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1. CALL TO ORDER - ROLL CALL

A Board of Supervisors meeting of the Town of Beloit, Rock County Wisconsin was held at Fire Station #2, 2445 South Afton Road, Beloit Wisconsin on December 18, 2023. Town Chair Greenlee called the meeting to order at 6:00 pm. Public notice of the meeting was made by posting and faxing on December 15, 2023, a copy of the agenda to the Beloit Daily News, the Janesville Gazette, Radio Station WCLO, Radio Station WTJK and Radio Station WGEZ in accordance with Wisconsin Statutes. A copy of the agenda was posted at Fire Station #1, the police department and the McKearn Park shelter along with a copy on the Town of Beloit website at [www.townofbeloitwi.gov](http://www.townofbeloitwi.gov).

Town Clerk DeVault called the roll: Chair Greenlee, Supv. McMillan, Supv. Ross, Supv. Pelock and Supv. Kopp were present. Also, present were Administrator Wellnitz, Engineer McKearn, Finance Director Malizio, Community Development Director Kienbaum, Public Works Director Rose, Police Chief Jones, Code Enforcement Officer Pearson, several police officers and firefighters and several Town residents.

2. PLEDGE OF ALLEGIANCE

Chair Greenlee led the pledge of allegiance.

3. ADOPTION OF AGENDA

Supv. Ross made a motion to adopt the agenda. The motion was seconded by Supv. Kopp and carried without a negative vote.

4. PUBLIC NOTICE

- A) ADMINISTRATIVE OFFICES CLOSED, Monday, December 25<sup>th</sup>, Tuesday, December 26, 2023 & Monday, January 1<sup>st</sup>, Tuesday, January 2, 2024
- B) TOWN BOARD MEETING, Monday, January 8, 2024, 6:00 pm, Fire Station #1

5. CITIZENS PARTICIPATION, COMMUNICATION OR ANNOUNCEMENTS

There was no citizen participation, communications, or announcements.

6. LICENSE HEARINGS – FOOD, CLASS B PICNIC, PROVISIONAL & OPERATOR

Applications for a food license, a class B picnic license and an operator's license were presented to the Board. Supv. Pelock made a motion to approve the license applications as presented. The motion was seconded by Supv. Ross and carried without a negative vote.

Food

224-24 Rock County Cancer Coalition, Preservation Park, 3444 S. Riverside Drive

Class B Picnic

207 Rock County Cancer Coalition, Preservation Park, 3444 S. Riverside Drive

Operator

6118 Hanna R. Ruosch, Happy House Liquor, 1121 Elmwood Avenue, Beloit

7. PURCHASE ORDERS & BILLS

Supv. McMillan made a motion to approve the purchase orders and bills as presented. The motion was seconded by Supv. Kopp and carried without a negative vote. The following purchase requests were approved for payment: Brabazon/Title Team Group LLC - \$436,467.00, Aladtec - \$3,545.00, Devere Company - \$6,292.17, E & N Hughes - \$464,076.53, Frederick Quinn Corp - \$121,698.00, R. H. Batterman - \$8,875.00, Sandra Riese - \$3,562.58, Traffic & Analysis Design - \$25,128.00, Tree Wisemen - \$5,776.00, and Wisconsin Department of Transportation - \$7,095.31.

8. NEW BUSINESSA) Swearing in of Chad Navarre as Police Sergeant

Chair Greenlee swore in Chad Navarre as Police Sergeant.

B) Discussion and possible action on appointment of election inspectors

Supv. Kopp made a motion to appoint the list of election inspectors for 2024 – 2025 as presented. The motion was seconded by Supv. Ross and carried without a negative vote.

9. CONSIDER RECOMMENDATIONS FROM THE PLAN COMMISSIONA) David Belardi – Rezoning

RZ 23-11 Public hearing, discussion, and possible action on rezoning from R-1 Single Family Residential District to R-2 Single and Two-Family Residential District or R-3 Multifamily Residential District for the purpose of construction of One multi-family structure with 4 units, (2 bed, 1 bath) for the one-acre vacant property on Riverside Drive just north of 3307 S. Riverside Drive

Chair Greenlee called for the rezoning hearing for David Belardi. A copy of the Notice of Hearing is attached with these minutes along with the Proof of Publication. The Plan Commission recommended approval of the rezoning to either R-2 or R-3 provided the buyer brings the application for rezoning after approved sale of the property. There was no public comment. Chair Greenlee closed the public hearing. Supv. Pelock made a motion to table the application until the new owner submits proof of purchase. The motion was seconded by Supv. Kopp and carried without a negative vote.

B) Next Generation Construction LLC – Land Division

CS 23-17 Public hearing, discussion, and possible action on creation of 11 single family lots and one stormwater detention basin for the property located on Bartells Drive across from the Garden Prairie School at 3245 S. Bartells Drive

Chair Greenlee called for the land division hearing for Next Generation Construction. The Plan Commission recommended approval of the land division as presented. There was no public comment. Chair Greenlee closed the public hearing. Supv. Kopp made a motion to approve the land division as presented. The motion was seconded by Supv. Ross and carried without a negative vote.

C) Demetrius Jones – Conditional Use Permit

CU 23-07 Public hearing, discussion, and possible action on conditional use permit for the purpose of an indoor golf simulator with indoor alcohol sales for the property located at 2760 S. Bartells Drive

Chair Greenlee called for the conditional use permit hearing for Demetrius Jones. A copy of the Notice of Hearing is attached with these minutes along with the Proof of Publication. The Plan Commission recommended denial of the conditional use permit. Community Development Director Kienbaum explained that he had a conversation with Mr. Jones explaining to him that because what he is proposing is a change in use of the building that he would need to get state approvals and permits and he hasn't gotten a response back from him yet. Supv. Pelock made a motion to table this item until the issues have been addressed. The motion was seconded by Supv. Kopp and carried with a vote of 4-1. Supv. McMillan was opposed to the motion.

D) Marcus Dunlap – Conditional Use Permit amendment

CU 23-08 Public hearing, discussion, and possible action on an amendment to the existing conditional use permit for the purpose of continuation of a restaurant and tavern while expanding to outdoor use with an additional beer garden, volleyball courts and deck for the property located at 615 E. Cranston Road

Chair Greenlee called for the conditional use permit hearing for Marcus Dunlap. A copy of the Notice of Hearing is attached with these minutes along with the Proof of Publication. The Plan Commission recommended approval of the amendment with the conditions listed on the staff report. Marcus Dunlap was present and explained that he would like to be able to exercise his permit to the fullest like any other business is allowed to do. He stated that he currently closes at 9:00 pm and would like to be able to be open until 2:00 am. He would like to expand his beer garden and have an addition of volleyball courts. He stated that some of the concerns brought up by the neighbors he can appropriately come up with solutions to them and he feels he should be given a chance to do this.

Bobby Harmon, 2186 S. Riverside Drive commented that he is a customer and neighbor of Captain Jack's, and he thinks that these new owners are being wrongly judged based on

the previous owners of the building. He feels that allowing them to have the volleyball courts would give them a chance to get more revenue.

Linda Geyler, 2260 Genevieve Avenue commented that this was turned down about a year and a half ago and they have yet to see any improved plans for the new application. They are still hearing loud music here with deep reverberation inside her home even with the windows closed. They haven't seen any improvements here. They are very concerned about people coming into their backyards, especially with the addition of the volleyball courts.

Bill Thorson, 2425 Murphy Woods Road commented that his father lives at 2529 Herbert Drive and they hear more noise from Riverside Drive and Cranston Road with car radios, squealing tires and other vehicle noise. He would hate to see this be denied and them leaving it a vacant building. They are willing to put up a fence to keep his property safe and he should be given a chance to do this.

Matthew Conklin, 1233 Hackett commented that he has been working alongside Marcus to help get this business fixed up and make it the best it can be. He cannot recall a time where loud music has reverberated from inside the building. He works upstairs and cannot hear the music from below.

Chris Sweeney, 1211 Pierce, Rockford commented he has been involved with sound advancements and there is some amazing stuff out there to help deaden and absorb the sound and him putting up a fence will help protect the place as well.

Amy Hart Dunlap, 633 Northwestern commented that when they originally opened, they were only staying open until 9:00 to get rid of the negative behavior and the criminal activity with the prior business owners. Now they would like to be able to be open until normal bar hours. She stated that two weeks ago they had two music events for 15-year-old kids, and they played for only two hours, and they were very appreciative to be given the chance to play.

Linda Hart, South Beloit commented that she is a prep cook for Captain Jack's, and she knows that the customers won't be going into the neighbor's yards.

There was no further public comment. Chair Greenlee closed the public hearing. Supv. Kopp questioned if there have been any issues here with the police. Chief Jones stated that no, nor have there been any neighbor complaints. Chair Greenlee stated that there are conditions outlined on the staff report that they will have to adhere to. Supv. Kopp commented that he doesn't object to the normal hours, but he does object to the music on the outdoor deck. Supv. Pelock made a motion to approve the deck and dining and the changes in the hours minus the volleyball courts. There was no second to the motion. Supv. McMillan made a motion to approve the amendment as presented. There was no second to the motion. There was discussion on other options and maybe phasing in the volleyball courts at a later date. Supv. McMillan made a motion to approve the amendment as presented with the conditions listed on the staff report. The motion was seconded by Supv. Ross and carried with a vote of 3-2. Supv. Pelock and Kopp were opposed to the motion.

E) Zoning Ordinance updates and amendments

Public hearing, discussion and possible action on updates and amendments to the Zoning Ordinance

Chair Greenlee called for the public hearing for the Zoning Ordinance updates and amendments. Kienbaum went through a brief list of the changes. There was no public comment. Chair Greenlee closed the public hearing. Supv. Kopp made a motion to approve the updates and amendments as presented. The motion was seconded by Supv. Ross and carried without a negative vote.

10. ADJOURN

Supv. Ross made a motion to adjourn. The motion was seconded by Supv. McMillan and carried without a negative vote. The meeting adjourned at 7:09 pm.

Karry DeVault, WCMC