

**CITY OF BEAVER DAM, WISCONSIN  
COMMON COUNCIL MEETING AGENDA  
MONDAY, MARCH 4, 2019  
@ 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 FEBRUARY 18, 2019**
- 6) **COMMUNICATIONS**
- 7) **BILLS**
- 8) **ORDINANCES**

**ORDINANCE NO. 8-2019**

**AN ORDINANCE CREATING SECTION 10-32, ANIMAL DEFECATION ON PUBLIC OR PRIVATE PROPERTY REGULATED, IN THE BEAVER DAM MUNICIPAL CODE**

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

**SECTION I: Section 10-32. Animal Defecation on Public or Private Property Regulated, is created as follows:**

- (1) No owner or keeper shall suffer or permit any animal to defecate upon any property other than that of animal owner or keeper without immediately causing such defecation to be removed therefrom and properly disposed of. Proper disposal of animal waste shall be limited to burial where lawfully permitted, bagging for disposal in the owner or keeper's waste receptacle or a waste receptacle designated for animal waste in a public park or park area, and flushing in the toilet.
  - a. As provided in section 34-4 of this Code, The health officer or the board of health may abate health nuisances in accordance with law.
- (2) No owner or keeper of any animals shall appear on any sidewalk, street, park or other public area or on any private property neither owned nor occupied by said person without the means of removal of any feces left by the animal.
- (3) No owner or caretaker of an animal shall permit such animal to urinate, defecate, or expel other bodily fluids onto an elevated balcony, porch, or platform, if said balcony, porch, or platform is located above property owned or rented by another person.
- (4) Owners or keepers of animals that are working in their official police capacity are exempt from this ordinance in situations where safety or professional duties would be compromised.
- (5) Except as otherwise provided, any person who shall violate any provision of this chapter shall be subject to a penalty as provided in section 1-9 of this Code.

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

First Reading – March 4, 2019

- 9) **RESOLUTIONS**

**RESOLUTION NO. 8-2019**

**A RESOLUTION APPROVING THE ATTACHED MARKETING AGREEMENT BETWEEN THE CITY OF BEAVER DAM AND UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. d/b/a SERVICE LINE WARRANTIES OF AMERICA FOR THEIR COMPANY TO MARKET AND OFFER SEWER AND WATER LINE LATERAL WARRANTIES TO THE RESIDENTS OF THE CITY OF BEAVER DAM**

**WHEREAS**, the City of Beaver Dam desires to offer residential property owners the opportunity, but not the obligation, to purchase a service line warranty and other similar products for sewer and water line laterals between the mainlines and the connection on residential private property; and

**WHEREAS**, the City of Beaver Dam has received the attached Marketing Agreement to market and offer the products to residential property owners in the City of Beaver Dam.

**NOW, THEREFORE, BE IT RESOLVED** that the Marketing Agreement between the City of Beaver Dam and Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America is hereby approved and City officials are authorized to execute the same.

(Subject To Committee Approval)

**RESOLUTION NO. 22-2019**

**A RESOLUTION AWARDDING THE CONTRACT FOR A PROFESSIONAL SERVICES AGREEMENT FOR THE CITY OF BEAVER DAM’S SWAN PARK MASTER PLAN 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 development of a master plan for Swan Park; and

**WHEREAS**, the lump sum fee for the work is \$19,000.00. Funds are available in the Capital Outlay and Subdivision Development Accounts.

**NOW, THEREFORE, BE IT RESOLVED** that the contract for a Professional Services Agreement for the City of Beaver Dam’s Swan Park Master Plan Project be and is hereby awarded to, MSA PROFESSIONAL SERVICES, INC., Beaver Dam, Wisconsin, for the total proposal cost of \$19,000.00, which appropriate City officials are authorized to execute on behalf of the City of Beaver Dam.

**RESOLUTION NO. 23-2019**

**A RESOLUTION AWARDDING THE CONTRACT FOR 2019 AGGREGATE DELIVERY SERVICE**

**WHEREAS**, the Operations Committee of the Common Council of the City of Beaver Dam, Wisconsin did advertise and receive sealed firm quotations for the captioned contractual service; and

**WHEREAS**, three (3) firm quotations were received and are on file in the City Engineering Department Office.

**NOW, THEREFORE, BE IT RESOLVED** that the contract for said 2019 aggregate delivery service be and is hereby awarded to LINCK AGGREGATES, INC., Beaver Dam, WI for the quoted prices pursuant to the attached proposal. Funds are available in the Street Repair Fund, Water, Wastewater, and Stormwater funds.

**RESOLUTION NO. 24-2019**

**A RESOLUTION AWARDDING THE CONTRACT FOR 2019 READY MIX CONCRETE DELIVERY SERVICE**

**WHEREAS**, the Operations Committee of the Common Council of the City of Beaver Dam, Wisconsin did advertise and receive sealed firm quotations for the captioned contractual service; and

**WHEREAS**, one (1) firm quotation was received and is on file in the City Engineering Department Office.

**NOW, THEREFORE, BE IT RESOLVED** that the contract for said 2019 Ready Mix Concrete Delivery Service be and is hereby awarded to DODGE CONCRETE, INC., Beaver Dam, WI for the quoted prices pursuant to the attached proposal. Funds are available in the Street Repair Fund, Water, Wastewater, and Stormwater funds.

**RESOLUTION NO. 25-2019**

**A RESOLUTION AWARDING THE CONTRACT FOR CONSTRUCTION OF A STORMWATER MANAGEMENT POND IN THE 151 BUSINESS PARK AT HEMLOCK ROAD**

**WHEREAS**, the Operations Committee of the Common Council of the City of Beaver Dam, Wisconsin did advertise and receive sealed bids for the captioned contractual service; and

**WHEREAS**, ten (10) bids were received and are on file in the City Engineering Department Office.

**NOW, THEREFORE, BE IT RESOLVED** that the contract for said construction of a stormwater management pond in the 151 Business Park at Hemlock Road be and is hereby awarded to the low bidder, HILLTOP TRUCKING & EXCAVATING LLC, Reedsville, Wisconsin, for the total bid not to exceed \$241,345.03. Funds are available in TIF #7.

**RESOLUTION NO. 26-2019**

**A RESOLUTION AWARDING THE CONTRACT FOR 2019 CRACK FILLING AND CONCRETE JOINT SEALING PROGRAM.**

**WHEREAS**, the Operations Committee of the Common Council of the City of Beaver Dam, Wisconsin did advertise and receive sealed bids for the captioned contractual service; and

**WHEREAS**, six (6) bids were received and are on file in the City Engineering Department Office.

**NOW, THEREFORE, BE IT RESOLVED** that the contract for said 2019 Crack Filling and Concrete Joint Sealing Program be and is hereby awarded to the low bidder, HASTINGS ASPHALT SERVICES, INC., Harvard, Illinois, for the bid price of \$1.72 per pound of sealant applied pursuant to the attached bid proposal. Funds are available in the Street Sealing Account.

(Subject to Committee Approval)

**RESOLUTION NO. 27-2019**

**A RESOLUTION APPROVING THE STATE/MUNICIPAL AGREEMENT FOR A STATE-LET STP-URBAN PROJECT FOR EAST DAVIS STREET**

**WHEREAS**, the City of Beaver Dam proposes to enter into the attached State/Municipal Agreement for a State-LET STP-Urban Project for East Davis Street.

**NOW, THEREFORE, BE IT RESOLVED** that the attached State/Municipal Agreement is hereby approved and appropriate city officials are authorized to execute the same on behalf of the City of Beaver Dam.

(Subject to Committee Approval)

**RESOLUTION NO. 28-2019**

**A RESOLUTION TO APPROPRIATE FUNDING FOR A FIRE AND EMERGENCY SERVICE STAFFING AND FACILITIES STUDY**

**WHEREAS**, an Ad-hoc Committee was formed to review facilities and staffing needs for the Fire Department; and

**WHEREAS**, the Ad-hoc Committee is recommending a study of Fire and Emergency Service staffing and facilities be done; and

**WHEREAS**, the Administrative Committee has recommended that funds be appropriated from Undesignated General Fund balance to pay the cost of the study.

**NOW THEREFORE BE IT RESOLVED**, that the Common Council of the City of Beaver Dam does hereby appropriate the sum of \$15,000.00 from Undesignated General Fund balance to provide the necessary funding for the aforementioned study.

(Subject to Committee Approval)

**RESOLUTION NO. 29-2019**

**A RESOLUTION AWARDED THE CONTRACT FOR PURCHASE OF A BACKUP GENERATOR FOR WELL #4**

**WHEREAS**, the Operations Committee of the Common Council of the City of Beaver Dam, Wisconsin did request and receive proposals for the captioned contractual service; and

**WHEREAS**, two (2) bids were received and are on file in the City Utilities Office.

**NOW, THEREFORE, BE IT RESOLVED** that the contract for purchase of said 150 KW natural gas generator with 225 amp Automatic Transfer Switch is hereby awarded to the low bidder, CUMMINS SALES AND SERVICE, Oak Creek, Wisconsin, for the total bid not to exceed \$37,584.00. Funds are available in the 2019 Water Utility CIP.

(Subject to Committee Approval)

**RESOLUTION NO. 30-2019**

**A RESOLUTION APPROVING THE PURCHASE BY THE CITY OF BEAVER DAM OF BIG SKUNK ISLAND FROM THE BEAVER DAM LAKE DEVELOPMENT CORPORATION**

**WHEREAS**, the Beaver Dam Lake Development Corporation has offered to sell Big Skunk Island to the City of Beaver Dam; and

**WHEREAS**, the City of Beaver Dam desires to purchase Big Skunk Island from the Beaver Dam Lake Improvement Association for recreational purposes; and

**WHEREAS**, the Beaver Dam Lake Association will sell the island to the City of Beaver Dam for the purchase price of One Dollar (\$1.00) and other good and valuable consideration.

**NOW, THEREFORE, BE IT RESOLVED** that the Common Council does hereby approve the purchase of Big Skunk Island from the Beaver Dam Lake Development Corporation and the appropriate city officials are authorized to execute documents to accomplish the same.

**RESOLUTION NO. 31-2019**

**RESOLUTION TO DENY THE CLAIMS OF ATTORNEY WILLIAM GERGEN FILED ON BEHALF OF PATRICIA JOHN AND BAYLEI SMOTHERMON**

**WHEREAS**, the attorney assigned by the City's insurance carrier to represent the City in this matter has recommended the City deny the claims of Attorney William Gergen on behalf of Patricia John and Baylei Smothermon.

**NOW THEREFORE BE IT RESOLVED**, that the Common Council does hereby deny the above referenced claims; and

**BE IT FURTHER RESOLVED**, that the City Clerk shall send a notice of disallowance for each of the two claims in accordance with Wis. Stat. sec. 893.80 (1g).

(Subject to Committee Approval)

**RESOLUTION NO. 32-2019**

**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):            217 – 220

(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."*