

**CITY OF BEAVER DAM, WISCONSIN
COMMON COUNCIL MEETING AGENDA
MONDAY, DECEMBER 3, 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 NOVEMBER 19, 2018**
- 6) **COMMUNICATIONS**
- 7) **BILLS**
- 8) **PRESENTATION BY ROB MINNEMA, DIRECTOR OF UTILITIES, REGARDING BEAVER DAM WATER AND SEWER INFRASTRUCTURE**
- 9) **ORDINANCES**

ORDINANCE NO. 25-2018

AN ORDINANCE AMENDING SECTION 54-9, SNOW AND ICE REMOVAL, SUBPARAGRAPH (a), SIDEWALKS TO BE KEPT CLEAR, IN THE BEAVER DAM MUNICIPAL CODE

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

SECTION I: Section 54-9, Snow and ice removal, subparagraph (a), Sidewalks to be kept clear, in the Beaver Dam Municipal Code is repealed and recreated as follows:

(a) Sidewalks and curb ramps to be kept clear.

1. The owner or occupant of any lot or parcel shall promptly, daily remove all snow and ice which may have fallen or accumulated upon the sidewalk in front of such lot or parcel, provided that when ice has so formed that it cannot be removed, the owner or occupant shall keep the ice sprinkled with a material which will prevent the sidewalk from being dangerous to pedestrians.

2. The owner or occupant of a lot or parcel abutting sidewalks on two intersecting streets shall remove all snow and ice from the sidewalks of both street, including that portion of the sidewalks bordering the crosswalk, including the entire curb ramp, if any, through the snow plow line to the cleared street, regardless of the source of the snow or ice accumulation. In the event sidewalk snow or ice shall become frozen so hard that it cannot practically be removed, the owner or occupant shall keep the sidewalk effectively sprinkled with sand, salt, or other suitable materials which will prevent the sidewalk and curb ramp, if any, from being dangerous to pedestrians, and shall promptly clean such sidewalk as soon as weather permits.

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

First Reading – November 19, 2018

ORDINANCE NO. 27-2018

AN ORDINANCE AMENDING SECTION 34-71, MANAGEMENT OF LEAD ACID BATTERIES, MAJOR APPLIANCES, WASTE OIL, YARD WASTE AND WASTE TIRES, SUBSECTION (2), MAJOR APPLIANCES, IN THE BEAVER DAM MUNICIPAL CODE

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

SECTION I: Section 34-71. Management of lead acid batteries, major appliances, waste oil, yard waste and waste tires, subsection (2), *Major appliances*, is repealed and recreated as follows:

(2) *Major appliances*. Appliances requiring recycling that contain refrigerant material, including refrigerators, freezers, air conditions and dehumidifiers, shall be disposed of by contacting local private salvage yards. All waste appliance generators in the City may dispose of any major appliances, not containing refrigerants, at the City drop-off site located at the City garage, 640 South Center Street, during normal operating hours.

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

First Reading – December 3, 2018

ORDINANCE NO. 28-2018

AN ORDINANCE AMENDING SECTION 34-72, PREPARATION AND COLLECTION, IN THE BEAVER DAM MUNICIPAL CODE

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

SECTION I: Section 34-72. Preparation and collection, subparagraphs (3), (5), and (6) are repealed and recreated as follows:

(3) Corrugated paper or other container board shall be free of debris and shall be flattened and placed in the approved recycling container and placed at the curb line on the designated day of collection.

(5) Magazines shall be placed in the approved recycling container and placed at the curb line on the designated day of collection.

(6) Newspaper shall be placed in the approved recycling container and placed on the curb line on the designated day of collection.

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

First Reading – December 3, 2018

ORDINANCE NO. 29-2018

AN ORDINANCE CREATING SECTION 66-40, LEAD OR GALVANIZED WATER SERVICE LINE REPLACEMENT, IN THE BEAVER DAM MUNICIPAL CODE

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

SECTION I: Section 66-40, Lead or galvanized water service line replacement, is created in the Beaver Dam Municipal Code as follows:

Sec. 66-40. - Lead or galvanized water service line replacement.

(1) *Intent and purpose*. The common council of the city finds that it is in the public interest to establish a comprehensive program for the removal and replacement of lead or galvanized water service lines in use within the city utilities water system and, to that end, declares the purposes of this section to be as follows:

(a) To ensure that the water quality at every tap of utility customers meets the water quality standards specified under the federal law;

(b) To reduce the lead in city drinking water to meet the Environmental Protection Agency (EPA) standards and ideally to a lead contaminant level of zero in city drinking water for the health of city residents;

(c) To eliminate the constriction of water flow caused by mineral rich groundwater flowing through lead or galvanized water service pipes and the consequent buildup of mineral deposits inside lead or galvanized pipes;

(d) To meet the Wisconsin Department of Natural Resource (WDNR) requirements for local compliance with the Lead and Copper Rule (see 56 CFR 6460, 40 CFR parts 141.80—141.90 and Wis. Admin. Code §§ NR 809.541—809.55).

(2) *Water system reconstruction (water main replacement).*

(a) *Inspection required.* The utility water superintendent or his designee shall inspect all private connections to the public water main designated for replacement at the time that the utility system is to be reconstructed:

1. Any existing private lead or galvanized water lateral shall be considered illegal.

2. Prior to the actual reconstruction of the water main and lateral system, each property owner shall be given written notice of the project. Such notice shall be made not less than 60 days prior to commencement of the actual work.

3. As the reconstruction progresses, the utility water superintendent or his designee shall inspect each private water lateral connection for the presence of lead or galvanized pipe, in the event inspection had been made previously, determine the condition of the private water connection from inspection records.

4. In the event that the private water lateral is not lead or galvanized, the city shall reconnect the same to the utility system at an appropriate point near the right-of-way line.

5. In the event that the private water lateral is found to contain lead or galvanized pipe, the utility water superintendent or his designee shall immediately notify the owner in writing of that fact.

(b) *Owner to replace lead or galvanized service.* The owner shall, at the owner's expense, replace the lead or galvanized service. In all cases, the city shall supply an appropriate connection point as part of its work. The owner may elect to:

1. Contract with licensed contractor to complete the repair. All work needed to accomplish the repair shall be done at the expense of the owner. Within 30 days of the giving of notice of deficiency under subsection (2)(a)5 of this section, proof of arrangements for repair shall be provided to the utility water superintendent or his designee and within 30 days of the giving of notice the repairs shall be completed.

2. Have the city contractors, if available, complete the repair.

a. The city may, as part of any project, request unit bid prices for the calculation of the cost of making appropriate repair to the private building water laterals.

b. If available, and should the owner select this option, the owner will be charged the entire cost of making the repair. The owner may elect to pay the entire amount upon completion of the work, or the owner may request to be billed in annual installments plus interest, as provided in Section 54-8(k)(1-4) of this Code.

(3) *Utility Water Lateral Replacements*

(a) *Customer initiated Lateral replacement.* If the customer wishes to replace their portion of the water service lateral, the Utility will coordinate with the homeowner and replace the Utility owned portion of the lateral if it is lead or galvanized.

(b) *Utility initiated Lateral replacement.* If the Utility is required to excavate a water lateral that is leaking or needs to be replaced as part of a utility repair project, the Utility will replace the Utility owned portion of the water lateral if it is lead or galvanized. The homeowner will be required to replace their portion of the water lateral if it is lead or galvanized pipe. The Utility will give notice with a reasonable amount of time for the homeowner to replace the private portion of the lateral. The homeowner will have the option of utilizing section (2)(b) of code 66-40 for the repair and costs. If the homeowner refuses to comply with this requirement section (4) of code 66-40 will be implemented.

(4) *Authority to discontinue service.* As an alternative to any other methods provided for obtaining compliance with the requirements of this Code regarding replacement of illegal private water laterals, the utility may, no sooner than 60 days after the giving of notice as provided in subsection (2)(a)5 of this section, discontinue water service to such property served by illegal private water lateral after reasonable notice and an opportunity for hearing before the city Operations Committee under Wis. Stats. Chapter 68.

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

First Reading – December 3, 2018

ORDINANCE NO. 30-2018

AN ORDINANCE CREATING SECTION 66-41, SANITARY SEWER LATERALS, IN THE BEAVER DAM MUNICIPAL CODE

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

SECTION I: Section 66-41, Sanitary Sewer Laterals, is created in the Beaver Dam Municipal Code as follows:

Sec. 66-41. – Sanitary Sewer Laterals.

- (1) *Intent and purpose.* The common council of the city finds that it is in the public interest to establish a comprehensive program for the reduction of I & I (Inflow & Infiltration) through the replacement of aging sewer main and laterals, and the identification of areas of I & I for main or lateral replacement or rehabilitation. The purposes of this section to be as follows:
 - (a) To prevent significant water inflow and infiltration into the City’s sanitary sewer system and to protect public health, safety and welfare by assuring that Private Laterals are tested, inspected, maintained and repaired or replaced.
 - (b) To confirm that sewer laterals are maintained and free of defective conditions, including excessive I & I.
- (2) *Definition of a “Private Sewer Lateral”.* The City of Beaver Dam Utilities responsibility for the sanitary sewer lateral shall be within the paved roadway (from the sewer main to the curb or road pavement edge). The portion of the lateral from the curb or road pavement edge to and throughout the premises shall be defined for the purposes of this ordinance as the “Private Sewer Lateral” and is the full responsibility of the owner.
- (3) *Sanitary system reconstruction (sewer main replacement).*
 - (a) *Inspection required.* The utility superintendent or his designee shall televise all private sewer lateral connections to the public sanitary sewer main designated for replacement at the time that the utility system is to be reconstructed:
 1. Prior to the actual reconstruction of the sewer main and lateral system, each property owner shall be given written notice of the project. Such notice shall be made not less than 60 days prior to commencement of the actual work.
 2. The following shall be considered a defect for a private lateral...*Any visible leak; Evidence of pipe or joint deterioration; Root intrusion through the pipe joint or existing crack; A misaligned pipe segment or sag; A downspout, drain, or other connection that allows stormwater to enter the sanitary sewer system.*

3. In the event that the private sewer lateral is not defective or not allowing excessive I & I into the sanitary system, the city shall reconnect the same to the utility system at an appropriate point near the right-of-way line.

4. Any existing private sewer lateral not meeting the requirements of this section regarding defects or excessive I & I shall be considered illegal and in need of replacement or repair.

5. The property owner will be given a written notice and recommendation by the Utility Director or his designee for the method of repair. Options may include open cut construction, slip lining (6 inch laterals only), pipe bursting or any other method allowed by State Code.

(b) *Owner to replace the private portion of the sanitary sewer lateral.* The owner shall, at the owner's expense, replace the defective sewer lateral. The repair or replacement of the Private Lateral to the sanitary sewer shall conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the City. In all cases, the city shall supply an appropriate connection point as part of its work. The owner may elect to:

1. Contract with licensed contractor to complete the repair. All work needed to accomplish the repair shall be done at the expense of the owner. Within 30 days of the giving of notice of deficiency under subsection (2)(a)5 of this section, proof of arrangements for repair shall be provided to the utility superintendent or his designee and within 30 days of the giving of notice the repairs shall be completed.

2. Have the city contractors, if available, complete the repair.

a. The city may, as part of any project, request unit bid prices for the calculation of the cost of making appropriate repair to the private sewer laterals.

b. If available, and should the owner select this option, the owner will be charged the entire cost of making the repair. The owner may elect to pay the entire amount upon completion of the work, or the owner may request to be billed in annual installments plus interest, as provided in Section 54-8(k)(1-4) of this Code.

(4) *Authority to repair or replace a defective lateral.* As an alternative to any other methods provided for obtaining compliance with the requirements of this Code regarding replacement of illegal private sewer laterals, no sooner than 60 days after the giving of notice as provided in subsection (3)(a)5 of this section, the Utility retains the right to make the repair or replacement as necessary at the expense of the property owner. Reasonable notice and an opportunity for hearing before the city Operations Committee under Wis. Stats. Chapter 68 will be provided to the property owner before this step is taken.

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

First Reading – December 3, 2018

10) RESOLUTIONS

RESOLUTION NO. 138-2018

A RESOLUTION HONORING LINDA CARNEY FOR HER YEARS OF SERVICE TO THE CITY OF BEAVER DAM

WHEREAS, Linda Carney began her career with the City of Beaver Dam on May 15, 2000 working in the City Clerk's office as a Confidential Secretary; and

WHEREAS, on January 1, 2008, Linda was promoted to the position Deputy City Clerk where she served with distinction until her retirement on November 15, 2018; and

WHEREAS, the professionalism and concern for the community that Linda has demonstrated in all of her activities has been a positive influence on the community.

NOW, THEREFORE, BE IT RESOLVED that Mayor Rebecca Glewen, the City of Beaver Dam Common Council and the residents of the City of Beaver Dam, do hereby tender their deep appreciation for the dedication and service of Linda Carney as Confidential Secretary and Deputy City Clerk for the City of Beaver Dam and also express their sincere wishes to Linda for a happy and healthy retirement.

RESOLUTION NO. 139-2018

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR A WISCONSIN ECONOMIC DEVELOPMENT CORPORATION COMMUNITY DEVELOPMENT INVESTMENT GRANT

WHEREAS, State monies are available under the Wisconsin Economic Development Corporation Community Development Investment (WEDC-CDI) program; and

WHEREAS, the Common Council must authorize the preparation and filing of a grant application in order for the City to receive funding through this program; and

WHEREAS, after public meeting and due consideration the Administrative Committee has recommended that a WEDC-CDI grant application be submitted to WEDC to assist with funding downtown redevelopment projects.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Beaver Dam does approve and authorize the City to prepare and file an application for funds under the WEDC-CDI program in accordance with this resolution; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to take all steps necessary to prepare and file the grant application for WEDC-CDI funding.

(Subject To Committee Approval)

RESOLUTION NO. 140-2018

A RESOLUTION TO APPROPRIATE A DONATION FROM THE ALLIANT ENERGY FOUNDATION TO THE POLICE DEPARTMENT

WHEREAS, the Police Department received a donation from the Alliant Energy Foundation to be used toward the purchase ballistic shields.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Beaver Dam does hereby appropriate \$1,000.00 from the Donations & Contributions Account (010000-484100) to the Police Department Shooting Range Supplies Account (010320-530015).

(Subject To Committee Approval)

RESOLUTION NO. 141-2018

A RESOLUTION CHARGING OFF DELINQUENT ACCOUNTS RECEIVABLE

BE IT HEREBY RESOLVED, that the Common Council of the City of Beaver Dam does hereby charge off the attached listing of delinquent accounts receivable to the appropriate expense accounts in the amount of \$4,150.34.

BE IT FURTHER RESOLVED, that said delinquent accounts receivable shall be turned over to the City Attorney or collection agency for further processing.

(Subject To Committee Approval)

RESOLUTION NO. 142-2018

A RESOLUTION GRANTING BEVERAGE OPERATOR LICENSE(S)

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

For two (2) years ending June 30, 2020:

No(s): 202 - 204

(Subject To Committee Approval)

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."