

**CITY OF BEAVER DAM, WISCONSIN
COMMON COUNCIL MEETING AGENDA
MONDAY, JANUARY 4, 2021
@ 7:30 P.M.
VIA ZOOM**

Due to the current public health crisis, the meeting will be held by Zoom. Committee members, the public and members of the media may attend the meeting by:

<https://zoom.us/j/96592774379?pwd=SUVZa2J2NzNXUXlYaEFHRUINOE02QT09>

Meeting ID: 965 9277 4379

Password: 966437

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or
+1 346 248 7799 or +1 669 900 9128

Webinar ID: 965 9277 4379

Password: 966437

- 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 DECEMBER 21, 2020**
- 6) **COMMUNICATIONS**
- 7) **BILLS**
- 8) **ORDINANCES**

ORDINANCE NO. 25-2020

AN ORDINANCE AMENDING SECTION 10-4, CERTAIN CREATURES FORBIDDEN, IN THE BEAVER DAM MUNICIPAL CODE TO ALLOW BEES IN THE CITY OF BEAVER DAM

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

SECTION I: Section 10-4, Certain creatures forbidden, is amended to delete bees as a forbidden creature.

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

First Reading – December 21, 2020

ORDINANCE NO. 26-2020

AN ORDINANCE CREATING SECTION 10-33, BEEKEEPING ALLOWED, IN THE CITY OF BEAVER DAM

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

SECTION I: Section 10-33, Beekeeping allowed, is hereby created as follows:

Sec. 10-33. Beekeeping allowed.

(a) **Definitions.** For the purpose of this chapter, the following terms have the meaning indicated:

1. "Apiary" shall mean the assembly of one (1) or more colonies of honey or mason bees at a single location.

2. "Beekeeper" shall mean a person who owns or has charge of one (1) or more colonies of honey or mason bees.

3. "Beekeeping equipment" shall mean any item used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

4. "Colony" shall mean a hive and its equipment and appurtenances, including honey bees, mason bees, comb, honey pollen and brood.

5. "Hive" shall mean the receptacle inhabited by a colony that is manufactured or created for that purpose.

6. "Honey bee" shall mean all life stages of and are limited to the common domestic honey bee, *Apis mellifera* species of European origin. The Africanized honey bee is prohibited.

7. "Lot" shall mean a contiguous parcel of land under common ownership.

8. "Mason bee" shall mean all life stages of and are limited to genus *Osmia*.

9. "Nucleus colony" shall mean a small quantity of honey or mason bees with a queen housed in a smaller than usual hive box designated for a particular purpose.

(b) ***Permit and fees required.***

1. Only honey bees and mason bees (hereinafter referred to collectively and individually as "bees") may be kept under this Ordinance.

2. Persons that keep bees within the limits of the City must first obtain a permit. No person shall keep, maintain, or allow to be kept any hive or other facility for the housing of honey bees on or in any property in the City of Beaver Dam without first obtaining a permit.

3. Applications for a permit to keep or maintain bees will be made on such forms as provided by the City Clerk.

4. There will be an annual \$50.00 application fee for a beekeeping permit.

5. Permits shall not be transferable or refundable. Only the owner of the proposed permitted real property, or an occupant of the proposed permitted real property with the owner's written permission, is eligible to obtain a beekeeping permit. Only one (1) beekeeping permit shall be issued per parcel.

6. All permits issued shall expire one year following issuance, unless sooner revoked.

7. Applicants shall provide the following information on the original application:

(a) A detailed lot diagram of the beekeeping equipment location including the distances to property lines and from nearby structures on neighboring properties.

(b) Written consent from all adjacent property owners.

8. The applicant shall provide proof of beekeeping education/training from a local technical college, university or beekeeping association or organization to obtain competency in beekeeping.

9. New permits may only be granted subject to the successful completion of a pre-inspection performed by the City Building Inspector.

C. ***Conditions for keeping and maintaining hives.***

1. Approval of a permit application is subject to reasonable restrictions, limitations, conditions, or prohibitions prescribed by the City Building Inspector. Any approved permit shall specify any restrictions, limitations, conditions or prohibitions deemed necessary by the City Building Inspector to safeguard public health and the general welfare, and deemed necessary to reduce the likelihood of public or private nuisance.

2. Beekeeping shall be allowed only in R-1 Single Family Residential and R-2 Two Family Residential Districts. Only one (1) beekeeping permit shall be issued per parcel which shall be issued on a first come, first served basis.

3. Beekeeping equipment shall be restricted to rear-yards only.

4. Beekeeping equipment shall be set back 15 feet from any rear yard property lines of an adjacent residential lot.

5. No more than two (2) hives are allowed per property parcel.

6. Bee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.

7. Each beekeeper shall ensure that a sufficient and convenient source of fresh water is available to the colony.

8. Each beekeeper shall ensure that no wax comb or other materials that might encourage robbing by other bees are left upon the grounds of the apiary lot. Such materials once removed from the site shall be handled and stored in sealed containers, or placed within a building or other insect-proof container.

9. Each beekeeper shall maintain beekeeping equipment in good condition and securing unused equipment from weather, potential theft or vandalism and occupancy by swarms. It shall be a violation of this section for any beekeeper's unused equipment to attract a swarm, even if the beekeeper is not intentionally keeping honey or mason bees.

10. In apiaries the beekeeper shall conspicuously post a sign including the words "BEE HIVE" and his/her name clearly readable on the beekeeping equipment. A copy of the permit shall be placed in a conspicuous place on the hive.

11. Pursuant to Section 42-44 of the Beaver Dam Municipal Code, the City of Beaver Dam Building Inspector shall have the right to inspect any permitted beekeeping equipment. Where practicable, prior notice shall be given to the beekeeper.

12. Hives shall be actively maintained. Hives not under active human management and maintained shall be deemed abandoned and dismantled or removed from the property by the property owner.

13. In any instance in which a hive exhibits unusually aggressive characteristics, it shall be the duty of the beekeeper to destroy or re-queen the hive. Queens shall be selected from stock bred for gentleness and non-swarmling characteristics.

14. In addition to compliance with the requirements of this section, no beekeeper shall keep a hive or hives that cause any unhealthy conditions or interfere with the normal use and enjoyment of human or animal life of others, any public property or property of others.

D. ***Suspension or revocation of permit.*** The City Building Inspector may suspend or revoke any permit issued pursuant to this section for violations of ordinances, laws or requirements regulating activity and for other good cause.

E. ***Violation and penalties.*** Any person who violates this section shall be subject to the penalties contained in **Section 1-9, Penalties**, in the City of Beaver Dam Municipal Code. Each day such violation continues shall constitute a separate offense.

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

First Reading – December 21, 2020

ORDINANCE NO. 27-2020

AN ORDINANCE AMENDING SECTION 42-35, ISSUANCE, IN THE BEAVER DAM MUNICIPAL CODE ALLOWING THE ISSUANCE OF BEEKEEPING PERMITS IN THE CITY OF BEAVER DAM

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

SECTION I: **Section 42-35**, Issuance, subparagraph (a), City Clerk, is amended to add paragraph (7) as follows:

(7) Beekeeping permits.

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

9) RESOLUTIONS

RESOLUTION NO. 149-2020

A RESOLUTION AMENDING THE CITY OF BEAVER DAM DEBT POLICY

WHEREAS, the Common Council of the City of Beaver Dam, Wisconsin, adopted a City Debt Policy on May 3, 2010 and subsequently amended the policy on August 20, 2018; and

WHEREAS, the Administrative Committee has reviewed the debt policy and is recommending the following changes per the attached, red-lined version of the policy:

1. Remove the Definitions section.
2. Remove the \$1,600,000 annual borrowing threshold.
3. Remove the General Debt Equalized mill rate and Non-TIF Equalized mill rate references.
4. Add a parameter that the city intends to keep total outstanding general obligation debt within 65% of the statutory limit.
5. Add a parameter that total annual debt service for general obligation debt (excluding proprietary and TID) shall not exceed 25% of total budgeted operating and maintenance expenses.
6. Other minor edits.

NOW THEREFORE BE IT RESOLVED, the Common Council of the City of Beaver Dam, Wisconsin, does hereby approve the afore mentioned changes to the City Debt Policy.

RESOLUTION NO. 1-2021

A RESOLUTION GRANTING BEVERAGE OPERATOR LICENSE(S)

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

For one (1) year ending June 30, 2021:

No(s): 190-191

BE IT FURTHER RESOLVED, that the following applicants be granted a Beverage Operator’s License:

For two (2) years ending June 30, 2022:

No(s): 192-193

10) DPW/PARK FACILITY QUESTION AND ANSWER SESSION

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."