

**CITY OF BEAVER DAM, WISCONSIN
COMMON COUNCIL MEETING AGENDA
MONDAY, MAY 21, 2018
@ 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 THE COMMON COUNCIL MEETING OF
MAY 7, 2018**
- 6) **COMMUNICATIONS**
- 7) **BILLS**
- 8) **ORDINANCES**

ORDINANCE NO. 6-2018

**AN ORDINANCE AMENDING CHAPTER 46, NUISANCES, SECTION 46-3, AFFECTING
HEALTH, IN THE BEAVER DAM MUNICIPAL CODE**

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

SECTION I: Chapter 46, NUISANCES, Sec. 46-3, Affecting health, is amended, in part, as follows:

CHAPTER 46. NUISANCES.

Sec. 46-3. Affecting health.

(6) *Destruction of noxious weeds and cutting of grass and shrubbery.*

a. *Notice.* The Parks and Forestry Supervisor shall annually, on or before May 15, publish as required by state law a notice that every person is required by law to destroy all noxious weeds and cut grass and shrubbery on lands in the City which he or she owns, occupies, or controls. A joint notice with other towns or municipalities may be utilized.

b. *Noxious weeds, grass, and shrubbery defined.* As provided for in Wis. Stats. Sec. 66.96(2), the City shall require that all noxious weeds shall be destroyed prior to the time in which such plants would mature to the bloom or flower state. The growth of noxious weeds and grass in excess of six inches in height from the ground surface shall be prohibited within the City corporate limits. Noxious weeds, grass, and shrubbery shall include any weed, grass, shrubbery, or similar plant growth which, if allowed to pollinate, would cause or produce hay fever in human beings or would cause a skin rash through contact with the skin, or such other growth necessary to prevent an unkempt appearance of the premises, or be allowed to deteriorate to such a condition as to be a seriously blighting influence on the surrounding property or neighborhood.

c. *Improper growth of weeds, grasses, and shrubbery nuisance.*

1. It shall be a public nuisance...to permit or maintain any growth of noxious weeds, grass, and/or lawns over six inches in height from the ground or to keep any unkempt shrubbery except for property located in a designated floodplain area and/or wetland area.

d. *Notice; removal.* The Parks and Forestry Supervisor shall serve as the City's Weed Commissioner. It shall be the duty of the Parks and Forestry Supervisor or his or her designated agent...Such notice shall be sent by the City through door hangers placed on the front door of the occupied premises or through letter mailed to the unoccupied premises. Notification will be made only on the first offense annually, any reoccurring violations during said growing season may be abated by the enforcement officer as such offense shall be charged to and paid by such property owner.

e. *Abatement after notice.*

1. If the person so served...Expenses shall also include administrative fees for each notification incurred of \$20.00, in addition to the administrative fees that follow:

The administrative fees...Within 60 days after such costs and expenses are incurred and remain unpaid, the Parks and Forestry Supervisor shall enter those charges onto the tax roll as a special tax as provided by the state statutes.

2. The failure of the Parks and Forestry Supervisor to record such claim or mail such notice...

f. *Exemption.* All City parks and large parcel commercial lots out of residential areas that support agricultural crops and are regularly maintained and limit noxious or rank growth to eight inches are exempt.

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

First Reading – May 7, 2018

ORDINANCE NO. 7-2018

AN ORDINANCE AMENDING SECTION 50-7, LOUD AND UNNECESSARY NOISE, IN THE BEAVER DAM MUNICIPAL CODE

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

SECTION I: Section 50-7, Loud and unnecessary noise, is repealed and recreated as follows:

50-7. Loud and unnecessary noise.

(a) No person shall make or cause to be made any loud, disturbing or unnecessary sounds or noises as may tend to annoy or disturb a person of ordinary sensibilities in or about any public street, alley, park, or any residential area in the jurisdictional limits of the City of Beaver Dam.

(b) No person shall use sound amplification equipment, allow construction, maintenance of structures and/or infrastructure, or make any other loud, disturbing or unnecessary sounds or noises in the jurisdictional limits of the City of Beaver Dam during the nighttime hours of 11:00 p.m. and 6:00 a.m.

(c). Any person violating this section shall be subject to policy review and/or punishable pursuant to Section 1-9 of the Beaver Dam Municipal Code.

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

First Reading – May 7, 2018

ORDINANCE NO. 8-2018

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF BEAVER DAM PURSUANT TO WIS. STATS. SEC. 66.0217(2) (DIRECT ANNEXATION)

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

SECTION I: Section 1-14. – Annexations and detachments, (a) is hereby amended by annexing the territory as described and shown in the “Annexation Map” attached hereto and made a part hereof:

Direct annexation of 75.929 acres more or less, being Parcel A and Parcel B of Plat of Survey, being Township of Beaver Dam Tax Parcel No’s. 004-1214-2622-000, and 004-1214-2623-002, being part of the Northwest ¼ and part of the Southwest ¼ of the Northwest ¼ of Section 26 T12N, R14E, along with part of the N. Crystal Lake Road and County Trunk Highway B rights-of-way.

SECTION II: Said territory, upon its annexation, is added to the Thirteenth Ward of the City of Beaver Dam.

SECTION III: Said territory, upon its annexation, is hereby zoned R-1 Single-Family Residential District pursuant to Sec. 70-84 of the Municipal Code.

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

First Reading – May 7, 2018

ORDINANCE NO. 9-2018

AN ORDINANCE REZONING CITY TAX PARCEL NO. 206-1214-2722-014 BEING LOT 1 OF CSM NO. 6720 FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO MULTI-FAMILY RESIDENTIAL DISTRICT

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

SECTION I: Section 70-82, Official Zoning Map, is hereby amended by withdrawing City Tax Parcel No. 206-1214-2722-014 being Lot 1 of CSM No. 6720 from R-1 Single-Family Residential District and inserting the same in Multi-Family Residential District.

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

First Reading – May 7, 2018

9) **RESOLUTIONS**

RESOLUTION NO. 51-2018

A PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS UNDER SECTION 66.0703 (4) WISCONSIN STATUTES OF 2015-2016

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Beaver Dam, Wisconsin, hereby declares its intention to exercise its police power under Section 66.0703 (4) Wisconsin Statutes, to levy special assessments upon properties within the following described area for benefits conferred upon such properties by the following improvements:

AREA TO BE IMPROVED AND NATURE OF IMPROVEMENTS

NORTH SPRING STREET RECONSTRUCTION PROJECT AS FOLLOWS:

I. NORTH SPRING STREET – WEST MAPLE AVENUE TO WEST MACKIE STREET

A. Street improvement including concrete pavement, curb and gutter, concrete sidewalk, concrete driveway aprons, pavement marking, and street lighting.

II. The total amount assessed against such district shall not exceed the total cost of the improvements. The Common Council determines that such improvements shall be made under the police power and the amount assessed against each parcel shall be based on assessments per City Ordinances existing at the time of the Public Hearing.

III. The Director of Facilities and Engineering is directed to prepare a report consisting of:

- A. Preliminary plans and specifications for said improvements.
- B. An estimate of the entire cost of the proposed improvements.
- C. Schedule of proposed estimated assessments.
- D. A finding of whether or not the abutting properties are benefited by the proposed improvements.

Upon completing such report, the Director of Facilities and Engineering is directed to file a copy thereof in the City Clerk’s office for public inspection.

IV. Upon receiving the Report of the Director of Facilities and Engineering, the Clerk is directed to give a Class 1 Notice of Public Hearing, unless waived pursuant to 66.0703 (7) (b), on such report as specified in Sec 66.0703 (7) (a), Wisconsin Statutes.

V. The assessments against any abutting parcel may be paid in cash or in the manner provided in accordance with said above referenced City Ordinances.

RESOLUTION NO. 52-2018

A RESOLUTION APPROVING THE ATTACHED STATE/MUNICIPAL AGREEMENT FOR A STATE LET HIGHWAY SAFETY IMPROVEMENT PROGRAM PROJECT

WHEREAS, the City of Beaver Dam proposes to enter into the attached State/Municipal Agreement for a Highway Safety Improvement Program Project (Project ID 3887-01-02/72, Gateway Drive).

NOW, THEREFORE, BE IT RESOLVED that the City of Beaver Dam and the State of Wisconsin Department of Transportation shall enter into the attached Agreement which appropriate City officials are authorized to execute on behalf of the City of Beaver Dam.

RESOLUTION NO. 53-2018

A RESOLUTION APPROVING 2018 FEDERAL AND STATE OPERATING ASSISTANCE CONTRACTS BETWEEN THE CITY OF BEAVER DAM AND THE STATE OF WISCONSIN

WHEREAS, The City of Beaver Dam is receiving Federal and State funds to assist in financing the operating costs of the public transportation service known as the Beaver Dam Shared-ride Taxi for the period of January 1, 2018 through December 31, 2018;

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Beaver Dam does hereby enter into the attached 2018 Small Urban Operating Assistance Contracts between the City of Beaver Dam and the State of Wisconsin and the appropriate City officials are hereby authorized to execute said contracts on behalf of the City.

(Subject To Committee Approval)

RESOLUTION NO. 54-2018

A RESOLUTION APPROVING A FEDERAL CAPITAL ASSISTANCE CONTRACT BETWEEN THE CITY OF BEAVER DAM AND THE STATE OF WISCONSIN

WHEREAS, City of Beaver Dam has been approved to receive Federal funds to assist in financing the capital costs of the public transportation service known as the Beaver Dam Shared-ride Taxi for the period of January 1, 2018 through December 31, 2018.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Beaver Dam does hereby enter into the attached Federal Capital Assistance Contract between the City of Beaver Dam and the State of Wisconsin and the appropriate City officials are hereby authorized to execute said contract on behalf of the City.

(Subject To Committee Approval)

RESOLUTION NO. 55-2018

A RESOLUTION RECOGNIZING REED CHRYSLER DODGE JEEP RAM, INC. FOR LEASING A 2018 CHRYSLER PACIFICA AUTOMOBILE TO THE CITY OF BEAVER DAM

WHEREAS, Reed Chrysler Dodge Jeep Ram, Inc. has offered to lease a 2018 Chrysler Pacifica automobile to the City of Beaver Dam for a one year term beginning May 31, 2018 at the cost of One Dollar (Lease attached hereto).

NOW, THEREFORE, BE IT RESOLVED that the City of Beaver Dam approves the Lease and expresses its sincere appreciation to Reed Chrysler Dodge Jeep Ram, Inc. for graciously leasing said vehicle to the City. The appropriate city officials shall execute documents to complete the same.

(Subject To Committee Approval)

RESOLUTION NO. 56-2018

A RESOLUTION TO APPROPRIATE A GRANT FROM THE STATE OF WISCONSIN TO THE FIRE DEPARTMENT

WHEREAS, the Beaver Dam Fire Department has received a grant from the State of Wisconsin to be used to provide education and outreach training to help senior care facility employees identify the warning signs of a stroke.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Beaver Dam does hereby appropriate a grant in the amount of \$1,500.00 from the Miscellaneous Grants Account (010000-427000) to the Fire Department Coverdell Stroke Program account (010325-580001).

(Subject To Committee Approval)

RESOLUTION NO. 57-2018

BE IT HEREBY RESOLVED, that the following organization be granted a Special Class "B" License for the sale of Fermented Malt Beverages at picnics or similar gatherings for:

No. 51 Beaver Dam Chamber of Commerce
 (Great Beaver Paddle Festival)
 Waterworks Park
 End of Denning Avenue at Beaver Dam Lake
 June 9, 2018 (10:30 a.m. – 5:30 p.m.)

(Subject To Committee Approval)

RESOLUTION NO. 58-2018

BE IT HEREBY RESOLVED, that the following organization be granted a Special Class "B" License for the sale of Fermented Malt Beverages at picnics or similar gatherings for:

No. 52 Beaver Dam Chamber of Commerce
 Taste of Wisconsin
 127 S. Spring Street & block in front of building
 Spring Street between Washington and Front Streets
 11:30 a.m. – 4:30 p.m.
 June 16, 2018

(Subject To Committee Approval)

RESOLUTION NO. 59-2018

BE IT HEREBY RESOLVED, that the following organization be granted a Special Class "B" License for the sale of Fermented Malt Beverages at picnics or similar gatherings for:

No. 53 Beaver Dam Chamber of Commerce
 (Beaver Dam Pepper Festival)
 Park Village Shopping Center
 834 Park Avenue (parking lot to the west of Shopko)
 September 8, 2018 (8:30 a.m. – 4:30 p.m.)

(Subject To Committee Approval)

RESOLUTION NO. 60-2018

BE IT HEREBY RESOLVED, that the following organization be granted a Special "Class B" License for the sale of Wine at picnics or similar gatherings under s. 125.51(10), Wis. Stat. for:

No. 54

Beaver Dam Chamber of Commerce

(Wine Tour)

At the following locations:

La Mia Boutique – 103 E. Maple Avenue

Bullfrogs & Butterflies – 106 Front Street

Design Plus Embroidery – 139 Front Street

McKinstry's Home Furnishing – 131 Front Street

American National Bank – 115 Front Street

Twisted Sisters – 112 S. Spring Street

Beaver Dam Chamber – 127 S. Spring Street

October 12, 2018 (4:30 p.m. – 9:30 p.m.)

(Subject To Committee Approval)

10) 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."