

**CITY OF BEAVER DAM, WISCONSIN  
COMMON COUNCIL MEETING AGENDA  
MONDAY, NOVEMBER 6, 2017  
@ 8:00 P.M.**

- 1) **CALL TO ORDER – ROLL CALL**
- 2) **PLEDGE – SILENT DELIBERATION**
- 3) **INFORMAL PUBLIC HEARING**
- 4) **ANNOUNCEMENTS**
- 5) **DISPOSITION OF MINUTES OF MEETING OF OCTOBER 16, 2017**
- 6) **COMMUNICATIONS**
- 7) **BILLS**
- 8) **ELECTION OF 10<sup>TH</sup> WARD ALDERPERSON**
- 9) **ORDINANCES**

**ORDINANCE NO. 23-2017**

**AN ORDINANCE AMENDING SECTION 6-1, INTOXICATING LIQUOR AND FERMENTED MALT BEVERAGES, SUBSECTION (2), CLASS A LIQUOR LICENSES, IN THE BEAVER DAM MUNICIPAL CODE.**

**THE COMMON COUNCIL OF THE CITY OF BEAVER DAM DO ORDAIN AS FOLLOWS:**

**SECTION I:** Section 6-1, Intoxicating Liquor and Fermented Malt Beverages, subsection (2), Class A liquor licenses, is amended by adding the following language to the end of paragraph (2)b as follows:

(2) *Class A liquor licenses.*

b. ....Grocery stores, as defined above, of a size between 15,000 to 25,000 square feet shall be exempt from the quota requirements of subsection (c )(2)a and the requirements of subsection (c )(2)b except that the total floor area for display and sale of all Class “A” products for sale shall not exceed 100 square feet. If the operating hours of this size grocery store are outside of alcohol non-sale hours as defined in Section 6-1(h) of this chapter, then the aforementioned 100 square foot display area shall be required to be enclosed and have the ability to be locked so as to render it inaccessible to customers and other non-privileged persons during non-sale hours, as those are defined in Section 6-1(h) of this chapter.

**SECTION II:** Said ordinance shall be effective upon its passage and publication.

First Reading – November 6, 2017

**ORDINANCE NO. 24-2017**

**AN ORDINANCE AMENDING CHAPTER 59, FLOODPLAINS, IN THE BEAVER DAM MUNICIPAL CODE**

**THE COMMON COUNCIL OF THE CITY OF BEAVER DAM DO ORDAIN AS FOLLOWS:**

**SECTION I:** In order to remain complaint with the minimum requirements of the National Flood Insurance Program and Chapter NR 116, Wisconsin Administrative Code, the City’s Floodplain ordinance must be amended as follows:

**Chapter 59, Floodplains, Section 1.5(2)(b), OFFICIAL MAPS: Based on other studies,** subparagraph 1, is repealed and recreated as follows:

**1.5(2)(b) OFFICIAL MAPS:** Based on other studies. Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

1. "Dam Removed Scenario" Inundation Mapping (7 sheets), Profile (4 sheets), and Floodway Data Table (1 sheet) for the Beaver Dam River bearing the Professional Engineer's seal of Uriah P. Monday, PE, of MSA Professional Services, dated 4/6/2016. Maps and data are derived from hydraulic modeling approved by Wisconsin DNR on 4/10/2017.

**SECTION II:** A copy of such amended Code has been on file and open for public inspection in the Office of the City Clerk for not less than two (2) weeks, as required by Section 66.0103, Wisconsin Statutes, and notice thereof was given by publication as a Class II notice on November 6, 2017 and November 13, 2017 in the Daily Citizen.

**SECTION III:** Said ordinance shall be effective upon its passage and publication.

First Reading – November 6, 2017

**ORDINANCE NO. 25-2017**

**AN ORDINANCE REMOVING PARKING ALONG THE NORTH AND EAST SIDES OF HOMESTEAD ROAD**

**THE COMMON COUNCIL OF THE CITY OF BEAVER DAM DO ORDAIN AS FOLLOWS:  
Section 62-50(d) of the Municipal Code is amended by adding:**

**SECTION I:** The north and east sides of Homestead Road from a point 200 feet west of the west line of Hiawatha Drive to a point 310 feet west of the west line of Hiawatha Drive.

**SECTION II:** Said ordinance shall be effective upon its passage and publication.

First Reading – November 6, 2017

**10) RESOLUTIONS**

**RESOLUTION NO. 130-2017**

**A RESOLUTION AUTHORIZING THE CITY OF BEAVER DAM TO PURCHASE TAX PARCEL NOS. 206-1114-0423-010, 206-1114-0422-244, 206-1114-0422-248, 206-1114-0422-249, 206-1114-0423-110, 206-1114-0423-111, AND 206-1114-0423-112 FROM DODGE COUNTY FOR THE TOTAL UNPAID DELINQUENT TAXES ON SAID PARCELS**

**WHEREAS,** the City of Beaver Dam has become aware that the following parcels located in the City of Beaver Dam with Dodge County Parcel Identification Numbers 206-1114-0423-010; 206-1114-0422-244; 206-1114-0422-248; 206-1114-0422-249; 206-1114-0423-110; 206-1114-0423-111; and, 206-1114-0423-112 ("the parcels") are tax delinquent; and,

**WHEREAS,** the parcels are located in the downtown area of the City of Beaver Dam bordering Ryan Cantafio's Way and South Center Street as depicted on Exhibit "A" attached hereto and incorporated herein and the acquisition and improvement or redevelopment thereof would be of benefit to the City of Beaver Dam; and,

**WHEREAS,** as of August 31, 2017, the total unpaid delinquent taxes for all parcels amounted to \$106,314.23 and the total interest and penalty for all parcels amounted to \$113,132.16, for a total outstanding amount of \$219,446.39; and,

**WHEREAS,** the City of Beaver Dam is interested in acquiring these parcels from Dodge County, has requested the conveyance of same and is willing to enter into an agreement pursuant to §75.365, Wis. Stats., with Dodge County, which provides for, among other requirements, the City of Beaver Dam paying to Dodge County the principal amount of unpaid taxes and other terms and conditions in exchange for Dodge County's taking of same by *in rem* tax foreclosure and conveying same to the City of Beaver Dam by Quit Claim Deed;

**SO, NOW, THEREFORE, BE IT RESOLVED,** by the Common Council of the City of Beaver Dam hereby approves:

1. The proposed agreement by and between the City of Beaver Dam and Dodge County, a draft copy of which is attached hereto as Exhibit "B";

2. The payment of the total unpaid delinquent taxes on said parcels at the time of Dodge County's acquisition of the parcels by *in rem* tax foreclosure proceedings; and,
3. Upon payment, the conveyance of the parcels as described herein and identified on Exhibit "A", by Quit Claim Deed by Dodge County to the City of Beaver Dam; and,

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk of Beaver Dam are hereby authorized and directed to enter into an agreement pursuant to §76.365, Wis. Stats., with Dodge County for the acquisition of the parcels upon Dodge County's acquisition of same with said agreement to be similar to that which is proposed and marked as Exhibit "B" providing for, among other terms and conditions, the City of Beaver Dam's acquisition of the parcels "as is" by Quit Claim Deed, indemnification of Dodge County from and against any liabilities related to the parcels, and payment of the principal amount of outstanding taxes due on the parcels at the time of Dodge County's commencement of foreclosure per §75.521, Wis. Stats.; and

**BE IT FINALLY RESOLVED**, that the Mayor and City Clerk of Beaver Dam are hereby authorized and directed to issue payment to Dodge County and execute those documents necessary to complete the conveyance of the parcels by Dodge County to the City of Beaver Dam by Quit Claim Deed.

**RESOLUTION NO. 131-2017**

**A RESOLUTION DEDICATING PROPERTY AS BEAVER DAM ROTARY RIVERWALK PARK, A CITY OF BEAVER DAM PUBLIC PARK**

**WHEREAS**, the Beaver Dam Rotary Club proposes to develop a Riverwalk park to be addressed as 110 West Mill Street; and

**WHEREAS**, the park consists of a 0.712 acre parcel being Lot 1 of the unrecorded Certified Survey Map attached hereto; and

**WHEREAS**, the Common Council desires to dedicate the property as a City of Beaver Dam public park for the use and enjoyment of all of its residents; and

**NOW, THEREFORE, BE IT RESOLVED** that the City of Beaver Dam dedicates the property as Beaver Dam Rotary Riverwalk Park, a City of Beaver Dam public park. This Resolution shall be recorded with the Office of the Register of Deeds for Dodge County, Wisconsin.

**RESOLUTION NO. 132-2017**

**A RESOLUTION AUTHORIZING THE CITY OF BEAVER DAM TO ENTER INTO A LETTER OF INTENT WITH CLEARAS WATER RECOVERY, INC. FOR THE PURCHASE AND INTEGRATION OF CLEARAS WATER RECOVERY'S ADVANCED BIOLOGICAL NUTRIENT RECOVERY TECHNOLOGY**

**WHEREAS**, the City of Beaver Dam has received a Letter of Intent with Clearas Water Recovery, Inc. (CWR) for the purchase and integration of Clearas Water Recovery's Advanced Biological Nutrient Recovery (ABNR) technology at the Beaver Dam Wastewater Treatment Facility.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Beaver Dam and CWR shall enter into the attached Letter of Intent, which appropriate City officials are authorized to execute on behalf of the City of Beaver Dam.

**RESOLUTION NO. 133-2017**

**A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BEAVER DAM WASTEWATER UTILITY AND APPLIED TECHNOLOGIES, INC.**

**WHEREAS**, the City of Beaver Dam proposes to enter into the attached Professional Services Agreement with Applied Technologies, Inc. of Brookfield, Wisconsin for engineering services to complete a Facility Plan in an amount not to exceed \$50,000.00; and

**WHEREAS**, funds are appropriated in the 2018 Wastewater Utility budget.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Beaver Dam and Applied Technologies, Inc. shall enter into the attached Professional Services Agreement, which appropriate City officials are authorized to execute on behalf of the City of Beaver Dam.

(Subject To Committee Approval)

**RESOLUTION NO. 134-2017**

**A RESOLUTION APPROVING LAND DIVISION OF CITY TAX PARCEL NO. 206-1114-0912-036 (711 MARSH TRAIL) BEING LOT 33, EAGLE’S VIEW SUBDIVISION ADDITION 1, PURSUANT TO PROPOSED (UNRECORDED) CERTIFIED SURVEY MAP ATTACHED HERETO AS “EXHIBIT A”**

**WHEREAS**, Jon and Andrea Larson, owners of 711 Marsh Trail, have petitioned the City of Beaver Dam for land division of City Tax Parcel No. 206-1114-0912-036 (711 Marsh Trail) and being part of Lot 33, Eagle’s View Subdivision Addition 1.

**NOW, THEREFORE, BE IT RESOLVED** that the land division of Parcel No. 206-1114-0912-036 (711 Marsh Trail) as shown on the proposed (unrecorded) Certified Survey Map is approved.

**RESOLUTION NO. 135-2017**

**A RESOLUTION APPROVING THE 2018 CONTRACT FOR STRAY ANIMAL SERVICES BETWEEN THE CITY OF BEAVER DAM AND THE DODGE COUNTY HUMANE SOCIETY**

**WHEREAS**, the City of Beaver Dam has negotiated a successor agreement with the Dodge County Humane Society to provide stray animal services.

**NOW THEREFORE BE IT RESOLVED**, that the Common Council of the City of Beaver Dam does hereby approve the attached 2018 Stray Animal Services Contract between the City of Beaver Dam and the Dodge County Humane Society, Inc. and the appropriate City officials are authorized to execute said contract on behalf of the City.

(Subject To Committee Approval)

**RESOLUTION NO. 136-2017**

**A RESOLUTION ACCEPTING A PROPOSAL TO PROVIDE EMPLOYEE HEALTH INSURANCE COVERAGE**

**WHEREAS**, the Administrative Committee at its October 30, 2017 meeting recommended approving the 2018 Budget to include accepting the proposal from Dean Health Plans to provide employee health insurance for 2018.

**NOW THEREFORE BE IT RESOLVED**, that the Common Council of the City of Beaver Dam does hereby accept the attached proposal from Dean Health Plans to provide employee health insurance in accordance with the attached plan designs for 2018 and;

**BE IT FURTHER RESOLVED;** that the appropriate City officials are hereby authorized to execute the appropriate documents on behalf of the City of Beaver Dam.

(Subject To Committee Approval)

**RESOLUTION NO. 137-2017**

**A RESOLUTION GRANTING BEVERAGE OPERATOR LICENSE(S)**

**BE IT HEREBY RESOLVED** that the following applicant(s) be granted a Beverage Operator’s License:

For one (1) year ending June 30, 2018:

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**BE IT FURTHER RESOLVED** that the following applicant(s) be granted a Beverage Operator’s License:

For two (2) years ending June 30, 2019:

(Subject To Committee Approval)

**RESOLUTION NO. 138-2017**

**A RESOLUTION ACCEPTING A PROPOSAL FROM RUNNING INC. TO PROVIDE SHARED RIDE TAXI SERVICES FOR THE CITY OF BEAVER DAM**

**WHEREAS**, the City did solicit and receive proposals from qualified bidders to provide the 2018 and 2019 shared ride taxi services for the City and;

**WHEREAS**, two (2) proposals were received, reviewed and scored by the Source Selection committee in accordance with Department of Transportation purchasing guidelines.

**NOW THEREFORE BE IT RESOLVED**, that the Common Council of the City of Beaver Dam does hereby approve the attached proposal from Running Inc. to provide shared ride taxi service for the years 2018 and 2019 for the service hour rate of 27.65 for both years and;

**BE IT FURTHER RESOLVED**; that the appropriate City officials are hereby authorized to execute the appropriate documents on behalf of the City of Beaver Dam and;

**BE IT FURTHER RESOLVED**; that any approvals granted are contingent upon the city receiving continued state and federal grant funding for the shared ride taxi service.

(Subject To Committee Approval)

**\*\*\*CLOSED SESSION\*\*\***

The Council may consider entering into Closed Session under the provisions of Wisconsin State Stat. 19.85(1) (g), Conferring with legal counsel for the governmental body who is rendering oral or written advise concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, or more specifically to: **Discuss the Proposed Settlement Agreement with the Wisconsin Department of Natural Resources (“WDNR”) for Settlement of the City’s Petition Challenging the 2014 Wisconsin Pollution Discharge Elimination System (“WPDES”) Permit.**

The Council may reach a consensus in the closed session to reconvene the meeting back into Open Session following the Closed Session to formally dispose of only matters that were discussed in the Closed Session that may be ready for disposition.

**RESOLUTION NO. 139-2017**

**A RESOLUTION AUTHORIZING THE CITY OF BEAVER DAM TO ENTER INTO AN AGREEMENT WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES (“WDNR”) FOR SETTLEMENT OF THE CITY’S PETITION CHALLENGING THE 2014 WISCONSIN POLLUTION DISCHARGE ELIMINATION SYSTEM (“WPDES”) PERMIT**

**WHEREAS**, the City of Beaver Dam has received a Settlement Proposal from the WDNR (see memo attached hereto) to settle the City’s Petition challenging the 2014 WPDES Permit.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Beaver approves the Settlement Agreement and authorizes City personnel to execute documents to complete the settlement.

**11) ADJOURNMENT**

*"Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the City Clerk’s office at 887-4600, Ext. 338, with as much advance notice as possible."*