

*****AMENDED***
5/10/19; 12:20 P.M.
ADDING NECESSARY RESOLUTIONS**

OFFICE OF MAYOR

NOTICE OF SPECIAL CALL

**City of Beaver Dam Common Council
Monday, May 13, 2019
7:00 PM in the Council Chambers
205 South Lincoln Avenue
Beaver Dam, Wisconsin 53916**

- I. Call to Order; Roll Call
- II. Pledge of Allegiance and Silent Reflection
- III. Public Hearing
 1. Application for Community Development Block Grant – Public Facilities (CDBG-PF) Program
 - A. Reading of Notice of Public Hearing and Opening of Public Hearing by Mayor Glewen
 - B. Presentation by MSA Professional Services, Inc.
 1. Identification of total potential funds
 2. Eligible CDBG activities
 3. Presentation of identified community development needs
 4. Identification of any community development needs by public
 5. Presentation of activities proposed for CDBG application, including potential residential displacement
 - C. Citizen input regarding proposed and other CDBG activities
 - D. Close Public Hearing and refer back to Common Council for action on the Application for Community Development Block Grant – Public Facilities (CDBG-PF) Program and related resolutions.

RESOLUTION NO. 79-2019

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BEAVER DAM,
PROVIDING A GUARANTEE OF MATCHING FUNDS FOR THE 2019 CDBG-PF
APPLICATION**

Related to the City of Beaver Dam's participation in the Community Development Block Grant (CDBG) Program;

WHEREAS, federal monies are available under the CDBG Annual Public Facilities Competition, administered by the State of Wisconsin Department of Administration, for the purpose of the provision or improvement of public facilities; and

WHEREAS, the Common Council of the City of Beaver Dam has authorized the submission of a Community Development Block Grant Public Facilities Application to the State of Wisconsin for the S. Spring Street Roadway and Utility Reconstruction project; and

WHEREAS, an adequate local financial match must be provided for the proposed Public Facilities project by the City of Beaver Dam.

NOW, THEREFORE, BE IT RESOLVED, that the City of Beaver Dam does hereby authorize the commitment of match funds to be used as outlined in the CDBG application, for the match amount of \$2,817,132, from the City's public works and utility funds.

RESOLUTION 80-2019

RESOLUTION TO ADOPT A CITIZEN PARTICIPATION PLAN

WHEREAS, the City of Beaver Dam a Community Development Block Grant (CDBG);
and

WHEREAS, the State of Wisconsin Department of Administration (DOA) and the U.S. Department of Housing and Urban Development (HUD) require recipients of Community Development Block Grant (CDBG) monies to have in place a Citizen Participation Plan; and

WHEREAS, the Citizen Participation Plan shall encourage citizen participation (especially by persons of low to moderate income), provide citizens reasonable and timely access to local meetings and information, provide for technical assistance, provide for public hearings, provide for complaint procedures, and accommodate non-English speaking residents; and

WHEREAS, the City of Beaver Dam has prepared and publicly reviewed a Citizen Participation Plan;

NOW THEREFORE BE IT RESOLVED that the City of Beaver Dam officially adopts the Citizen Participation Plan.

RESOLUTION NO. 81-2019

WISCONSIN RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR CDBG PROGRAMS

This Residential Anti-Displacement and Relocation Assistance Plan (RARAP) is prepared by the City of Beaver Dam in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to our CDBG projects.

Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, the City of Beaver Dam will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- Coordinate code enforcement with rehabilitation and housing assistance programs.
- Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.
- Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
- Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.
- Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.
- Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are “lower-income dwelling units” as defined in 24 CFR 42.305).
- Target only those properties deemed essential to the need or success of the project.

Relocation Assistance to Displaced Persons

The City of Beaver Dam will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG Program, move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

One-for-One Replacement of Lower-Income Dwelling Units

The City of Beaver Dam will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the CDBG Program in accordance with 24 CFR 42.375.

Before entering into a contract committing the City of Beaver Dam to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the City of Beaver Dam will make public by publication in the Beaver Dam Daily Citizen and submit to HUD [the State, under the State CDBG Program] the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. *See also 24 CFR 42.375(d).*
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom unit), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the City of Beaver Dam will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), the City of Beaver Dam may submit a request to HUD (or to the State, if funded by the State) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

Contacts

The City Clerk's Office is responsible for tracking the replacement of lower-income dwelling units and ensuring that they are provided within the required period.

The City Clerk's Office is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

The City Clerk's Office can be reached by phone at (920) 887-4600.

RESOLUTION NO. 82-2019

A RESOLUTION TO ADOPT AN EXCESSIVE USE OF FORCE ORDINANCE

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BEAVER DAM,

**POLICY ON CIVIL RIGHTS DEMONSTRATIONS AND PROHIBITING USE
OF EXCESSIVE FORCE**

WHEREAS Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended (42 U.S.C. 69 §5304) prohibits the State from expending or obligating any Community Development Block Grant funds to any unit of general local government that does not have or adopt a policy prohibiting the use of excessive force by local law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and a policy of enforcing State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction;

AND WHEREAS it is in the interest of the City of Beaver Dam to pursue Community Development Block Grant Funds and to adopt policy that complies with Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended (42 USC 69 §5304);

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE COMMON COUNCIL OF THE CITY OF BEAVER DAM:

It is **POLICY** of the City to prohibit the use of excessive force by law enforcement agencies within the City's jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.

It is **POLICY** of the City to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within the City's jurisdiction.

The officials and employees of the City shall assist in the orderly prevention of all excessive force within the City OF Beaver Dam by implementing the authority and enforcement procedures set forth in Title I of the Housing and Community Development Act of 1974.

The Common Council directs the Chief of Police to implement this Resolution by amending applicable Beaver Dam Police Department procedures.

RESOLUTION NO. 83-2019

**AUTHORIZING RESOLUTION FOR THE SUBMISSION OF A
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION**

Relating to the City of Beaver Dam's participation in the Community Development Block Grant-Public Facilities (CDBG-PF) program;

WHEREAS, Federal monies are available under the Community Development Block Grant (CDBG) program, administered by the Wisconsin Department of Administration (DOA) Division of Energy, Housing and Community Resources (DEHCR) for the purpose of the provision or development of a plan (CDBG-PLNG), or for the provision or improvement of public facilities (CDBG-PF); and

WHEREAS, after public meeting and due consideration, the Common Council has recommended that an application be submitted to DOA for the following project(s):

S. Spring Street Roadway and Utility Reconstruction; and

WHEREAS, it is necessary for the Common Council to approve the preparation and filing of an application for the City to receive funds from this program; and

WHEREAS, the Common Council has reviewed the need for the proposed project(s) and the benefit(s) to be gained there from;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council does hereby approve and authorize the preparation and filing of an application for the above-named project(s); and that the Mayor is hereby authorized to sign all necessary documents on behalf of the City of Beaver Dam that authority is hereby granted to the Common Council to take the necessary steps to prepare and file the application for funds under this program in accordance with this resolution.

IV. Adjourn

"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."

Posted: Monday, May 8, 2019 @ 10:00 a.m.

POSTED AMENDED AGENDA

FRIDAY, MAY 10, 2018 @ 1:00 P.M.