

**City of Beaver Dam, Wisconsin
COMMON COUNCIL PROCEEDINGS
MONDAY, FEBRUARY 4, 2019**

The regular meeting of the Common Council was called to order at 8:00 p.m. by Mayor Becky Glewen. **Present: Abfall, Anderson, Appenfeldt, Ballweg, Burnett, Davidson, Doyle, Fischer, Hansen, Loizzo, Morgan, Nelson, Olson, 13. Absent and Excused: Henriksen, 1.**

PLEDGE TO FLAG/SILENT DELIBERATION

Fire Chief Mannel appeared to present Deputy Chief Matt Christian with his EFO Certificate for completing the National Fire Academy. Firefighters/Paramedics Matt Weidler and Hunter Resop were presented EMS Lifesaving Awards for their efforts in saving a patient in cardiac arrest on September 18, 2018.

Mayor Glewen announced there is a meeting February 6, at 6:00 p.m. at Bayside Supper Club for "Save our Dodge County Lakes and Rivers". On February 8 the Beaver Dam High School students are holding a fundraiser "Pasta with a Purpose" from 5:00 – 7:30 p.m. at the high school. Second Harvest Food Pantry is providing food to those in need on Saturday, February 9, from 8:00 – 11:00 a.m. at Moraine Park Technical College. This is a great volunteer opportunity. There will be a Patriot Tour meeting on February 12 at 6:30 p.m. at Hogz and Honeez. This will be the 10 year celebration of this veteran fundraiser. The EMS follow-up discussion meeting is rescheduled for February 13, 7:00 p.m. at the Hustisford Town Hall. A reminder, Valentine's Day is February 14th.

Motion by **Olson**, second by **Morgan**, to dispense with the reading and approve the minutes of the January 21, 2019, meeting of the Common Council, and accept them as officially recorded into the records in the City Clerk's office, carried by acclamation.

Director of Administration/City Clerk John Somers read his retirement/resignation letter after 23 years of service to the City; with a retirement date no later than April 30, 2019.

I submit for your approval the invoices in the amount of \$581,469.15.

John Somers, City Clerk

Motion by **Davidson**, second by **Nelson**, to pay the invoices in the amount of \$581,469.15, carried by acclamation.

I submit for your approval the invoices from Interquest Corp. in the amount of \$14,605.74.

John Somers, City Clerk

Motion by **Morgan**, second by **Doyle**, to pay the invoices from Interquest Corp. in the amount of \$14,605.74, carried by acclamation with one "No" (Anderson), and one "Abstention" (Davidson).

Ordinance No. 1-2019, Adding a Four-Way Stop on Warren Street at its Intersection with Webster Street, was given its second reading.

After brief discussion motion by **Olson**, second by **Loizzo**, to table Ordinance No. 1-2019 and Ordinance No. 2-2019 to a future meeting, carried by the following roll call vote: **Ayes: Abfall, Appenfeldt, Ballweg, Burnett, Davidson, Doyle, Hansen, Loizzo, Morgan, Nelson, Olson, 11. Noes: Anderson, Fischer, 2**

Motion by **Davidson**, second by **Hansen**, to suspend the rules and read Ordinance No. 3-2019 by title only, carried by acclamation.

Ordinance No. 3-2019, Amending Section 62-50(s), Parking of Vehicles on Residential-Use Properties, Subsections (2), Definitions, and (3) Prohibitions, in the Beaver Dam Municipal Code, was given its first reading. Second reading and public hearing will be held February 18, 2019.

Ordinance No. 4-2019, Amending Section 42-241, Enumeration, Regarding Fees and Charges, in the Beaver Dam Municipal Code, was given its first reading. Second reading and public hearing will be held February 18, 2019.

Ordinance No. 5-2019, Amending Section 62-50, Parking Restrictions, Subsection (C), Night Parking Restricted During Snow Removal Season, in the Beaver Dam Municipal Code, was given its first reading. Second reading and public hearing will be held February 18, 2019.

Motion by **Olson**, second by **Ballweg**, to suspend the rules and read Ordinance No. 6-2019 by title only, carried by acclamation.

Ordinance No. 6-2019, Creating Section 10-31, Animals Prohibited in Certain Areas, in the Beaver Dam Municipal Code, was given its first reading. Second reading and public hearing will be held February 18, 2019.

Ordinance No. 7-2019, was tabled to a future meeting.

RESOLUTION NO. 12-2019

A RESOLUTION APPROVING THE ATTACHED VACANT LAND OFFER TO PURCHASE FOR MIDDLETON TERRACE, LLC, AND/OR ITS ASSIGNS, TO PURCHASE THE NORTHERN MOST FIVE ACRES OF LOT 1, (AS SHOWN ON THE ATTACHED CSM 6990), LOCATED IN THE BEAVER DAM BUSINESS PARK WITH AN OPTION TO PURCHASE THE REMAINDER OF LOTS 1 AND 2 (AS SHOWN ON CSM 6990), WITHIN 18 MONTHS FROM CLOSING ON THE INITIAL LOT PURCHASE

WHEREAS, the City of Beaver Dam proposes to enter into the attached Vacant Land Offer to Purchase with Middleton Terrace, LLC, and/or its assigns, (hereafter referred to as "Middleton"), for the purchase by Middleton, of the northernmost five acres of Lot 1 (as shown on the attached CSM 6990) located in the Beaver Dam Business Park for the purchase price of \$199,500.00, or five acres at \$39,900.00 per acre; and

WHEREAS, paragraph 5.02, *Land/Building Ratio* (attached hereto) of the recorded Protective Covenants for the Beaver Dam Business Park states that the minimum square feet/buildable acres for an office is 4,000 sq. ft. and industrial is 5,000 sq. ft. As Middleton's initial construction will be approximately 9,000 to 10,000 sq. ft. on the northernmost five acres of Lot 1, the City of Beaver Dam wishes to waive the Protective Covenants with regard to this paragraph 5.02 to allow for the initial construction by Middleton.

WHEREAS, Middleton Terrace, LLC, and/or its assigns shall have an option to purchase the balance of Lots 1 and 2 (as shown on the attached CSM 6990 - approximately 5.155 acres) within 18 months following the closing for same price of \$39,900.00 per acre.

NOW, THEREFORE, BE IT RESOLVED that the attached Vacant Land Offer to Purchase between the City of Beaver Dam and Middleton Terrace, LLC, and/or its assigns, and the Waiver of paragraph 5.02 of the Protective Covenants for the Beaver Dam Business Park is hereby approved and appropriate city officials are authorized to execute the same on behalf of the City of Beaver Dam.

Presented by the following Alderpersons, members of the Community Development Committee: Hansen, Ballweg

Adopted February 4, 2019

John Somers, City Clerk

Approved: February 4, 2019

Rebecca Glewen, Mayor

Jeff Gillis appeared before the council on behalf of Middleton Terrace LLC to address questions and comments.

The preceding resolution was adopted by the following roll call vote: **Ayes: Anderson, Appenfeldt, Ballweg, Burnett, Davidson, Doyle, Fischer, Hansen, Loizzo, Morgan, Nelson, Olson, Abfall, 13. Noes: None.**

RESOLUTION NO. 13-2019

A RESOLUTION AWARDED THE CONTRACT FOR PROFESSIONAL DESIGN ENGINEERING SERVICES FOR 2019 ROOSEVELT DRIVE IMPROVEMENTS PROJECT

WHEREAS, City of Beaver Dam proposes to enter into the attached Standard Form Agreement with MSA Professional Services, Inc. for professional engineering services in connection with Design, Bidding/Contracting and Construction services; and

WHEREAS, the lump sum fee for the work is \$65,200.00. Funds are available in the Capital Improvements Program Account.

NOW, THEREFORE, BE IT RESOLVED that the contract for Professional Design Engineering Services for 2019 Roosevelt Drive Improvements Project be and is hereby awarded to, MSA PROFESSIONAL SERVICES, INC., Beaver Dam, Wisconsin, for the total proposal cost of \$65,200.00, which appropriate City officials are authorized to execute on behalf of the City of Beaver Dam.

Presented by the following Alderpersons, members of the Operations Committee: Olson, Ballweg, Loizzo, Doyle, Abfall, Fischer
Adopted February 4, 2019
John Somers, City Clerk
Approved: February 4, 2019
Rebecca Glewen, Mayor

After council deliberation, motion by **Anderson**, second by **Nelson**, to table Resolution No. 13-2019 and Resolution No.14-2019 was defeated by the following roll call vote: **Ayes: Nelson, Anderson, 2. Noes: Ballweg, Burnett, Davidson, Doyle, Fischer, Hansen, Loizzo, Morgan, Olson, Abfall, Appenfeldt, 11.**

After discussion, the preceding resolution was adopted by the following roll call vote: **Ayes: Burnett, Davidson, Doyle, Fischer, Hansen, Loizzo, Morgan, Nelson, Olson, Abfall, Appenfeldt, Ballweg, 12. Noes: Anderson, 1.**

RESOLUTION NO. 14-2019

A RESOLUTION AWARDING THE CONTRACT FOR PROFESSIONAL DESIGN ENGINEERING SERVICES FOR 2019 FRONT STREET NORTH ALLEY RECONSTRUCTION PROJECT

WHEREAS, the City of Beaver Dam proposes to enter into the attached Standard Form Agreement with MSA Professional Services, Inc. for professional engineering services in connection with Design, Bidding/Contracting and Construction services; and

WHEREAS, the lump sum fee for the work is \$12,850.00. Funds are available in the Capital Improvements Program Account.

NOW, THEREFORE, BE IT RESOLVED that the contract for Professional Design Engineering Services for 2019 Front Street North Alley Reconstruction Project be and is hereby awarded to, MSA PROFESSIONAL SERVICES, INC., Beaver Dam, Wisconsin, for the total proposal cost of \$12,850.00, which appropriate City officials are authorized to execute on behalf of the City of Beaver Dam.

Presented by the following Alderpersons, members of the Operations Committee: Olson, Ballweg, Loizzo, Doyle, Abfall, Fischer
Adopted February 4, 2019
John Somers, City Clerk
Approved: February 4, 2019
Rebecca Glewen, Mayor

After discussion, the preceding resolution was adopted by the following roll call vote: **Ayes: Davidson, Doyle, Hansen, Loizzo, Morgan, Olson, Abfall, Appenfeldt, Ballweg, Burnett 10. Noes: Fischer, Anderson, 2. Abstain: Nelson, 1.**

RESOLUTION NO. 15-2019

A RESOLUTION TO APPROPRIATE A DONATION FROM FRITZ C. FRIDAY TO THE PARKS, RECREATION & FORESTRY DEPARTMENT

WHEREAS, the Beaver Dam Parks, Recreation & Forestry Department has received a donation from Fritz C. Friday for the installation of a kayak launch at the end of Oneida Street.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Beaver Dam does hereby express gratitude to Fritz C. Friday for his generous donation and appropriates said donation in the amount of \$25,480 from the Donations and Contributions Account (010000-484100) to the Parkland Dedication Account (010000-239232).

Presented by the following Alderpersons, members of the Administrative Committee: Davidson, Appenfeldt, Burnett, Morgan, Nelson, Anderson, Hansen

Mayor thanked Mr. Friday for the generous donation in remembrance of Jade Wilson.

After discussion, the preceding resolution was adopted by the following roll call vote: **Ayes: Doyle, Fischer, Hansen, Loizzo, Morgan, Nelson, Olson, Abfall, Anderson, Appenfeldt, Ballweg, Burnett, Davidson, 13. Noes: None.**

Adopted February 4, 2019
John Somers, City Clerk
Approved: February 4, 2019
Rebecca Glewen, Mayor

RESOLUTION NO. 16-2019

BE IT HEREBY RESOLVED that the following applicant be granted a Tavern Dance License under the provisions of Section 6.2 of the Municipal Code for the year beginning July 1, 2018 and ending June 30, 2019:

No.(s)

16. Ooga Brewing Company301 South Spring Street

Presented by the following Alderpersons, members of the Administrative Committee: Davidson, Appenfeldt, Burnett, Morgan, Nelson, Anderson, Hansen

Adopted February 4, 2019
John Somers, City Clerk
Approved: February 4, 2019
Rebecca Glewen, Mayor

Discussion regarding the dance license being the only license the city will have to approve for this business as the state issues liquor licenses for breweries. Director of Administration Somers confirmed the establishment would still be governed by the city's Demerit Point Ordinance.

The preceding resolution was adopted by the following roll call vote: **Ayes: Fischer, Hansen, Loizzo, Morgan, Nelson, Olson, Abfall, Anderson, Appenfeldt, Ballweg, Burnett, Davidson, Doyle, 13. Noes: None.**

RESOLUTION NO. 17-2019

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): 212
213

Presented by the following Alderpersons, members of the Administrative Committee: Davidson, Appenfeldt, Burnett, Morgan, Nelson, Anderson, Hansen

Adopted February 4, 2019
John Somers, City Clerk
Approved: February 4, 2019
Rebecca Glewen, Mayor

The preceding resolution was adopted by the following roll call vote: **Ayes: Hansen, Loizzo, Morgan, Nelson, Olson, Abfall, Anderson, Appenfeldt, Ballweg, Burnett, Davidson, Doyle, Fischer 13. Noes: None.**

Motion by **Hansen**, second by **Olson**, to adjourn, carried by acclamation. The meeting adjourned at 8:45 p.m.

John Somers, City Clerk
City of Beaver Dam, Wisconsin