Beloit, Wisconsin 53511
   (Address)  (City)  (State)  (Zip)

8. Code from which relief is sought or exception is taken:
   ( ) Architectural Review  (X) Landscape Regulations

9. State specific sections of code and exception(s) requested: (Use separate sheet if necessary)
   "A Landscape Strip (at least five feet wide with at least 10 landscape units per foot)
   is required between the parking lot and sidewalk along Public Avenue."

10. State specific hardship experienced by the applicant: (Use separate sheet if necessary)
    The proposed development aims to extend the urban experience of downtown Beloit by
    employing traditional neighborhood design. Buildings are designed to hold the street
    edge. The public way will be enhanced, including paving between building and curb with
    the potential to enhance visitor experience. Other landscape amenities are planned within
    the site. Though zoned PUD, we believe strict requirement for a landscape buffer
    between parking and sidewalk would be at variance with the intended urban design.
11. In order for this application to be considered complete, the applicant must attach a scale drawing (1” = 20’ usually works best) showing the location of property lines and their dimensions, existing buildings and improvements, all abutting properties and improvements thereon, and the proposed changes or additions. A professional drawing is not required. You are required to furnish a legible drawing with enough detail that will adequately advise and inform the Commission.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

Kyle Gapson, Vice President  
Nov 19, 2019

The applicant acknowledges that this application is not deemed filed until dated and receipt acknowledged by a person authorized to receive the application. The applicant is entitled to receive a copy of the acknowledged application once it is officially reviewed and accepted.

Hearings are usually held in City Hall Forum, City Hall, 100 State Street at 7:00 P.M.

In order for your request to be heard and considered in a timely manner, you must submit the completed application to the Planning & Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

The application fee will be $100 and applicants will be charged actual out-of-pocket costs for mailing public notices at the rate of $0.50 per notice.

To be completed by Planning staff

Filing fee: $100.00  
Amount paid: $100.00  
Meeting date: Dec. 18, 2019

Application accepted by:  
Date: 12/18/19

No. of notices: ________ x mailing cost ($0.50) = cost of mailing notices: $ ________

Date Notice Published: ________________  
Date Notice Mailed: ________________
# Overview/Background Information

The City of Beloit and Hospitality on the Green, Inc, d/b/a Putterz Pub, are currently parties to an operating agreement to provide concessionnaire services at the Municipal Golf Course. Before you is a First Amendment to that agreement that outlines a partnership with the City for the anticipated use of Krueger-Haskell Golf Course Clubhouse as a banquet facility for special events for the months of November through March. Use of the clubhouse during the off-season will establish the facility as a year-round venue. The benefits will include additional revenue to the City to off-set annual maintenance cost of the facility and expansion of City offered recreation programs during the winter months.

## Key Issues
1. Establish the facility as a year-round venue.
2. Increased recreational opportunities for the community during the winter months.
3. Increase revenue stream to the facility to off-set ongoing utility and maintenance costs.
4. Improve community/regional awareness of the facility and the golf course.
5. City will retain 50% of rental fees

## Conformance with Strategic Plan

Approval of this action would conform with the stated purpose of the following strategic goal:

- Goal #4 - Create and Sustain a High Quality of Life

## Sustainability

(If applicable, 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. Consider whether the policy or program will reduce dependence upon fossil fuels, reduce dependence on chemicals and other manufacturing substances that accumulate in nature, reduce dependence on activities that harm life sustaining eco-systems, and/or meet the hierarchy of present and future human needs fairly and efficiently. Write N/A if not applicable)

N/A

## Action Required/Recommendation

Staff Recommends Approval

## Fiscal Note/Budget Impact

Increase Krueger-Haskell Golf Course Revenue

## Attachments

Resolution  
First Amendment to Operating Agreement

Revised 05-24-2018
RESOLUTION 2019 - 183

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

WHEREAS, City and Operator entered into an Operating Agreement dated March 19, 2018 ("Agreement") whereby Operator is the concessionaire and provides food and beverage service at the Krueger Haskell Municipal Golf Course; and

WHEREAS, the Operating Agreement permits the Operator to use of the clubhouse during the off-season and the parties wish to outline the terms of such use; and

WHEREAS, the attached First Amendment is believed to be in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Beloit, Rock County, Wisconsin hereby approves the attached First Amendment to the Clubhouse Food and Beverage Operating Agreement and authorizes the City Manager to execute the First Amendment and to do all other things necessary and appropriate for the implementation thereof.

Adopted this 16th day of December, 2019.

CITY COUNCIL OF THE CITY OF BELOIT

_______________________________
Regina Dunkin, President

Attest:

_______________________________
Lorena Rae Stottler, City Clerk-Treasurer
18-1032
FIRST AMENDMENT TO THE
CLUBHOUSE FOOD AND BEVERAGE OPERATING AGREEMENT
FOR KRUEGER-HASKELL MUNICIPAL GOLF COURSE

THIS FIRST AMENDMENT is made this ______ day of December 2019, 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 Hospitality on the Green Inc., 101 Maple Avenue, Beloit, Wisconsin (hereinafter referred to as the “Operator”).

WHEREAS, City and Operator entered into an Operating Agreement dated March 19, 2018 (“Agreement”) whereby Operator is the concessionaire and provides food and beverage service at the Krueger Haskell Municipal Golf Course; and

WHEREAS, the Operating Agreement permits the Operator to use of the clubhouse during the off-season and the parties wish to outline the terms of such use.

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. Special Events. Operator may utilize the clubhouse for special events during the months of November through March (“Off-Season”).

   a. Operator shall be responsible for the coordination and clean-up of special events during the Off-Season.

   b. Operator shall collect a rental space fee as well as a security deposit from prospective renters utilizing the clubhouse during the Off-Season. Such fees shall be approved by the Director of Parks and Recreation. Operator shall pay to City the following:

      1) One-half of rental fees paid to Operator for each special event rental; and
      2) In the event of a cancellation of a reservation, one-half of the retained security deposit that was used to hold the reservation by the Operator; and
      3) The full amount paid as security deposit to cover any damages caused to or for necessary clean-up of the clubhouse.
c. **Operator** shall provide to the Director of Parks and Recreation a monthly report to the **City** which identifies any special event rentals. The report shall include the name of the renting party, the date of each rental and the amount collected as a room rental fee and security deposit. Each report shall be accompanied by any payments required under subsection (b).

d. **City** retains the right to use the clubhouse at no cost to the **City**. **City** will coordinate its usage of the clubhouse so as not to interfere with **Operator**’s use of the clubhouse.

2. The title Director of Parks and Recreation shall be substituted for all references to Director of Operations and Parks within 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 this First Amendment on the dates set forth below.

**CITY OF BELOIT**

By: ______________________________

Lori S. Curtis Luther, City Manager

**HOSPITALITY ON THE GREEN INC.**

By: ______________________________

Jim Agate, its ______________________

ATTEST:

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
# Topic
**RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF BELOIT, WISCONSIN AND ROCK COUNTY, WISCONSIN FOR THE PROVISION OF PARATRANSPORT SERVICES**

## Date
December 16, 2019

## Presenter
Julie Christensen

## Department
Community Development

### Overview/Background Information
Beloit Transit contracts with Rock County to provide FTA required paratransit service to the Beloit community. The contract is a continuation of services through December 31, 2020.

### Key Issues
1. The Federal Transit Administration (FTA) (49 U.S.C. 5303), and Title III of the Americans with Disabilities Act of 1990 ("ADA"), require that in addition to the wheelchair-accessible fixed route bus service already provided by BTS, the City must also provide Paratransit service as a complement to its regular fixed-route transit service for certain defined groups of disabled persons who cannot use the fixed-route bus service.
2. The current contracted provider of Paratransit service is the County, and originally dates back to 2009.
3. Analysis revealed that the County remains the only responsive and responsible vendor with sufficient capabilities to meet the paratransit needs.

### Conformance with Strategic Plan
Approval of this action would conform with the stated purpose of the following strategic goal:

- Goal #1 - Create and Sustain Safe and Healthy Neighborhoods
- Goal #2 - Create and Sustain a High Performing Organization
- Goal #3 - Create and Sustain Economic and Residential Growth
- Goal #4 - Create and Sustain a High Quality of Life
- Goal #5 - Create and Sustain High Quality Infrastructure and Connectivity
- Goal #6 - Create and Sustain a Positive Image, Enhance Communications and Engage the Community

### Sustainability
(If applicable, 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. Consider whether the policy or program will reduce dependence upon fossil fuels, reduce dependence on chemicals and other manufacturing substances that accumulate in nature, reduce dependence on activities that harm life sustaining eco-systems, and/or meet the hierarchy of present and future human needs fairly and efficiently. **Write N/A if not applicable**)

N/A

### Action Required/Recommendation
Approval of Resolution 2019-184

### Fiscal Note/Budget Impact
The per-trip charge proposed by the County for 2020 is 11.95, which is the same rate as 2019. The total annual cost to BTS for providing paratransit service is expected to be approximately $36,000. This is funded by paratransit fares, Wisconsin DOT (WisDOT) and FTA paratransit grant funding of approximately $20,000, and additional federal funding. The average per trip cost statewide for paratransit in 2014 was $27.05, ranging from a low of $14.08 to a high of $67.48.

### Attachments
- Resolution
- Draft Agreement

Revised 05-24-2018
RESOLUTION 2019-184

RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF BELOIT, WISCONSIN AND ROCK COUNTY, WISCONSIN FOR THE PROVISION OF PARATRANSLIT SERVICES

The City Council for the City of Beloit, Rick County, Wisconsin, hereby resolves that the attached “Intergovernmental Transportation Services Agreement” between the City of Beloit, Wisconsin and the County of Rock, Wisconsin be, and is hereby, approved.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the Agreement and to execute any other documents or take any other action necessary to effectuate the purpose of this resolution.

Adopted this 16th day of December, 2019.

CITY COUNCIL OF THE CITY OF BELOIT

Attest:

Regina Dunkin, President

Lorena Rae Stottler, City Clerk
Intergovernmental Transportation Services Agreement

Complementary Paratransit Service

For Individuals with Disabilities

2020

By and Between

the City of Beloit, Wisconsin

and

the County of Rock, Wisconsin
INTERGOVERNMENTAL TRANSPORTATION SERVICES AGREEMENT

COMPLEMENTARY PARATRANSIT SERVICE FOR
INDIVIDUALS WITH DISABILITIES

BY AND BETWEEN

THE CITY OF BELOIT, WISCONSIN
AND
THE COUNTY OF ROCK, WISCONSIN

This agreement is made and entered into this 1st day of January, 2020, by and between the City of Beloit, a Wisconsin municipal corporation, located in the County of Rock, conducting its principal business at 100 State Street, Beloit, Wisconsin (hereinafter “CITY”) and the County of Rock, a political subdivision of the State of Wisconsin, conducting its principal business at 51 South Main Street, Beloit, Wisconsin (hereinafter “COUNTY”) and, for all purposes herein, COUNTY shall include each and every of COUNTY’S independent contractors and other paratransit related providers.

RECITALS

WHEREAS, the CITY owns and operates a public mass transit system known as the Beloit Transit System (“BTS”) for the benefit of the community, its residents and guests; and

WHEREAS, the governing body of the CITY has established a policy that the area to be served by the BTS is limited to within the CITY’s limits; and

WHEREAS, Title III of the Americans with Disabilities Act of 1990 (“ADA”) requires that, in addition to the wheelchair-accessible fixed route bus service already provided by BTS, the CITY must also provide paratransit service as a complement to its regular fixed-route transit service for certain defined groups of disabled persons who cannot, by virtue of their disability, “access” or “use” (as those terms are understood under the ADA) the accessible fixed-route system; and

WHEREAS, under 49 CFR §37.131(f), the COUNTY may not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any of the following: restrictions on the number of trips an individual will be provided; waiting lists for access to the service; or any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons. Such patterns or practices include, but are not limited to, substantial numbers of significantly untimely pickups for initial or return trips, substantial numbers of trip denials or missed trips, or substantial numbers of trips with excessive trip lengths; and
WHEREAS, the CITY must monitor the performance of the COUNTY’S provision of this service under 49 CFR §37.21(b); and

WHEREAS, under 49 CFR §37.131(a)(1), the CITY must provide complementary paratransit service that covers, at a minimum, all areas within a ¾-mile radius of all of its bus routes, and within a “core service area” that includes any small areas that may be more than ¼-mile from a bus route, but are otherwise surrounded by served corridors; and

WHEREAS, such service is intended to provide complementary paratransit service to the following categories of eligibility:

1. Persons who can’t travel on the bus, even though it’s accessible, because of a disability. This category includes people who are unable, due to a mental or physical impairment (including a vision impairment), to board, ride, or disembark from an accessible bus without assistance. For example:
   a. People with cognitive disabilities, if they do not know where to get off the bus or how to go to their destination from the bus stop.
   b. People with visual impairments, if they don’t have the travel skills needed to navigate the route to their destination.
   c. A person with a visual impairment that allows him/her to see well enough to travel independently during the daytime but not at night.

2. People who have a specific disability-related condition. This category includes people who have a specific disability-related condition that prevents them from traveling to a boarding location or from a disembarking location.

3. Environmental barriers (distance, terrain, weather) or architectural barriers, not under control of the transit agency (such as lack of curb ramps), that prevent an individual from traveling to or from the boarding or disembarking locations may form the basis for eligibility.

For example:

a. A person who uses a wheelchair may be able to negotiate a trip to the bus stop up a moderately sloped hill on a summer day, but
not in the winter after a heavy snowfall. Then the user would be eligible for paratransit.

b. A person may be eligible if architectural barriers present safety hazards on the only route to the train station or bus stop.

c. A person who walks with a cane and would need to travel 3/4 mile to the bus route, but they cannot walk that great a distance.

d. People with disabilities that affect them very differently over time, such as multiple sclerosis. During some periods, they are able to go to the bus stop or train station. During other periods, they are not able to do so.

NOTE: All categories include people who may be able to ride the regular Beloit Transit System buses for some trips and not for other trips.

WHEREAS, the Federal Transit Administration (“FTA”) and the State of Wisconsin, Department of Transportation shall assist the CITY in the subsidization of any operating deficit incurred by this service under various formula grant programs; and

WHEREAS, the COUNTY and the CITY are empowered to enter into such mutual benefit intergovernmental agreements pursuant to Chapters 59, 62, and 66 and Sections 62.11(5) and 66.0301 of the Wisconsin Statutes.

NOW, THEREFORE, the CITY and COUNTY, in consideration of the foregoing, the mutual covenants and promises contained herein, and other valuable consideration, the receipt and sufficiency of which they acknowledge, the Parties agree as follows:

ARTICLE I
AGREEMENT TERMS

Section 1.1. Term of Contract. The COUNTY shall provide complementary Paratransit service for the CITY for individuals with disabilities from January 1, 2020, through and including December 31, 2020.

Section 1.2. Termination. The CITY or COUNTY may terminate their respective participation(s) in the program upon 180 days’ prior written notification to the other at any time after January 1, 2020.
Section 1.3. Hours. The COUNTY shall, at all times of this agreement including any and all option term extensions, extend their customary hours of service for their obligations hereunder so as to coincide with the CITY’s hours of service as follows:

Monday-Friday from 6:00 a.m. thru and including 6:00 p.m.; and
Saturday from 9:00 a.m. thru and including 4:30 p.m.

Should the CITY, during the course of this agreement, alter the hours of service quoted herein, the COUNTY shall alter its hours of service accordingly.

Section 1.4. Holidays. The COUNTY shall, at all times of this agreement extend their holiday schedule and provide complementary paratransit service on the same holidays as the CITY provides fixed route transit service, even if these days are normally recognized and/or treated as COUNTY holidays. This includes provision of complementary paratransit service on Good Friday, the day after Thanksgiving, and Christmas Eve Day, which are normally COUNTY holidays, but where the CITY has fixed route transit service available. This service will be provided 307 service days each calendar year. No service is provided on any Sunday or on the following legal holidays:

New Year’s Day  Memorial Day
Independence Day  Labor Day
Thanksgiving Day  Christmas Day

Section 1.5. Financial Assistance. This agreement is subject to financial assistance agreements between the CITY and the United States Department of Transportation—Federal Transit Administration, and the Wisconsin Department of Transportation. This agreement is subject to receipt by the CITY of sufficient financial assistance from the United States Department of Transportation—Federal Transit Administration and the Wisconsin Department of Transportation annually so as to fund such complementary paratransit service. The parties agree to recognize, abide by, and render this agreement subject to the potential limitation, indefinite character, changing amounts and annual discretionary nature of the CITY’s and the COUNTY’s financial capabilities, resources, sources(s) of funding, and amount of funding. Upon 180 days’ notice by the CITY, the COUNTY agrees to take immediate action to terminate such service. Similarly, upon 180 days’ notice, the COUNTY may terminate service for the lack of financial capability to continue. The determination of whether the CITY has sufficient financial capacity to continue shall be solely within the discretion of the CITY. However, if any succeeding contract year there is an increase of 10% or more in the operating cost, a decrease of 10% or more in Federal or State subsidy, the parties may reconsider the succeeding years’ portion of the contract by the conclusion of the transit system budget process.

Section 1.6. Applicability and Incorporation of Laws. Each and every applicable Federal, State and local statute, code, regulation and other law applicable to and/or
pertaining to the subject matter of this agreement are adopted by reference and incorporated herein as if fully set forth. The COUNTY shall, at all times, abide by same to the fullest extent as if standing in the shoes of the CITY.

Section 1.7. Terms of Payment and Accounting.

1.7.1 The per passenger charge for the term of this contract shall be $11.95 for each one-way trip.

1.7.2 The COUNTY shall provide, upon demand by the CITY all cost, financial and related documentation which these persons may deem, from time to time, necessary and/or desirable for the COUNTY’s substantiation of its actual costs.

1.7.3 Payment by the CITY to the COUNTY for services provided by the COUNTY to the CITY under this agreement shall be monthly as follows:

(a) Invoices for services, together with all required reports, shall be submitted by the COUNTY to the CITY no later than the 15th day of the month for the preceding month to enable the CITY’s payment to the COUNTY to be made before the end of the subsequent month.

(b) All farebox and other operating revenues received by the COUNTY attributable to the ADA paratransit services under this agreement shall be clearly accounted for by the COUNTY on each month's invoice to the CITY.

1.7.4 The CITY may make unilateral changes to this payment system that are necessary and/or desirable to facilitate the implementation of this agreement, to effectuate the intent of the parties hereto, or for any other reason without limitation or cause.

1.7.5 The CITY may demand an accounting, paid for solely by the COUNTY, of all COUNTY records and data, financial, related and other, required by law or, from time to time, as determined desirable by the CITY including, but not limited to, those discoverable by law and those otherwise not subject to Wisconsin’s Open Records Law, the intent herein being full access to all COUNTY records, data, papers, materials and files of whatsoever kind or nature directly and/or indirectly arising from and/or pertaining to this agreement its implementation, financing, operation and related matters.

ARTICLE II
DEFINITIONS


Section 2.2.  Contractor/County Employee(s).  In circumstances where the COUNTY subcontracts to perform all or part of the services under the contract, the term "contractor employee(s)" also includes a subcontractor's employees and a subcontractor who is an individual.

Section 2.3.  Origin to Destination/Curb-to-Curb/Door-to-Door.  The FTA’s ADA regulation provides that complementary paratransit service for ADA paratransit eligible persons shall be “origin-to-destination” service, whereas historically paratransit trips were classified as either curb-to-curb or door-to-door.

   2.3.1  Door-to-Door.  For a door-to-door trip, a passenger is considered engaged in service from the time that they are met at the door by the driver until the time the passenger is left at the door of the destination address. When the driver returns to the vehicle, the trip is thus ended.

   2.3.2  Curb-to-Curb.  A passenger is considered engaged in service from the time they enter the vehicle until the time they exit the vehicle, in the case of a curb-to-curb trip.

Door, as used herein, shall be the building's door, not an individual office or apartment door located within a given building.

Vehicle operators are required to provide door-to-door service to all passengers that require assistance to or from the vehicle.

Section 2.4.  Passenger/Rider/Client.  Individual rider registered with the CITY as eligible for ADA complementary paratransit.

Section 2.5.  Guest.  Each passenger is permitted up to two (fare paying) additional persons (guests) to accompany them on a trip on a space available basis. Passengers are required to inform the COUNTY at the time the trip is requested if a guest(s) shall accompany them on the trip. Guests shall be noted on the manifest. Each guest is required to pay the applicable paratransit fare for the trip.

Section 2.6.  Late Appointment Trips.  Late appointment trips are scheduled rides where COUNTY (or its subcontractor) failed to deliver the passenger(s) by the scheduled appointment time.
Section 2.7. Leave Attended. CITY may designate certain passengers as “Leave Attended.” “Leave attended” means that the passenger must be in view of the driver enroute; and, that upon arrival at the destination, the passenger is left with a willing and responsible party identified by the driver as a professional or personal associate or family member of the passenger.

Section 2.8. Missed Trips. Missed trips are scheduled trips where the COUNTY (or its subcontractor) failed to arrive to pick up passenger(s) within 60 minutes of scheduled pick up time, or the COUNTY (or its subcontractor) fails to attempt the pickup.

Section 2.9. Personal Care Attendant (“PCA”). Each customer is permitted one additional person, either attendant or companion, to accompany him/her at no additional cost or fare. Passengers are required to inform the COUNTY at the time the trip is requested if a PCA shall accompany them on the trip. PCAs shall be noted on the manifest.

Section 2.10. No Show. A no show occurs when a passenger does not show up for a ride and fails to contact contractor at least one-half hour prior to the pick up time to cancel service.

Section 2.11. Revenue Hours of Service. Revenue hours of service include all hours during which transportation service is provided to passengers by the paratransit system and BTS, as determined by the CITY.

Section 2.12. Road Call. A road call means mechanical vehicle failure requiring a mechanic to inspect the vehicle while it is still in service.

Section 2.13. Service. ADA complementary paratransit service, including all dispatching and scheduling required to be provided by contractor pursuant to a contract with CITY.

Section 2.14. Service by Trip. ADA complementary paratransit service provided by the COUNTY and compensated on a per trip basis at the established rate for each completed customer one-way trip.

ARTICLE III
OPERATIONAL REQUIREMENTS

Section 3.1. Response Time. Under 49 CFR§37.131(b), the COUNTY must schedule and provide “next day” paratransit service to any CITY-certified paratransit passenger at any requested time on a particular service day in response to a request for service made the previous day, including during times comparable to normal business hours on a day when the offices are not open before a service day. Under 49 CFR §37.131(b)(2), while
the COUNTY may negotiate pick up times with the rider prior to the trip being scheduled, it cannot require the rider to schedule a trip to begin more than one hour before or after the individual's desired departure time. Any greater deviation would exceed the bounds of comparability. The COUNTY must have policies and procedures in place to ensure that the rider’s negotiated pick up time or the pick up window is not negotiated without the rider’s consent.

Requests for service shall be taken during administrative office hours. Requests for complementary paratransit service shall also be handled any time on Sundays corresponding to weekday office hours in order to accommodate Monday service. This may be accomplished through an answering machine, answering service, a call forwarding system, or any combination thereof at the option of the COUNTY.

In addition, the COUNTY shall provide effective means for persons with hearing disabilities to communicate with the personnel taking such appointments. This may be accomplished through a telecommunication display device (“TDD”) or similar technology. Requests for such service shall be permitted to be placed up to 14 days in advance. Prioritization of trips by categorization as to trip purpose or other means shall not be allowed and this service shall be made available so as to accommodate all requests from the public for service.

**Section 3.2. Pick Up Times.** Pick up times may be negotiated with riders as follows:

3.2.1 Changes in requested departure times of up to one hour can be required.

3.2.2 Changes beyond one hour must be agreed to by the rider.

For example, if a rider requests an 8:30 am pickup and a 5:00 pm return home, a morning pickup between 7:30 and 8:30 am and an afternoon return between 5:00 and 6:00 pm can be negotiated.

**Section 3.3. Base Fare.** Fares charged to ADA certified individuals using the complementary paratransit service will be no more than twice the regular fixed-route base fare, which is currently $1.50 per trip within Beloit, and $3.50 per trip on the Beloit/Janesville Express, including a transfer. Thus, currently the paratransit service provider shall charge $3.00 for a one-way trip within the CITY, and $7.00 for a one-way trip between the CITY and the City of Janesville. As regular route fares increase or decrease, the amount to be charged to paratransit riders will also increase or decrease proportionally. A personal care attendant will be provided free transportation when traveling with a disabled person certified to require such an attendant. At least one companion may travel with a disabled person. Additional companions will be accommodated on a space available basis. Companions will be charged the same fare as ADA certified individuals.
Section 3.4. Trip Purpose. The COUNTY shall accept requests for all trips and handle each on an equal basis. No trip preordination shall be allowed. For example, the COUNTY shall not elect to transport some individuals to work or for medical appointments and not transport other individuals who are ADA eligible who may be going shopping or on personal business.

Section 3.5. Capacity Constraints. The COUNTY shall not restrict or cap the number of trips provided to any person. Maintenance of waiting lists for (non-subscription) trip requests is not permitted and shall not occur. This includes maintaining a cancellation list. Practices which significantly limit the availability of service are not permitted and shall not occur.

Section 3.6. Accessibility Vehicles and Features.

3.6.1 Vehicles. All vehicles used by the COUNTY to provide complementary paratransit service shall be accessible to and usable by persons with disabilities, including, but not limited to, passengers that use wheelchairs.

Accordingly, all access-related features, such as lifts, ramps, securement system, signage, and communications system shall be maintained by the COUNTY in operating condition at all times. It is required through the ADA and this agreement that the ADA equipment, including but not limited to lift or ramp, be tested each day prior to use of the vehicle to ensure proper working condition. Repairs needed to correct all breakdowns of the vehicle or the ADA equipment shall be performed promptly, accurately and fully. A vehicle with non-operational wheelchair lifts or ramps shall be removed from service and not used in service until properly repaired.

3.6.2 Wheelchairs. As defined by 49 CFR Part 37.3, wheelchairs are mobility aids belonging to any class of three-or more-wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered. The definition, description, sizes and standards for mobility aids and vehicular accessibility are subject to change; the COUNTY must use vehicles that are accessible to all passengers with mobility aids, regardless of how mobility aids are defined by the FTA.

Section 3.7. Lift and Securement Use. All passengers shall be transported.

Exceptions for legitimate safety requirements include such circumstances as a wheelchair of such size that it would block an aisle, or would be too large to fully enter a vehicle, block the door, or would interfere with the safe evacuation of passengers in an emergency. This does not apply to securement. The COUNTY cannot impose a limitation
on the transportation of wheelchairs and other mobility aids based on the inability of the securement system to secure the device to the satisfaction of the COUNTY.

The COUNTY may request that wheelchair users transfer to a vehicle seat. However, such a transfer cannot not be required.

Individuals who do not use a wheelchair and who are ADA certified shall be allowed to use the wheelchair lift to enter or leave the vehicle if they wish. At its option, the COUNTY may keep a manual wheelchair on board the vehicle for such occasions.

Section 3.8. “No Show”/Late Procedures. A “no-show” occurs when a vehicle arrives on time for a pickup and the passenger decides not to board the vehicle or is not present at the address listed on the manifest.

A “late cancellation” occurs when the scheduled trip is canceled by the rider less than two hours before the scheduled trip.

If a vehicle operator arrives early or within five minutes after the beginning of the on-time window, the driver must wait until five minutes after the on-time window begins before considering the passenger to be a no-show.

Late cancellations are considered and will be treated as no-shows when considering suspensions if the effects of such a late cancellation are operationally equivalent to a no-show in terms of the negative impact on paratransit service operations.

The CITY enforces a no-show suspension policy which requires accurate recording of no-show occurrences. The COUNTY is responsible for making every reasonable effort to verify that a ride is a valid no-show before proceeding with the next trip.

ARTICLE IV
PERFORMANCE STANDARDS

Section 4.1. Phone System Access. The standard is to minimize call hold times. BTS’s standard is for (95%) of calls to be answered within three minutes and 99% answered within five minutes. BTS analyzes this measure by randomly monitoring the provider’s phone access and documenting call hold times. Customer complaints are also used to determine if phone access capacity constraints have occurred.

Section 4.2. Travel Time. BTS paratransit travel time should not exceed that for passengers using fixed route, inclusive of the time it would take to walk to and from the nearest bus stops. In other words, for a non-ADA fixed route user, if it takes 45 minutes to get to the destination, inclusive of typical walking time, then the ADA paratransit trip should be comparable. Compliance with this standard is based on complaints received.
Should a complaint about excessive travel time be received, BTS will determine travel time for fixed route, and compare that to the paratransit trip time.

Section 4.3. Scheduling. The COUNTY shall not pick up an individual more than five minutes before nor 15 minutes after their appointment. No trip shall be denied. Trips shall not be denied to personal care attendants. However, more than one companion traveling with a disabled person may be denied a trip due to capacity constraints.

It is the responsibility of the COUNTY to make every effort to comply with all service standards established by CITY. For each instance in which a passenger is picked up outside of this service standard, the following penalty will be applied:

**Monthly On-Time Performance Payment**

<table>
<thead>
<tr>
<th>On-Time</th>
<th>Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>94%</td>
<td>100% of the total monthly compensation</td>
</tr>
<tr>
<td>90-93%</td>
<td>98% of the total monthly compensation</td>
</tr>
<tr>
<td>&lt; 90%</td>
<td>90% of the total monthly compensation</td>
</tr>
</tbody>
</table>

**ARTICLE V**

**MONTHLY AND ANNUAL REPORTING REQUIREMENTS**

Section 5.1. The COUNTY shall report to the CITY, on a monthly basis, in writing and in a form and manner from time to time required by the CITY, within five days of each month’s end, the following:

5.1.1 **Untimely Pickup.** Data to include: date of service; passenger name; trip origin address including municipality (pick up address); destination address including municipality; scheduled pick up time; actual pick up time; minutes late; an explanation for each untimely pickup; and total number of untimely pickups.

5.1.2 **Trip Denial.** Data to include: date of requested service; passenger name; explanation for each denied trip; and total number of trips denied.

5.1.3 **Missed Trip.** Data to include: date of service; passenger name; trip origin address including municipality (pick up address); destination address including municipality; scheduled pick up time; an explanation for each missed trip; and total number of missed trips.

5.1.4 **Excessively Long Trip.** Data to include: date of service; passenger name; trip origin address including municipality (pick up address); destination address including municipality; pick up time; drop off time; trip length in
minutes; an explanation for each excessively long trip; and total number of excessively long trips.

5.1.5 Delayed Return. Data to include: date of service; passenger name; trip origin address including municipality (pick up address); destination address including municipality; requested pick up time; actual pick up time; any explanation as to why the passenger was unable to travel at their scheduled pick up time beyond being delayed by medical reasons; and total number of delayed runs.

5.1.6 Late Cancellation. Data to include: date of service; passenger name; trip origin address including municipality (pick up address); destination address including municipality; scheduled pick up time; cancellation time; and total number of late cancellations.

5.1.7 No Show. Data to include: date of service; passenger name; trip origin address including municipality (pick up address); destination address including municipality; scheduled pick up time; time of cancellation; any explanation as to why the passenger cancelled; and total number of no-shows.

5.1.8 Financial Report (Monthly). The COUNTY shall provide a monthly financial report to the CITY. This report shall include total number of rides in each fare zone and the total revenue collected in each fare zone.

5.1.9 Complaint Reports (Monthly). The COUNTY shall record, investigate, and report all passenger complaints to The CITY. The complaint report shall include the following: date and time of complaint; name of person making complaint; description of the complaint, including name of any personnel cited; and supervisor follow up.

5.1.10 Other (Per Occurrence). The contractor shall provide the following reports to the City as they occur: accident/incident briefs/findings; significant personnel changes, suggested improvements; revenue vehicle roster (annually or upon change).

The COUNTY shall provide the City with a list of revenue vehicles which identifies each vehicle by year, model, mileage, lift status and primary location. This roster should be updated and supplied to the CITY when vehicles are purchased or disposed of.

5.1.11 Performance Reports (As Requested). The COUNTY must conduct performance evaluations (annual review, ride checks, etc.) on the
operators. The methodology of the performance report is subject to the CITY’s approval.

5.1.12 Accident Reporting (Per Occurrence). In the event of a traffic citation, traffic accident, passenger accident, emergency or other non-routine event, the COUNTY shall notify the CITY verbally within 24 hours upon the receipt of such information. The COUNTY shall notify the CITY in writing within 72 hours upon receipt of such information.

ARTICLE VI
SUSPENSION OF SERVICE TO CERTIFIED PASSENGERS

A passenger may have their ADA paratransit service eligibility suspended for violation or disregard of the CITY’s paratransit policies.

Ten no-shows within a calendar year or five no-shows within a month will trigger a review of the rider’s no-show frequency. The review of the rider’s trip history and no-show frequency will examine the rider’s proportion of no-shows in relation to all trips the rider took, and will also consider the overall no-show rate for all riders. Riders with a no-show rate of twice that or more of the no-show rate for all riders may result in suspension.

Excepting violations of the no-show/late cancellation policy, the first time a paratransit rider violates a paratransit policy or any of the rider responsibilities, Rock County Transit or the CITY will attempt verbal contact with the rider to remind the rider of the regulations concerning paratransit services and request their assistance in eliminating the negative behavior.

The City may elect to additionally issue a letter of warning.

If the negative behavior is repeated, a minimum suspension of three days will be enacted; unless determined otherwise by the Director of Public Works.

If the negative behavior continues following the third suspension, a minimum suspension of 30 days will be enacted; unless determined otherwise by the Director of Public Works.

The fourth or subsequent violation will be referred to the Director of Public Works, and lengthier or permanent suspension privileges may be considered.

Appeals of suspension of service shall be reviewed by the City Manager, who has the final and binding authority in such matters/determinations. Suspension of service does
not prohibit an individual from applying for certification again. Notice of suspension, adequate in form and content, if the suspension is upheld, shall be provided to the rider prior to service suspension.

ARTICLE VII
VISITOR POLICY

Persons visiting the CITY who can show an "ADA Paratransit Eligible" identification card issued by another transit system in the United States, OR who can provide proof of eligibility may use BTS complementary paratransit service for up to 21 days within a 365 day period. After 21 days of service (does not have to be consecutive) within the 365 day period, the visitor must be certified by BTS to use complementary paratransit service offered by BTS.

ARTICLE VIII
COMMUNICATION AND PUBLIC INFORMATION

In coordination with the CITY, the COUNTY is required to and shall assist in the dissemination of information pertaining to the ADA paratransit service, its availability, how to use it, how to get the service, and related information to all persons with disabilities throughout the term of this agreement. Adequate telephone capacity (voice and TDD) shall be provided at all times by the COUNTY to allow for scheduling and provision of information. In cooperation with the CITY, accessible materials shall be made available to the public upon request.

ARTICLE IX
GENERAL SUPERVISION

The CITY, through BTS, shall provide general supervision of the operation to include quality control measures to ensure that established standards are met; administration of federal and state grants which provide partial funding for the operation, and control the registration and certification process for persons meeting the ADA requirements to use paratransit services. By entering this agreement which involves the use of Federal and State funds, the COUNTY agrees to and shall, at all times, abide by each and every Federal and other regulation governing reporting, records keeping, purchasing, and finances including, but not limited to, various types of periodic audits and inspections of business records required and/or performed by the CITY, State and/or Federal governments and their representatives. These requirements are unwaiverable. The
COUNTY hereby permits the CITY to assure, and/or verify compliance at any and all times upon the COUNTY’s and COUNTY’s provider’s real and personal property with no additional permission necessary.

**ARTICLE X**
**SELECTION AND QUALIFICATION OF DRIVERS**

Only those persons who have sufficiently demonstrated by his/her performance to the standards and levels as from time to time set by the CITY that he/she is habitually a safe and prudent driver shall be considered as persons who may provide this service. Under 49 CFR §37.173, the COUNTY must ensure that personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly assist and treat individuals with disabilities who use the service in a respectful and courteous way, with appropriate attention to the difference among individuals with disabilities.

**ARTICLE XI**
**VEHICLE MAINTENANCE STANDARDS**

The obligation to provide safe transportation for all passengers using public transit services cannot be overstated. The public demands and expects that the highest standards be maintained in both driver operations and vehicle maintenance to achieve this goal. It is the intent of BTS and the CITY to ensure that all vehicles used to provide ADA paratransit service are in the best possible mechanical condition to provide reliable, safe service to its customers on a continuing basis. Refer to attached Exhibit A - Vehicle Maintenance Standards for specific vehicle maintenance requirements (which section is incorporated herein as if fully set forth). In recognition of these legitimate ends, the COUNTY shall, at all times, maintain each and every vehicle used in performing its obligations under this agreement at a level meeting or exceeding the minimum requirements specified and required in attached Exhibit A, which requirements are incorporated herein as if fully set forth.

**ARTICLE XII**
**INSURANCE**

The COUNTY shall, at all times during the term of this agreement provide or cause to be provided, solely at its own expense, complete public and private liability and property damage insurance in sums sufficient (according to minimal levels which shall be set from time to time by the CITY to cover all aspects of the ADA paratransit operation including, but not limited to, the COUNTY and COUNTY’s paratransit provider’s acts and omissions.
and those of each and every of their respective officials, officers, employees, representatives, agents, independent contractors and related others, and those of each and every of their successors, assigns, conveyors and heirs; professional liability coverage for the same above designated persons (according to minimal levels set forth by law then applicable).

The CITY shall be named as additional insured.
The initial minimum insurance coverage provided by the COUNTY shall be as set forth in Exhibit B, which is attached hereto and incorporated herein as if fully set forth.
The requirements of this section of the agreement shall survive the termination of this agreement.

ARTICLE XIII
OTHER PROVISIONS

Section 13.1. Amendment. This agreement may, from time to time, be amended upon mutual written agreement of the parties.

Section 13.2. Interpretation. In the event of any conflict in the interpretation or application of any word, term, condition, promise, paragraph or section, the decision of the City Manager of the City of Beloit shall be final, binding, determinative and unappealable.

Section 13.3. Applicable Law. This agreement shall be governed by the laws of the State of Wisconsin.

Section 13.4. Each and every act promised to be performed and obligation undertaken by the COUNTY hereunder applies equally, and with the same force and effect, to each and every of the COUNTY’s independent contractors and other paratransit service providers who shall perform and/or provide for the CITY the services required by this agreement.

Section 13.5. Each and every provision, obligation, promise, term, condition, part, portion and whole of this agreement which the CITY determines necessary and/or desirable to effectuate the intent of this agreement as far as the CITY is concerned shall survive the termination of this agreement notwithstanding any other provision herein to the contrary.

Section 13.6. Severability. It is the intention of the CITY and the COUNTY that each and every provision, term, word, section, promise, part and portion of this agreement is severable. In the event that any provision, term, word, section, promise, part and portion of this agreement is held unconstitutional and/or invalid for any reason, such
decision, order and/or judgment shall not affect the applicability or enforceability of any of the remainder herein, other than those directly affected by such decision, order or judgment.

Section 13.7. The CITY and COUNTY, by entering into this agreement find this agreement in the best interests and to the benefit of their respective communities and the populace whom they serve.

ARTICLE XIV

ARTICLE XV
FEDERAL ASSURANCES & CERTIFICATIONS

Section 15.1. No Government Obligation to Third Parties.

- FTA Circular 4220.1F

15.1.1 The CITY and COUNTY acknowledge and agree that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of the underlying contract, absent the express written consent by the Federal Government, the Federal Government is not a party to this contract and shall not be subject to any obligations or liabilities to the CITY, COUNTY, or any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying contract.

15.1.2 The COUNTY agrees to include the above clause in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clause shall not be modified, except to identify the COUNTY who will be subject to its provisions.

Section 15.2. Program Fraud and False or Fraudulent Statements and Related Acts.

- 49 U.S.C. 5307

15.2.1 The COUNTY acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. §§ 3801 et seq. and U.S. DOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. Part 31, apply to its actions pertaining to this project. Upon execution of the underlying contract, the COUNTY certifies or affirms the truthfulness and accuracy of
any statement it has made, it makes, it may make, or causes to be made, pertaining to the underlying contract or the FTA assisted project for which this contract work is being performed. In addition to other penalties that may be applicable, the COUNTY further acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on the COUNTY to the extent the Federal Government deems appropriate.

15.2.2 The COUNTY also acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government under a contract connected with a project that is financed in whole or in part with Federal assistance originally awarded by FTA under the authority of 49 U.S.C. § 5307, the Federal Government reserves the right to impose the penalties of 18 U.S.C. § 1001 and 49 U.S.C. § 5307(n)(1) on the COUNTY, to the extent the Federal Government deems appropriate.

15.2.3 The COUNTY agrees to include the above two clauses in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clauses shall not be modified, except to identify the COUNTY who will be subject to the provisions.

Section 15.3. Access to Records and Reports.

- 49 U.S.C. 5325
- 18 CFR 18.36 (i)
- 49 CFR 633.17

The following access to records requirements apply to this Contract:

15.3.1 Where the CITY is not a State but a local government and is a grantee of the FTA in accordance with 49 C. F. R. 18.36(i), the COUNTY agrees to provide the CITY, the FTA Administrator, the Comptroller General of the United States or any of their authorized representatives access to any books, documents, papers and records of the COUNTY which are directly pertinent to this contract for the purposes of making audits, examinations, excerpts and transcriptions. COUNTY also agrees, pursuant to 49 C. F. R. 633.17, to provide the FTA Administrator or his/her authorized representatives, COUNTY access to COUNTY's records and construction sites pertaining to a major capital project, defined at 49 U.S.C. 5302(a)1, which is receiving federal financial assistance through the programs described at 49 U.S.C. 5307, 5309 or 5311.
15.3.2 Where the City enters into a negotiated contract for other than a small purchase or under the simplified acquisition threshold and the CITY is grantee of the FTA in accordance with 49 C.F.R. 19.48, COUNTY agrees to provide the CITY, FTA Administrator, the Comptroller General of the United States or any of their duly authorized representatives with access to any books, documents, papers and record of the COUNTY which are directly pertinent to this contract for the purposes of making audits, examinations, excerpts and transcriptions.

15.3.3 The COUNTY agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.

15.3.4 The COUNTY agrees to maintain all books, records, accounts and reports required under this contract for a period of not less than three years after the date of termination or expiration of this contract, except in the event of litigation or settlement of claims arising from the performance of this contract, in which case COUNTY agrees to maintain same until the CITY, the FTA Administrator, the Comptroller General, or any of their duly authorized representatives, have disposed of all such litigation, appeals, claims or exceptions related thereto. Reference 49 CFR 18.39(i)(11).

15.3.5 FTA does not require the inclusion of these requirements in subcontracts.

Section 15.4. Federal Changes.

- 49 CFR Part 18

15.4.1 COUNTY shall at all times comply with all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the master agreement between CITY and FTA, as they may be amended or promulgated from time to time during the term of this contract. COUNTY’s failure to so comply shall constitute a material breach of this contract.

Section 15.5. Civil Rights Requirements.

- 29 CFR Part 1630, 41 CFR Parts 60 et seq.
The following requirements apply to the underlying contract:

15.5.1 **Nondiscrimination.** In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, the COUNTY agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, the COUNTY agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.

15.5.2 **Equal Employment Opportunity.** The following equal employment opportunity requirements apply to the underlying contract:

15.5.2.1 **Race, Color, Creed, National Origin, Sex.** In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, the COUNTY agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. Parts 60 et seq., (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the Project. The COUNTY agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the COUNTY agrees to comply with any implementing requirements FTA may issue.
15.5.2.2 Age. In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 623 and Federal transit law at 49 U.S.C. § 5332, the COUNTY agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the COUNTY agrees to comply with any implementing requirements FTA may issue.

15.5.2.3 Disabilities. In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the COUNTY agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the COUNTY agrees to comply with any implementing requirements FTA may issue.

15.5.3 Subcontract. The COUNTY also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary to identify the affected parties.

Section 15.6. Disadvantaged Business Enterprise (DBE).

- 49 CFR Part 26

15.6.1 Background and Applicability. The newest version of the Department of Transportation's Disadvantaged Business Enterprise (DBE) program became effective July 16, 2003. The rule provides guidance to grantees on the use of overall and contract goals, requirement to include DBE provisions in subcontracts, evaluating DBE participation where specific contract goals have been set, reporting requirements, and replacement of DBE Contractors. Additionally, the DBE program dictates payment terms and conditions (including limitations on retainage) applicable to all contractors regardless of whether they are DBE firms or not.

The DBE program applies to all DOT-assisted contracting activities. A formal clause such as that below must be included in all contracts above the micro-purchase level. The requirements of clause subsection (b) flow down to subcontracts.
A substantial change to the payment provisions in this newest version of Part 26 concerns retainage (see section 26.29). Grantee choices concerning retainage should be reflected in the language choices in clause subsection (d).

15.6.1.1 This contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs. The national goal for participation of Disadvantaged Business Enterprises (DBE) is 10%. The CITY’s overall goal for DBE participation is 0.006%.

15.6.1.2 The COUNTY shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The COUNTY shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of this DOT-assisted contract. Failure by the COUNTY to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as Wisconsin Department of Transportation deems appropriate. Each subcontract the COUNTY signs with a county must include the assurance in this paragraph (see 49 CFR 26.13(b)).

15.6.1.3 The successful bidder will be required to report its DBE participation obtained through race-neutral means throughout the period of performance.

15.6.1.4 The COUNTY is required to pay its contractor’s performing work related to this contract for satisfactory performance of that work no later than 30 days after the COUNTY’s receipt of payment for that work from the Wisconsin Department of Transportation. In addition, the COUNTY may not hold retainage from its contractors.

15.6.1.5 The COUNTY must promptly notify the CITY, whenever a DBE county performing work related to this contract is terminated or fails to complete its work, and must make good faith efforts to engage another DBE county to perform at least the same amount of work.
15.6.1.6 The COUNTY may not terminate any DBE contractor and perform that work through its own forces or those of an affiliate without prior written consent of the CITY.

Section 15.7. Incorporation of Federal Transit Administration (FTA) Terms.

- FTA Circular 4220.1F

15.7.1 The preceding provisions include, in part, certain standard terms and conditions required by DOT, whether or not expressly set forth in the preceding contract provisions. All contractual provisions required by DOT, as set forth in FTA Circular 4220.1F are hereby incorporated by reference. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this agreement. The COUNTY shall not perform any act, fail to perform any act, or refuse to comply with any CITY requests which would cause the CITY to be in violation of the FTA terms and conditions.

Section 15.8. Termination.

- 49 U.S.C. Part 18
- FTA Circular 4220.1F

15.8.1 Applicability to Contracts. All contracts (with the exception of contracts with nonprofit organizations and institutions of higher education,) in excess of $10,000 shall contain suitable provisions for termination by the grantee including the manner by which it will be affected and the basis for settlement. (For contracts with nonprofit organizations and institutions of higher education, the threshold is $100,000.) In addition, such contracts shall describe conditions under which the contract may be terminated for default as well as conditions where the contract may be terminated because of circumstances beyond the control of the COUNTY.

15.8.1.1 Termination for Convenience (General Provision). The CITY may terminate this contract, in whole or in part, at any time by written notice to the COUNTY when it is in the government's best interest and in compliance with section 1.2 of this Agreement. The COUNTY shall be paid its costs, including contract close-out costs, and profit on work performed up to the time of termination. The COUNTY shall promptly submit its termination claim to the CITY. If the COUNTY has any property in its possession belonging to the CITY, the COUNTY will account for the same, and dispose of it in the manner the CITY directs.
15.8.1.2  *Termination for Default [Breach or Cause] (General Provision).* If the COUNTY does not deliver services in accordance with the contract delivery schedule, or if the contract is for services, the COUNTY fails to perform in the manner called for in the contract, or if the COUNTY fails to comply with any other provisions of the contract, the City may terminate this contract for default.

**ARTICLE XVI**

**CERTIFICATION OF COMPLIANCE WITH FTA CONTRACT CLAUSES**

Federal regulations state that recipients (and contractors) of specific FTA funds are required to comply with the established FTA access to records and reports requirements. *The BTS will not contract with any agency that does not comply with FTA regulations.*

All contractual provisions required by DOT, as set forth in FTA Circular 4220.1E, are hereby incorporated by reference. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this Agreement. The COUNTY shall not perform any act, fail to perform any act, or refuse to comply with any CITY requests which would cause City to be in violation of the FTA terms and conditions.
Agreed to this ______ day of _______________ 20____.

CITY OF BELOIT

By: __________________________
    Lori S. Curtis Luther
    City Manager

COUNTY OF ROCK

By: __________________________
    __________________________
    County Board Chairman

By: __________________________
    Lorena Rae Stottler
    City Clerk-Treasurer

By: __________________________
    __________________________
    County Clerk

APPROVED AS TO FORM:

By: __________________________
    __________________________
    Elizabeth Krueger
    City Attorney

Date: __________________________
EXHIBIT A
VEHICLE MAINTENANCE STANDARDS

GENERAL.
The obligation to provide safe transportation for all passengers using public transit services cannot be overstated. The public demands and expects that the highest standards be maintained in both driver operations and vehicle maintenance to achieve this goal. It is the intent of Beloit Transit System (“BTS”) to ensure that all vehicles used to provide ADA paratransit service are in the best possible mechanical condition to provide reliable, safe service to its customers on a continuing basis.

PREVENTIVE MAINTENANCE PROGRAM.
All vehicles used to provide service under this contract will be subject to a regularly scheduled preventive maintenance program in accordance with the vehicle manufacturer’s recommendations. All local, State and Federal regulations will be adhered to. Annual human service vehicle inspections must be performed and vehicles re-licensed by the appropriate State governing authority. This program may be carried out by employees of the County directly, and/or by a subcounty. If a subcounty is used, that person, firm, or organization shall be subject to all of the requirements of this section, and will also be subject to drug and alcohol testing requirements of the U.S. Department of Transportation for “safety sensitive personnel.”

1. Scheduled Maintenance. All vehicles used to provide service under this contract shall be subject to a regularly scheduled maintenance program, in accordance with the vehicle manufacturer’s recommendations. Historical records shall be kept of this servicing in accordance with Chapter Trans 330.04, “Motor Bus Equipment and Inspection” of the Wisconsin Administrative Code.

2. Vehicle Inspections.
   a. All vehicles used to provide service under this contract shall be required to pass an annual inspection as required by Chapter Trans 330.20, “Motor Bus Equipment and Inspection” or Chapter Trans 301, “Human Service Vehicles” of the Wisconsin Administrative Code. Records of these inspections shall be maintained as required by the regulation.
   b. In addition, all vehicles proposed to be used to provide service under this contract shall be inspected prior to the initiation of service under this contract, or if acquired after the initiation of service under this contract, prior to being placed in revenue
service. This inspection shall be performed by the Fleet Supervisor or his designee, using the state inspection criteria.

3. **Spot Inspections.** During the course of the contract, spot inspections of vehicles and maintenance records to ensure on-going compliance with these requirements may be made.

4. **Maintenance of Accessibility Features.** In accordance with Subpart G, § 37.161 and 37.163 of 49 CFR Part 37, all vehicle equipment and features which render the vehicle accessible to persons with disabilities shall be maintained in operational condition at all times. Verification that these features are operational and are being maintained as such shall be a part of all inspections carried out under Paragraph (b) of this Section.

5. **Vehicle Cleanliness and Appearance.** In order to portray the proper image of professionalism and safety to the public and our customers, the following cleanliness and appearance standards shall be observed:

a. **Vehicle Interior.**

   (1) Each vehicle used to provide service under this contract shall have the following interior cleaning done daily.
   (2) Sweep and mop floor, steps, etc.
   (3) Remove all trash from vehicle.
   (4) Wipe down dash and driver's compartment.
   (5) Wipe down stanchions and handrails.
   (6) Wipe down seats.
   (7) Wash inside of windshield and driver's side window.
   (8) Clean up any vandalism or graffiti.
   (9) Check for and report any other damage.

b. **Vehicle Exterior.**

   All vehicles used to provide service under this contract shall have the complete exterior washed not less than once each week. In addition, safety related items such as lights, mirrors, windows, and license plates shall be cleaned as necessary to maintain safety of operation.

c. **Exterior Body Damage.**

   No vehicle used to provide service under this contract shall be operated with major body damage which prevents the proper operation of any safety-related item on the vehicle, obstructs the
opening of any door, window, or emergency exit, or which presents a substantially disfigured appearance to the public. (Example: a dent in a door or quarter panel 6 in.—12 in. diameter or peeling paint would be permissible, damage where the door was rendered inoperative, a panel was bent out of its basic shape, or windows or lights were broken would be unacceptable). Except as an emergency repair to move the vehicle to a place of safety, taping doors or windows shut or the obstruction of any window is not permitted.

d. **Interior Body Damage.**

Any sharp protrusions, tripping hazards, loose seats or interior equipment likely to cause injury to a passenger are prohibited.

e. **Bloodborne Pathogens.**

Sufficient supplies shall be available to the driver to accomplish emergency or temporary cleanup of any soilage to the vehicle which may occur during the course of the operating day. This cleanup is intended to eliminate or remove conditions which may be potentially hazardous (bloodborne pathogens) or offensive to other passengers, or which may damage personal clothing or belongings of passengers. In extreme cases of this nature, the vehicle may have to be switched out until satisfactory cleaning can be accomplished.

*****
EXHIBIT B
INSURANCE REQUIREMENTS

The County shall, at County’s expense, procure the following insurance policies from insurance companies licensed to do business in the State of Wisconsin, with Best's ratings of no less than "A," in amounts and coverages not less than hereinafter set forth. All insurance companies and required endorsements shall be approved by the City prior to execution of this Contract. The County shall also require all subcontractors to procure identical insurance coverages to those required of the County herein.

1. General Public Liability Insurance:

The County shall procure a General Liability policy with the following standard limits:

- General Aggregate Limit (other than Products/Completed Operations) $2,000,000
- Products/Completed Operations Aggregate Limit $2,000,000
- Personal & Advertising Injury Limit $1,000,000
- Each Occurrence Limit $1,000,000
- Fire Damage Limit/Any One Fire N/A

The General Liability policy will include protection for:

(a) Bodily Injury and Property Damage Liability arising from premises operations, products and completed operations.
(b) Contract Liability coverage for this Contract and related contracts, including subcontracts.
(c) Coverage for bodily injury or personal injury inflicted by one County employee upon another.

2. Worker's Compensation and Employers' Liability Policy:

The County shall provide a Worker's Compensation policy with Employers' Liability coverage from a carrier licensed in Wisconsin providing standard limits.

3. Commercial Automobile Liability Insurance:

The County shall provide Automobile Liability insurance covering all vehicles and equipment used by the County in the performance of this Contract and all operators thereof in the amount of $1,000,000. The policy should cover:

(a) All owned, non-owned or hired vehicles.
(b) Uninsured/Underinsured Motorist Liability coverage at full policy limits.
(c) Cross-suits.
(d) Bodily injury and property damage for the transportation of mobile equipment by a vehicle used by the County in the performance of this Contract.

(e) Coverage for injuries caused by fellow employees.

(f) Contractual liability coverage for this Contract and related contracts, including subcontracts.

4. Certificate of Insurance:

The County shall provide the City with a certificate of insurance coverage required by this Contract. The certificate shall name the City as an additional insured and shall provide that the policies of insurance shall not be canceled or altered without 30 days prior written notice to the City. Said duty to notify the City of cancellation or alteration must be provided without any qualification or limitation. Such certificates shall be kept current for the duration of this agreement or during any further period of time wherein the County is under any duty of performance hereunder. The City shall be named as an additional insured on the general liability and automobile policies specified above and shall have the right to receive copies of all of the policies and endorsements thereto provided for herein upon reasonable demand therefore during the term of this agreement and for one year after its expiration.

*****
Overview/Background Information

Applicants for an Alcohol Beverage Operator’s (Bartender’s) License must apply (or renew) on a biennial basis. This process requires an application, proof that a responsible beverage server training course was completed, payment of the applicable fee and submission to a background check of the Beloit Police Department.

State law requires the City Council to act on all licenses prior to issuance. The attached resolution includes applicants received from November 25 - December 9, 2019 for license period July 1, 2019 - June 30, 2021.

Key Issues

1. The applicants being recommended for approval or denial have completed the following steps:
   a. Submitted a complete application and proof of responsible beverage server training, shown ID, paid applicable fees and submitted to a background investigation.
   b. Upon completion of the background investigation, the Police Department provides a recommendation for approval or denial to the Clerk-Treasurer.
   c. Applications recommended for denial are sent a letter stating the reasons for the recommendation of denial and the opportunity to appeal to the City Council. Applications recommended for approval and those that do not appeal are placed on the master list and submitted to City Council every two weeks for consideration.
   d. Upon Council action, City Clerk-Treasurer provides the necessary follow-up by issuing the license or sending a letter to the applicant stating the reason(s) for denial.
2. Section 125.17(1), Wis. Stats., requires the governing body to approved qualified applicants prior to issuance of the license.
3. This list includes 5 applicants taken between November 25 - December 9, 2019.
   a. Recommended for Approval - All applicants are recommended for approval.
   b. Recommended for Denial - None
4. This process is consistent with state statute as well as guidance from the League of Wisconsin Municipalities guidance for Municipal Licensing and Regulation of Alcohol Beverages.

Conformance with Strategic Plan

Approval of this action would conform with the stated purpose of the following strategic goal:

☐ Goal #1 - Create and Sustain Safe and Healthy Neighborhoods
☒ Goal #2 - Create and Sustain a High Performing Organization
☐ Goal #3 - Create and Sustain Economic and Residential Growth
☐ Goal #4 - Create and Sustain a High Quality of Life
☐ Goal #5 - Create and Sustain High Quality Infrastructure and Connectivity
☐ Goal #6 - Create and Sustain a Positive Image, Enhance Communications and Engage the Community

Sustainability

(If applicable, 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. Consider whether the policy or program will reduce dependence upon fossil fuels, reduce dependence on chemicals and other manufacturing substances that accumulate in nature, reduce dependence on activities that harm life sustaining eco-systems, and/or meet the hierarchy of present and future human needs fairly and efficiently. Write N/A if not applicable)

N/A

Action Required/Recommendation

Staff recommends approval of the Resolution.

Fiscal Note/Budget Impact
RESOLUTION 2019-181

RESOLUTION CONSIDERING THE APPROVAL OF APPLICANTS FOR AN ALCOHOL BEVERAGE OPERATOR’S (BARTENDER’S) LICENSE FOR YEARS 2019-2021

WHEREAS, the applicants listed in the attached document, which is incorporated herein by reference, have applied for operator’s licenses; and

WHEREAS, all of the applicants listed in the attached document are recommended by the Police Department and the City Clerk-Treasurer’s Office for approval.

NOW, THEREFORE, BE IT RESOLVED THAT the applicants recommended for approval are hereby approved for the period ending June 30, 2021. The City Clerk-Treasurer’s Office is directed to issue the license to the applicant(s).

Adopted this 16th day of December, 2019.

CITY COUNCIL FOR THE CITY OF BELOIT

________________________________
Regina Dunkin, Council President

ATTEST:

___________________________________
Lorena Rae Stottler, City Clerk-Treasurer
Each applicants pays $50 for a 2-year license and $35 for a 1-year license.

Attachments
Resolution, List of applicants.

Revised 05-24-2018
Applicants Recommended for Approval Through December 6, 2019

Cassidy, Ashley E. The Last Lap
Hounsell, Kimberly M. Club Ballyhoo/Tilleys
Hudson, Hannah L. Casey's General Store
Rowe, Darleen G. Lucy's #7 Burger Bar
Snook, Mehgahn S. Brass Rail

Year to Date: 527

Applicants recommended for Denial through December 6, 2019

N/A N/A
**Overview/Background Information**
City staff has drafted an Ordinance to amend six (6) sections of the Subdivision Ordinance related to design standards for new streets. The amendments are intended to address existing deficiencies in the Ordinance while lowering infrastructure costs associated with unnecessarily wide streets. The revised standards would only apply to subdivisions platted in the future after the effective date of the Ordinance.

### Key Issues

1. Section 1 of the attached Ordinance stipulates that a turnaround may be required for dead-end streets that will be extended in the future if necessary for fire department apparatus and/or trash & recycling collection. Section 2 of the attached Ordinance allows the City Engineer to increase minimum street widths and alter on-street parking allowances in non-residential areas. Section 3 is a technical correction.

2. Section 4 of the attached Ordinance retains the maximum cul-de-sac length of 600 feet for residential and 900 feet for non-residential streets, but clarifies that the cul-de-sac curb radius must comply with the fire code (NFPA) and designed to accommodate fire and DPW trucks. Section 5 of the attached Ordinance provides the City Engineer with the option of requiring increased street widths and altering on-street parking allowances.

3. Section 6 of the attached Ordinance decreases the minimum street width for subcollector and minor streets to 36 and 30 feet, respectively. This section also increases the minimum right-of-way width for cul-de-sacs to 66 feet and consolidates two categories of minor streets into one with parking allowed on both sides.

4. The Plan Commission reviewed this item on November 20, 2019 and voted unanimously (6-0) to recommend approval of the proposed Ordinance.

### Conformance with Strategic Plan
Approval of this action would conform with the stated purpose of the following strategic goal:

- Goal #1 - Create and Sustain Safe and Healthy Neighborhoods
- Goal #3 - Create and Sustain Economic and Residential Growth
- Goal #4 - Create and Sustain a High Quality of Life
- Goal #5 - Create and Sustain High Quality Infrastructure and Connectivity
- Goal #6 - Create and Sustain a Positive Image, Enhance Communications and Engage the Community

### Sustainability
Reducing the minimum street width will reduce the amount of pavement needed and may reduce maintenance costs.

### Action Required/Recommendation
- City Council consideration and 2nd reading of the proposed Ordinance

### Fiscal Note/Budget Impact
N/A

### Attachments
Proposed Ordinance No. 3672 and Staff Report to the Plan Commission
ORDINANCE NO. 3672

AN ORDINANCE TO AMEND SECTION 12.07(3) AND (6) OF THE SUBDIVISION ORDINANCE, CHAPTER 12 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF BELOIT PERTAINING TO STREET STANDARDS

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

Section 1. Section 12.07(3) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(3) STREET EXTENSIONS. Proposed street rights-of-way shall extend to the boundary lines of the tract being subdivided or developed unless prevented by topography or other physical conditions or unless, in the opinion of the appropriate City approval authority, such extension is not necessary or desirable for the coordination of the layout of the subdivision or condominium development or for the advantageous development of the adjacent tracts. A turnaround may be required if it meets the standards for dead-end roads or corridors in NFPA 1, 2012 Edition or if, in the opinion of the Public Works Director, he/she deems a turnaround necessary for refuse collection or snow/ice removal operations.”

Section 2. Section 12.07(6) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(6) STREET DIMENSIONAL STANDARDS. The minimum right-of-way width, roadway width, sidewalk requirements, and parking requirements for all proposed public streets shall be as specified in the following table. If the City's official map or components of the City's or metropolitan planning organization's comprehensive plan, transportation plan, or bikeways plan, provide for alternative requirements (such as an on-street bicycle lane) the City Engineer may substitute the alternative requirements for those listed in the table below. For subdivisions in non-residential zoning districts, the City Engineer may require the street width to be increased or may remove or reduce parking requirements for minor or subcollector streets.”

Section 3. Section 12.07(6)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) Cross-sections for freeways, expressways, parkways, and boulevard-all streets shall be based upon detailed engineering studies.”
Section 4. Section 12.07(6)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(c) Streets ending in a permanent cul-de-sac shall not exceed 600 feet in length in a residential or commercial development and 900 feet in length in an industrial development when measured from the centerline of the closest intersecting street up to, but not including, the cul-de-sac bulb. All permanent cul-de-sacs shall have a circular turn-around having a minimum right-of-way radius of 60 feet and a minimum outside curb radius of 40 feet that meets the standards established in the NFPA 1, 2012 Edition. All cul-de-sacs shall be designed to accommodate fire apparatus, solid waste vehicles, snow storage and snow/ice removal per the direction of the City Engineer."

Section 5. Section 12.07(6)(e) of the Code of General Ordinances of the City of Beloit is hereby created to read as follows:

"(e) If any of the following conditions exist in a residential development, the City Engineer may require the street width to be increased or parking to be reduced or removed:
1. A garage with less than two parking bays
2. Less than two parking spaces being provided in front of the garage
3. A driveway in front of the garage of less than 20 feet in length
4. A density of more than five dwelling units per acre
5. Special on-street parking generators exist in or near the development, such as parks, schools, churches, commercial businesses, sports and entertainment venues, or large multi-family dwellings"

Section 6. Section 12.07(6) Table 1: Minimum Street Design Requirements of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows

<table>
<thead>
<tr>
<th>Type of Street</th>
<th>Right-of-Way Width (feet)</th>
<th>Street Width (curb-face to curb-face) (feet)</th>
<th>Sidewalks Required</th>
<th>On-Street Parking Allowed?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial Street</td>
<td>100</td>
<td>52</td>
<td>Yes, both sides</td>
<td>No</td>
</tr>
<tr>
<td>Collector Street</td>
<td>70</td>
<td>38</td>
<td>Yes, both sides</td>
<td>Determined on a case-by-case basis</td>
</tr>
<tr>
<td>Subcollector Street</td>
<td>66</td>
<td><strong>38-36</strong></td>
<td>Yes, both sides</td>
<td>Yes, both sides</td>
</tr>
<tr>
<td>Minor Street 2-side-parking</td>
<td>66</td>
<td><strong>36-30</strong></td>
<td>Yes, at least one side</td>
<td>Yes, both sides</td>
</tr>
<tr>
<td>Minor Street 1-side-parking</td>
<td>60</td>
<td>30</td>
<td>Yes, at least one side</td>
<td>Yes, one-side</td>
</tr>
<tr>
<td>Cul-de-sac</td>
<td>60-66</td>
<td>30, if one-side parking</td>
<td>Yes, at least one side if over 400 feet in length</td>
<td>Yes, one side</td>
</tr>
<tr>
<td>-----------</td>
<td>-------</td>
<td>------------------------</td>
<td>--------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Alley</td>
<td>16</td>
<td>12</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

(Am. #3051)

NOTES:

1. All sidewalks shall be concrete and 5 feet in width.

2. One-sided parking shall be located on the south and east sides of the street unless otherwise determined by the City Engineer.

3. One-sided sidewalks shall be located on the north and west sides of streets unless otherwise determined by the City Engineer.

Adopted this ___ day of December, 2019.

CITY COUNCIL FOR THE CITY OF BELOIT

By: ________________________________________________________________
Regina Dunkin, President

ATTEST:

By: ________________________________________________________________
Lorena Rae Stottler, City Clerk-Treasurer

PUBLISHED: ________________________
EFFECTIVE DATE: _______________
REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: November 20, 2019
Agenda Item: 3(c)
File Number: RPB-2019-10

General Information

Applicant: Planning & Building Services Division
Owner: N/A
Address/Location: N/A
Applicant’s Request: Subdivision Ordinance Amendments

Staff Analysis

Overview: City staff has drafted an Ordinance to amend six (6) sections of the Subdivision Ordinance related to design standards for new streets. The amendments are intended to address existing deficiencies in the Ordinance while lowering infrastructure costs associated with unnecessarily wide streets. The revised standards would only apply to subdivisions platted in the future after the effective date of the Ordinance.

Key Issues:

1. Section 1 of the attached Ordinance stipulates that a turnaround may be required for dead-end streets that will be extended in the future if necessary for fire department apparatus and/or trash & recycling collection.
2. Section 2 of the attached Ordinance allows the City Engineer to increase minimum street widths and alter on-street parking allowances in non-residential areas. Section 3 is a technical correction.
3. Section 4 of the attached Ordinance retains the maximum cul-de-sac length of 600 feet for residential and 900 feet for non-residential streets, but clarifies that the cul-de-sac curb radius must comply with the fire code (NFPA) and be designed to accommodate fire and DPW trucks.
4. Section 5 of the attached Ordinance provides the City Engineer with the option of requiring increased street widths and altering on-street parking allowances.
5. Section 6 of the attached Ordinance decreases the minimum street width for subcollector and minor streets to 36 and 30 feet, respectively. This section also increases the minimum right-of-way width for cul-de-sacs to 66 feet and consolidates two categories of minor streets into one with parking allowed on both sides.

STAFF RECOMMENDATION:
The Planning & Building Services Division recommends approval of the attached Ordinance to amend six (6) sections of the Subdivision Ordinance related to design standards for new streets.

ATTACHMENTS: Public Notice and Proposed Ordinance.
NOTICE TO THE PUBLIC

November 5, 2019

To Whom It May Concern:

The Beloit City Council is considering an Ordinance to amend six sections of the Subdivision Ordinance, Chapter 12 of the Code of General Ordinances of the City of Beloit. The proposed amendments are related to design standards for newly platted streets. The proposed amendments are intended to modernize the Ordinance while lowering infrastructure costs associated with unnecessarily wide streets. The revised standards will only apply to subdivisions platted in the future after the effective date of the Ordinance. A copy of the proposed amendments is attached to this notice and is available at www.beloitwi.gov in the Document Center under Public Notices.

The following public hearings will be held regarding this proposed Ordinance:

City Plan Commission: Wednesday, November 20, 2019, at 7:00 PM, or as soon thereafter as the matter can be heard in the Engineering & Utilities Building, 2400 Springbrook Court.

City Council: Monday, December 2, 2019, at 7:00 PM, or as soon thereafter as the matter can be heard in the Engineering & Utilities Building, 2400 Springbrook Court.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.

Anyone bringing handouts to the Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

For additional information, please contact Drew Pennington, AICP in the Planning and Building Services Division at (608) 364-6711 or penningtond@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.
## Overview/Background Information

Planning staff has drafted an Ordinance to amend three sections of the City’s Sign Ordinance, Chapter 30 of the Code of General Ordinances. The proposed amendments will allow zero-setback buildings to have projecting address signs up to ten (10) square feet in area, subject to certain dimensional standards.

## Key Issues

1. This request was originally submitted by Hendricks Commercial Properties (HCP), in their attempt to increase the navigability of the Ironworks Campus with all of its new tenant spaces and somewhat hidden entrances. An example of the proposed address signs at Ironworks is attached.

2. The current Sign Ordinance limits the size of address signs to two (2) feet, and does not allow them to project/extend beyond the property line over the right-of-way unless located in the Central Business District (CBD). If a business in the CBD elects to erect a projecting address sign, the current Ordinance counts that sign against their overall sign allowance, which can discourage this practice.

3. The proposed Ordinance will allow buildings on the lot line (a/k/a zero-setback buildings) anywhere in the City to install a projecting address sign that does not count against their overall sign allowance. The projecting address sign must be at least ten (10) feet above the sidewalk and may not extend more than five (5) feet from the building. Further, the sign must be set back at least two (2) feet from the curb line. Address signs do not require a Sign Permit.

4. The Plan Commission reviewed this item on November 20, 2019 and voted unanimously (6-0) to recommend approval of the proposed Ordinance.

## Conformance with Strategic Plan

Approval of this action would conform with the stated purpose of the following strategic goal:

- Goal #1 - Create and Sustain Safe and Healthy Neighborhoods
- Goal #2 - Create and Sustain a High Performing Organization
- Goal #3 - Create and Sustain Economic and Residential Growth
- Goal #4 - Create and Sustain a High Quality of Life
- Goal #5 - Create and Sustain High Quality Infrastructure and Connectivity
- Goal #6 - Create and Sustain a Positive Image, Enhance Communications and Engage the Community

## Sustainability

(If applicable, 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. Consider whether the policy or program will reduce dependence upon fossil fuels, reduce dependence on chemicals and other manufacturing substances that accumulate in nature, reduce dependence on activities that harm life sustaining eco-systems, and/or meet the hierarchy of present and future human needs fairly and efficiently. Write N/A if not applicable)

N/A

## Action Required/Recommendation

- City Council consideration and 2nd reading of the proposed Ordinance

## Fiscal Note/Budget Impact

N/A

## Attachments

- Proposed Ordinance No. 3673 and Staff Report to the Plan Commission
ORDINANCE NO. 3673

AN ORDINANCE TO AMEND SECTIONS 30.11(2)(c), (f), and (i) OF THE OUTDOOR SIGN REGULATIONS, CHAPTER 30 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF BELOIT RELATING TO ADDRESS SIGNS

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

Section 1. Section 30.11(2)(c) of the Code of General Ordinances of the City of Beloit, is hereby amended as follows:

"(c) Not exceed 2 ten (10) square feet in area. No “on-premises, sign area bonus” applies to address signs."

Section 2. Section 30.11(2)(f) of the Code of General Ordinances of the City of Beloit, is hereby amended as follows:

"(f) Not be subject to setback requirements, except that address signs may project from a zero-setback building, provided that it shall be at least ten (10) feet above any sidewalk beneath, no higher than the roffline of the building, and shall project no further than five (5) feet horizontally from the wall of the building while maintaining a setback of at least two (2) feet from the curb line."

Section 3. Section 30.11(2)(i) of the Code of General Ordinances of the City of Beloit, is hereby amended as follows:

"(i) Not be counted as a primary or secondary; on-premises sign, or a Projecting Sign."

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

Adopted this __________ day of December 2019.

CITY COUNCIL FOR THE CITY OF BELOIT

By: ______________________________________
Regina Dunkin, Council President

ATTEST:

By: ______________________________________
Lorena Rae Stottler, City Clerk-Treasurer

PUBLISHED: _____________________________
EFFECTIVE DATE: __________________________
01-611100-5231-________________________
REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: November 20, 2019
Agenda Item: 3(d)
File Number: RPB-2019-11

General Information

Applicant: Planning & Building Services Division
Owner: N/A
Address/Location: N/A
Applicant’s Request: Sign Ordinance Amendments

Staff Analysis

Overview: Planning staff has drafted an Ordinance to amend three sections of the City’s Sign Ordinance, Chapter 30 of the Code of General Ordinances. The proposed amendments will allow zero-setback buildings to have projecting address signs up to ten (10) square feet in area, subject to certain dimensional standards.

Key Issues:

1. This request was originally submitted by Hendricks Commercial Properties (HCP), in their attempt to increase the navigability of the Ironworks Campus with all of its new tenant spaces and somewhat hidden entrances. An example of the proposed address signs at Ironworks is attached.

2. The current Sign Ordinance limits the size of address signs to two (2) feet, and does not allow them to project/extend beyond the property line over the right-of-way unless located in the Central Business District (CBD). If a business in the CBD elects to erect a projecting address sign, the current Ordinance counts that sign against their overall sign allowance, which can discourage this practice.

3. The proposed Ordinance will allow buildings on the lot line (a/k/a zero-setback buildings) anywhere in the City to install a projecting address sign that does not count against their overall sign allowance. The projecting address sign must be at least ten (10) feet above the sidewalk and may not extend more than five (5) feet from the building. Further, the sign must be set back at least two (2) feet from the curb line. Address signs do not require a Sign Permit.

STAFF RECOMMENDATION:
The Planning & Building Services Division recommends approval of the attached Ordinance to amend Sections 30.11(2)(c), (f), and (i) of the Outdoor Sign Regulations (i.e. Sign Ordinance), Chapter 30 of the Code of General Ordinances, relating to Address Signs.

ATTACHMENTS: Photo of Projecting Address Sign, Public Notice, and Proposed Ordinance.
NOTICE TO THE PUBLIC

November 5, 2019

To Whom It May Concern:

City of Beloit staff has drafted an Ordinance to amend three sections of the City’s Sign Ordinance, Chapter 30 of the Code of General Ordinances. The proposed amendments will allow zero-setback buildings to have projecting address signs up to ten square feet in area, subject to certain dimensional standards. The proposed Ordinance is available on the City’s website at www.beloitwi.gov under Document Center > Public Notices > 2019.

The following public hearings will be held regarding this proposed Ordinance:

City Plan Commission: Wednesday, November 20, 2019, at 7:00 PM, or as soon thereafter as the matter can be heard in the Engineering & Utilities Building, 2400 Springbrook Court.

City Council: Monday, December 2, 2019, at 7:00 PM, or as soon thereafter as the matter can be heard in the Engineering & Utilities Building, 2400 Springbrook Court.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.

Anyone bringing handouts to the Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

For additional information, please contact Drew Pennington, AICP in the Planning & Building Services Division at (608) 364-6711 or penningtongd@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.
### Topic
AN ORDINANCE TO AMEND SECTIONS 10.03(1), 10.07(2), 10.08, & 10.09(1) AND TO REPEAL SECTIONS 10.09(2) AND (3) OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF BELOIT RELATED TO ELECTRICAL PERMITTING AND INSPECTIONS

### Date
December 16, 2019

### Presenter
Julie Christensen

### Department
Community Development

### Overview/Background Information
The City is in the process of renewing our authorization to conduct Electrical Inspections. As part of this process, the WI Department of Safety and Professional Services (DSPS) has reviewed the City’s Electrical Code, Chapter 10 of the Code of General Ordinances, and has requested several minor amendments in order to bring the Code into strict compliance with the State Electrical Code by January 1, 2020. The attached Ordinance will comply with this requirement.

### Key Issues
1. Section 1 of the attached Ordinance adopts the State Electrical Code's requirements for when an Electrical Permit is required.
2. Section 2 of the attached Ordinance modifies the requirement for obtaining a permit retroactively due to emergency work conditions to achieve consistency with the State Electrical Code.
3. Section 3 adopts a new state law that will exempt existing industrial and manufacturing facilities from local inspections effective January 1, 2020.
4. Section 4 adopts the list of Electrical License exemptions in State Statutes.
5. Section 5 repeals two sections of the City’s Electrical Code that prohibit the use of another person’s Electrical License to obtain a permit, which is now pre-empted by State Statutes.

### Conformance with Strategic Plan
Approval of this action would conform with the stated purpose of the following strategic goal:

- Goal #1 - Create and Sustain Safe and Healthy Neighborhoods
- Goal #2 - Create and Sustain a High Performing Organization
- Goal #3 - Create and Sustain Economic and Residential Growth
- Goal #4 - Create and Sustain a High Quality of Life
- Goal #5 - Create and Sustain High Quality Infrastructure and Connectivity
- Goal #6 - Create and Sustain a Positive Image, Enhance Communications and Engage the Community

### Sustainability
(If applicable, 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. Consider whether the policy or program will reduce dependence upon fossil fuels, reduce dependence on chemicals and other manufacturing substances that accumulate in nature, reduce dependence on activities that harm life sustaining eco-systems, and/or meet the hierarchy of present and future human needs fairly and efficiently. Write N/A if not applicable)

N/A

### Action Required/Recommendation
City Council consideration and 1st and 2nd readings of the proposed Ordinance

### Fiscal Note/Budget Impact
N/A

### Attachments
Proposed Ordinance No. 3674
ORDINANCE NO. 3674

AN ORDINANCE TO AMEND SECTIONS 10.03(1), 10.07(2), 10.08, & 10.09(1)
AND TO REPEAL SECTIONS 10.09(2) AND (3) OF THE CODE OF GENERAL ORDINANCES
OF THE CITY OF BELOIT RELATED TO ELECTRICAL PERMITTING AND INSPECTIONS

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

Section 1. Section 10.03(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) PERMIT REQUIRED. No person shall commence electrical work in the City of Beloit until a permit is obtained in accordance with this chapter Wis. Admin. Code SPS §316.012(1)(a). Permits shall only be issued to an Electrical Contractor licensed by the State of Wisconsin, a person exempt under the provisions of §101.862(5) or (6), Wis. Stats., or to a homeowner as outlined below.”

Section 2. Section 10.07(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) EMERGENCY WORK. Pursuant to Wis. Admin. Code §316.012(1)(b), in under emergency work conditions, the person doing or causing work to be done shall report the same to the Electrical Inspector immediately after beginning work the necessary electrical wiring may commence without obtaining a permit, provided the owner of the premises where the installation is to occur or their agent submits a permit application, on forms furnished by the Electrical Inspector no later than the next business day after commencement of the installation and such work shall be in accordance with this chapter. The Electrical Inspector may waive the double fee required by section 10.04(1)(a) if the Electrical Inspector is satisfied that an emergency existed insofar that the person doing or causing the work to be done could not obtain a permit prior to performing the work.”

Section 3. Section 10.08 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) REQUIRED INSPECTIONS. Upon completion of the electrical work and before any electrical work is hidden from view, the Electrical Inspector shall be notified that the electrical work is ready for inspection. The Electrical Inspector shall inspect the electrical work within 2 business days of the time that the Electrical Inspector receives notice that the work is complete. A contractor, employee or homeowner doing his/her own work as permitted by §10.03(1)(b) shall be present for the final and all required inspections. If the Electrical Inspector finds that the electrical work complies with this chapter, the inspector shall approve the work and authorize concealment of the same. If the Electrical Inspector finds that the electrical work is incomplete or not in compliance with this chapter, the inspector shall issue an order to correct the work within 10 days.
Concealment of electrical work prior to inspection by the Electrical Inspector shall constitute a violation of this section. In addition, failure to comply with an order of an Electrical Inspector to correct a violation of this chapter shall constitute a violation of this section.

(2) **EXEMPTIONS.** Beginning January 1, 2020, existing industrial and manufacturing facilities will be exempt from the inspection requirements in §10.08(1).”

**Section 4.** Section 10.09(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) **LICENSE REQUIRED.** No person shall perform electrical work within the City without first having obtained an Electrical Contractor's license from the State of Wisconsin. This section does not prohibit those exempt under §101.862(4), (5) and (6), Wis. Stats., or a homeowner from performing electrical work in a house, when the house is owned and occupied by that person as a single-family residence provided a permit is obtained as required in §10.03.”

**Section 5.** Sections 10.09(2) and (3) of the Code of General Ordinances of the City of Beloit are hereby repealed.

Adopted this ___ day of December, 2019.

CITY COUNCIL FOR THE CITY OF BELOIT

By: ____________________________________________

Regina Dunkin, President

ATTEST:

By: ____________________________________________

Lorena Rae Stottler, City Clerk-Treasurer

PUBLISHED: ____________________________
EFFECTIVE DATE: ____________________________
01-611100-5231-__________________________
(CA file 19-1225)
APPOINTMENT REVIEW COMMITTEE
REPORT TO CITY COUNCIL
APPOINTMENT RECOMMENDATION

The undersigned Regina Dunkin, duly elected President of the Beloit City Council, subject to confirmation by the Beloit City Council, does hereby appoint the following citizen members to the vacancies and terms indicated below, said appointment being pursuant to nominations made and approved by Appointment Review Committee at the Regular meeting held December 9, 2019.

___________________________________
Regina Dunkin, President
Beloit City Council

Appointment

Appointee Review Committee
Incumbent Pamela J. George to a term ending December 31, 2022
Incumbent Rebecca Wallendal to a term ending December 31, 2022
Yusuf Haman Akin Adama, 1762 Poole Ct. (replacing Kurt Reynolds) to a term ending December 31, 2022

Municipal Golf Committee
Incumbent Olivia Cronin as the Youth Representative, to a term ending December 31, 2020
Incumbent Nicholas E. Hagen to a term ending December 31, 2022

PLEASE ANNOUNCE THE FOLLOWING VACANCIES

Alcohol Beverage License Control Committee (1 vacancy for resident, 1 vacancy for Tavern League Rep.)
Board of Appeals (3 vacancies for residents, 1 vacancy for 1st Alternate and 1 vacancy for 2nd Alternate)
Board of Review (1 vacancy for resident member [regular] and 2 vacancies for alternates)
Business Improvement District (3 vacancies for Owner Occupant and 1 vacancy for Resident at Large)
Community Development Authority (2 vacancies for residents)
Landmarks Commission (3 vacancies for residents)
Park, Recreation & Conservation Advisory Commission (1 vacancy for School District Representative)
Traffic Review Committee (2 vacancies for residents)