City of Portage Common Council Meeting
Council Chambers of City Municipal Building
115 West Pleasant Street, Portage, WI
Regular Meeting – 7:00 p.m.
March 28, 2013
Amended Agenda

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Approval of Agenda

5. Minutes of Previous Meeting

6. Consent Agenda
   A. Reports of Sub-Committees, Board and Commissions
      1. Police and Fire Commission, March 6, 2013 and March 7, 2013
      2. Library Board, March 12, 2013
      3. Business Improvement District Board of Directors, March 13, 2013
      4. Historic Preservation Commission, March 19, 2013

   B. License Applications
      1. Operator
      2. Taxi Operator

7. Committee Reports
   A. Park and Recreation Board, March 12, 2013
      1. Consider recommendation on approval of Park Land and Facility Naming Policy

   B. Legislative and Regulatory Committee, March 21, 2013
      1. Consideration of Class B Fermented Malt Beverage and Class C Wine License application for Norm E. Milz, 100 East Cook Street
      2. Consideration of Operator License application for Nicole R. Krintz
      3. Consideration of Temporary Class B License for Portage Area Chamber of Commerce for April 18, 2013

C. Human Resources Committee, March 28, 2013

1. Consideration on recommendation for pay grade and pay rate adjustments for selected non-represented, non-exempt employees

8. Old Business

A. Ordinances

1. Ordinance No. 13-005 relative to Zoning Code of the City of Portage, Columbia County, Wisconsin

B. Consideration of Airport Access Agreement with Fall River Group

C. Correspondence from Stephanie Brensike regarding Skate Park

9. New Business

A. Secondhand Article Dealer License for Game Stop #6913, 2830 New Pinery Road

B. Consider agreement with Portage Soccer Association for use of Veterans Memorial Field

C. Closed Session
The Common Council will go into closed session pursuant to Wisconsin State Statutes 19.85(1)(e) for purposes of discussing the potential investment of public funds in the context of TID agreements

10. Adjournment

(Amended 03/26/13, 11:30 a.m.)

City of Portage Common Council Meeting
Council Chambers of City Municipal Building
115 West Pleasant Street, Portage, WI
Regular Meeting – 7:00 p.m.
March 14, 2013

1. **Call to Order**
   Mayor Jahn called the meeting to order at 7:00 p.m.

2. **Roll Call**
   Present: Ald. Dodd, Garetson, Hamre, Klapper, Maass, Oszman

   Excused: Ald. Ebneter, Havlovic, Miller

   Also Present: Mayor Jahn, City Clerk Moe, City Administrator Murphy, City Attorney Spankowski, Director of Public Works/Utilities Manager Redelings, Police Chief Manthey

   Media Present: Craig Sauer from Portage Daily Register, Bill Welsh from Cable TV

3. **Pledge of Allegiance**
   The Pledge of Allegiance was said.

4. **Approval of Agenda**
   Deletion: Temporary Class "B" license application for Portage Area Chamber of Commerce

5. **Minutes of Previous Meeting**
   Motion by Maass, second by Dodd to approve the minutes of the March 4, 2013 Common Council meeting. Motion carried on call of roll with Klapper abstaining.

6. **Proclamation for Portage High School Curling Teams**
   Mayor Jahn read and presented a Proclamation to the Portage High School Curling Teams for their successful year.

7. **Presentation by Portage Community Schools regarding upcoming referendum**

Charles Poches and Peter Hibner from Portage Community Schools gave a presentation on the upcoming school referendum.

8. Presentation by Strand Associates Regarding Storm Water Utility

Mark Shubak from Strand Associates gave a presentation on the proposed storm water utility. There was discussion among the council that more information was needed prior to making a decision to continue to pursue creating a storm water utility. Copies of the 2009 feasibility study will be distributed to the council for review.

9. Consent Agenda

Reports of Sub-Committees, Board and Commissions

Board of Zoning Appeals, February 25, 2013
Library Board, February 26, 2013
Community Development Authority, March 6, 2013
Economic Development Loan Fund Committee, March 7, 2013

License Applications

Operator license application approval for period ending June 30, 2013 for Sarah J. Ringelstetter and Dawn L. Litwiller.

Taxi Operator license application approval for period ending June 30, 2013 for Chris A. Hixson.

Motion by Dodd, second by Oszman to approve the consent agenda. Motion carried unanimously on call of roll.

10. Committee Reports

Plan Commission, March 4, 2013

Legislative and Regulatory Committee, March 4, 2013

Municipal Services and Utilities Committee, March 7, 2013

Finance/Administration Committee, March 11, 2013

Motion by Dodd, second by Klapper to approve claims in the amount of $1,079,075.55. Motion carried unanimously on call of roll.

Motion by Dodd, second by Klapper to approve Change Order No. 3 with Sabel Mechanical, LLC for 2012 Wastewater Treatment Plant Upgrades. Motion carried unanimously on call of roll.

Motion by Dodd, second by Klapper to approve Change Order no. 4 with Sabel Mechanical, LLC for 2012 Wastewater Treatment Plant Upgrades. Motion carried unanimously on call of roll.

Motion by Dodd, second by Klapper to approve Task Order No. 13-01 with Strand Associates in an amount not to exceed $14,000.00. Motion carried unanimously on call of roll.

Motion by Dodd, second by Maass to approve Amendment No. 1 to Task Order No. 12-02, $12,500.00. Motion carried unanimously on call of roll.

Motion by Dodd, second by Maass to approve Amendment No. 1 to Task Order No. 12-03, $14,000.00. Motion carried unanimously on call of roll.

There was a discussion regarding the interest rate to be charged on special assessments.

Human Resources Committee, March 14, 2013
Motion by Oszman, second by Klapper to approve the hiring of Lucas Kulibert for the Public Works Crewperson position. Motion carried unanimously on call of roll.

Motion by Garetson, second by Maass to approve the hiring of Kevin Richards for the Public Works Working Foreman position. Motion carried unanimously on call of roll.

11. Old Business

Ordinances

Ordinance No. 13-003 relative to No Parking Areas (Portage Road and East Haertel Street) received its third reading. Motion by Klapper, second by Garetson to pass Ordinance No. 13-003 relative to No Parking Areas (Portage Road and East Haertel Street). There was discussion as to when the signs will be placed and the need to have a time limitation on the Portage Road, which is covered in Ordinance No. 13-004. Motion carried unanimously on call of roll.

Ordinance No. 13-004 relative to Restricted Parking Areas (Portage Road) received its third reading. Motion by Oszman, second by Hamre to pass Ordinance No. 13-004 relative to Restricted Parking Areas (Portage Road). Motion carried unanimously on call of roll.

12. New Business

Ordinances

Ordinance No. 13-005 relative to Zoning Code of the City of Portage, Columbia County, Wisconsin received its first and second readings.

Resolutions

Resolution No. 13-008 relative to Vino 205, LLC Economic Development Loan was read and adopted unanimously on motion by Maass, second by Oszman and call of roll.

Secondhand Article Dealer License for Mary Ann Bodien for Good Times, 305 DeWitt Street

Motion by Klapper, second by Maass to approve a Secondhand Dealer License for Mary Ann Bodien. Motion carried unanimously on call of roll.

Closed Session

Motion by Dodd, second by Oszman to go into closed session pursuant to Wisconsin State Statutes 19.85(1)(g) to confer with legal counsel in regard to a through the fence agreement with Raymond Wiegel. Motion carried unanimously on call of roll at 9:23 p.m.

13. Adjournment

Motion by Maass, second by Oszman adjourn. Motion carried unanimously on call of roll at 9:37 p.m.

Marie A. Moe, WCPC, MMC
City Clerk

City of Portage
Police and Fire Commission Meeting
Wednesday, March 6, 2013, 6:00 p.m.
City of Portage Municipal Building, 115 West Pleasant Street
Conference Room Two
Agenda

Members Present: Thomas Drury, Pat Hartley, Charles Miller

Absent: Jeynell Boeck, Kay E. Miller

1. Roll Call
   Meeting called to order at 6:25 pm by Tom Drury.

2. Closed session
   Motion by C. Miller, second by T. Drury at 6:30pm to go into closed session pursuant to Wisconsin State Statutes 19.85(1)(c) to conduct interviews for Police Officer. Motion carried on unanimously on call of roll.

3. Reconvene to open session for remainder of the meeting
   Motion by P. Hartley, second by T. Drury at 8:40pm to reconvene to open session for remainder of the meeting. Motion carried on unanimously on call of roll.

4. Adjournment
   Motion by T. Drury, second by C. Miller to adjourn. Motion carried on unanimously on call of roll at 8:53 pm.

Chuck Miller, Secretary

City of Portage
Police and Fire Commission Meeting
Thursday, March 7, 2013, 6:00 p.m.
City of Portage Municipal Building, 115 West Pleasant Street
Conference Room Two
Agenda

Members: Thomas Drury, President; Jeynell Boeck, Pat Hartley, Charles Miller

Absent: Kay E. Miller

1. Roll Call
   Meeting called to order at 6:00 pm by Tom Drury.

2. Closed session
   Motion by C. Miller, second by T. Drury at 6:04pm to go into closed session pursuant to Wisconsin State Statutes 19.85(1)(c) to conduct interviews for Police Officer. Motion carried on unanimously on call of roll.

3. Reconvene to open session for remainder of the meeting
   Motion by P. Hartley, second by T. Drury at 9:01pm to reconvene to open session for remainder of the meeting. Motion carried on unanimously on call of roll.

4. Adjournment
   Motion by T. Drury, second by C. Miller to adjourn. Motion carried on unanimously on call of roll at 9:03pm.

Chuck Miller, Secretary

PORTAGE PUBLIC LIBRARY

253 W. Edgewater Street
Portage, WI 53901
Phone: (608) 742-4959
E-mail: porill@scls.lib.wi.us
Web Site: www.portagelibrary.us

LIBRARY BOARD MEETING MINUTES
March 12, 2013

Meeting called to order:12:03
Present: Davis, Poches, Tamboli, Varvil-Weld,Vehring,Voigt
Excused: McLeish, Gregory

1) Motion to approve February 12, 2013 regular meeting minutes. (AT/DV-W)

2) Financial Reports: Motion to approve February, 2012 City and Library restricted funds claims for payment as presented. (AT/EV)

3) Director's Report:
   a) Completed Columbia County Annual Report
   b) First construction meeting will be March 26

4) Business
   a) Motion to approve pledge of Library money market fund as collateral for City financing of balance of construction project. (DV-W/AT)
   b) Motion to approve Change Order requests ES-01, ES-03, ES-04. (DV-W/KV)
   c) Motion to approve change in Change Order approval process. Only amounts over $5,000 will come to board, within the contingency value of the contract with Ellis Stone. (DV-W/EV) Shannon will report all Change Orders to the board.

5) Meeting adjourned AT 12:27PM. (AT/CP)

E. Voigt, recorder

Richard Davis-President
Addie Tamboli-Vice President
Eleanor McLeish-Secretary
Charles Poches-School Superintendent
Dr. David Gregory
Dr. Douglas Varvil-Weld
Klay Vehring
Eleanor Voigt

City of Portage

Minutes of Business Improvement District Board of Dir. meeting
Wednesday March 13, 2013
Municipal Building 115 West Pleasant Street,
Conference Room One

Meeting called to order at 7:34 a.m.

1. **Roll Call:** Present: Peggy Joyce; President; John Krueger; Vice President; Dennis Rupers, Treasurer; Chris Shadel, Steve Polnow,
   Members excused, Shane Schmidt; Members absent: Jim Rusch
   Non-Members Present**:** Gil Meisgeier, BID Contractor, Main Street Portage Ex. Dir. /BID Administrator; Roger Krejchik
2. **Approval of February 13th. 2013 Minutes.**
   Motion to approve February 13th 2013 minutes. Motion by Rupers, 2nd by Krueger; Motion carried, all in favor.
3. **Treasurer's Report, Claims to pay & Financials Report**
   Financials: The board felt that the financials as forwarded by the city required further explanation by the City Treasurer and were not approved. Pres. Joyce to follow up with City Finance Director.
   Claims to pay: List of claims was presented by Treasurer Rupers. After discussions all claims as presented by Treasurer Rupers were approved. Motion to approve by Krueger, second Polnow motion carried, all in favor.
4. **Introductions of guests in attendance.** Roger Krejchik was recognized as a guest.
5. **Discussion and possible action on BID Contractors report.** Motion to approve by Polnow, second Rupers, motion carried all in favor.
6. **MSP Executive Directors Report** was approved on a motion Polnow, 2nd by Shadel. Motion carried All in favor.
7. **Requests for financial assistance:** None
8. **BID Marketing program was discussed.** Meisgeier reviewed actions approved at the previous meeting which included those listed below.
   - $1,200.00 to Capitol Publications for the 100 reasons ad in 25,000 Columbia County Visitors Guides.
   - $500.00 for the Columbia County Visitors map with 100 Reasons copy.
   - $1,200.00 to local printer located in the BID, Allen & Associates for 25,000 four color glossy rack cards as presented.
   - $1,040.00 to ADLIT for rack card distribution service.
   - $600.00 to ADLIT for 100 reasons ad in 25,000 copies of the Shoppers Guide.

10. **Report was given on City projects in the BID**. A report was given that the City is moving forward to purchase the former Flirt and Black's Furniture buildings and that no plans for the properties had been announced at the present time.
11. **Motion to adjourn** at 9:06 a.m. by Polnow, 2nd Rupers, Motion carried.

Prepared by GAM
Approved by Pres. Joyce

City of Portage
Historic Preservation Commission
Tuesday, March 19, 2013, 6:00 p.m.
Municipal Building, 115 West Pleasant Street
Conference Room Two
Minutes

Members Present: Doug Klapper, Chairperson; Richard Beebe, Marlena Cavanaugh, Erin Foley, Stephanie Miller-Lamb
Member Excused: Destinee Udelhoven
Member Absent: Mary Ann Harding
Guests: Mary Langbecker (Historical Society), Sean Murphy (City Administrator), Edward Rebholz (Historical Society), Craig Sauer (Press)

1. Roll call
Chair Klapper called the meeting to order at 6:00 pm, starting with the Roll Call.

2. Public Hearing to consider designating The Museum at the Portage, located at 804 MacFarlane Road, to the Municipal Historic Register
Chair Klapper read the Notice of Public Hearing and asked for comments from the public. Three parties spoke.

- M. Langbecker spoke in favor of putting The Museum at the Portage on the Portage Municipal Register, siting that the building is architecturally unique in Portage and that the owners (Zona Gale/William Breese) were crucial in the development of Portage.
    - Langbecker gave examples of both points, noting the Georgian Revival architectural style, the red brick and the multiple ways that Gale/Breese contributed to the development of the city, from civic activity, to contributing to development of municipal services to notations of our culture within her writings, to donation of the building which served as the City Library for years.
- S. Murphy spoke neutrally about putting The Museum at the Portage on the Municipal Register. The City of Portage is the owner of the museum and is responsible for upkeep and maintenance of the exterior of the building.
    - He noted that that he was speaking on behalf of the city of Portage and was not against the building's inclusion on the register, but rather wanted to address/give notice of the ramifications of the building's inclusion on the register in regards to maintenance, budget and repair schedules for the property. He noted that inclusion on the register could obligate the city to conduct repairs in a historically accurate manner. This could impact budget if those repairs are more costly and could also affect timeline, as it may take longer to raise the funds needed to make repairs and conduct maintenance in an acceptable manner.
    - Murphy also noted that should the property ever change hands, inclusion on the register would need to be addressed prior to transfer of ownership.

- E. Rebholz spoke in favor of putting The Museum at the Portage on the Municipal Register. He noted that while the City is responsible for upkeep and maintenance of the exterior, the Historical Society is responsible for upkeep and maintenance of the interior. The two parties must work together, as neglect inf upkeep in one area will negatively affect the other area. He noted that the City and the Historical Society need to maintain a close relationship to keep the building in proper repair. He spoke of the work the City did last year and expressed appreciation for that work; Langbecker agreed and spoke of the good work that had been done by the City on the exterior last year.
- Chair Klapper asked a second time for any further commentary.
- Chair Klapper asked for a third and final time for commentary.
- Chair Klapper closed the public part of the meeting.

3. Discussion and possible action on previous meeting minutes
Miller-Lamb moved to approve the minutes as submitted; Cavanaugh seconded the motion, which passed unanimously by voice vote.

4. Discussion and possible action on including 804 MacFarlane Road on Portage Municipal Register
Group discussed why the property was valuable and deserved the honor and protection of placement on the Municipal Register. The group felt that the historic nature of the property, the importance of the people who lived there, the unique architecture and the value the building had to the city as the former library were all contributing factors.

- Miller-Lamb moved to approve the addition of 804 MacFarlane Road on the Portage Municipal Register. Beebe seconded the motion, which passed 5-0 on a roll call vote.
- Chair Klapper will submit the approved application for inclusion on the Portage Municipal Register to the City Clerk to be forwarded on to the City Council.

5. Discussion and possible action on claims
No claims were made.

6. Discussion and possible action on 310 DeWitt Street, former Black's Furniture Building
Group read over the revisions made to the letter following the previous meeting.

- Foley moved that the revised letter be submitted as written to the Mayor and Common Council. Cavanaugh seconded the motion, which passed unanimously by voice vote.
- Mr. Murphy (City Administrator) noted that the relocation order is in process, which is the first step in the declaration of eminent domain.

7. Discussion and possible action HPC Quarterly Award
The group looked at three potential properties. An award winner was not determined; discussion will continue at the April meeting.

8. Discussion and possible action on Historic Preservation Month events
The group discussed May Historic Preservation Month events, including the Historic Preservation Open House on May 7 at the Museum at the Portage and the photographic Architectural Scavenger Hunt in the Portage Daily Register.

- May 7 event plans were discussed, including printing and mailing of marketing post cards, printing of a banner and purchase of a mailing list.
    - Post cards will be mailed to homes that were built before 1950.
    - Additional post cards will be available for downtown businesses, the Chamber of Commerce, Museum at the Portage, etc.
    - Copies of Municipal Register nomination forms will be available at the event.
    - Local businesses will be invited the attend and to bring materials for property owners who may be interested in purchasing goods and services for restoration or maintenance project on their properties.
    - The general schedule of events was sketched out.
    - Miller-Lamb moved that Cavanaugh be approved to spend up to $300.00 on marketing materials for the event, which would then be reimbursed by the PHPC. Klapper seconded the motion, which passed unanimously by voice vote.
- Miller-Lamb and photographer Patrick Lamb will coordinate the annual photographic Architectural Scavenger Hunt, to run in the Portage Daily Register. The photos typically run the first full week of May, which will coincide with the week of the Historical Preservation Open House.

9. Discussion and possible action on next meeting date / time
The group compared calendars and agreed to meet on Tuesday, April 9, 2013, at 6:00 pm.

10. Adjournment
Chair Klapper adjourned the meeting at 7:36 pm.

Respectfully submitted,
Stephanie Miller-Lamb
Secretary

OPERATOR LICENSE APPLICATIONS - BY LAST NAME

LICENSE YEAR: MARCH 28, 2013-JUNE 30, 2013

Jessica R. Asch
Matthew L. Asch
Diane M. Casey
Jason H. Chatman
Patricia A. Hinickle
Trish L. Powell
Marilyn George-Burton

TAXI CAB LICENSE APPLICATION

LICENSE PERIOD: March 28, 2013 - JUNE 30, 2013

John R. Coffman

City of Portage
Park and Recreation Board Meeting
Tuesday, March 12, 2013, 6:30 p.m.
City of Portage Municipal Building, 115 West Pleasant Street
Conference Room One
Minutes

Members Present: Brian Zirbes Chairperson; Kirk Konkel, Larry Messer, Todd Kreckman

Members Excused: Fred Reckling, Dan Brunt
Other Attending: Ex Official Non-Voting Member: Manager Tim Raimer, City Administrator Shawn Murphy, Julie Giese, Rita Maass, Mike Collins, Kyle Little, Gary Kasten, Jeremy Leathers, Michael Draper, Craig Sauer, Matt Gorsuch

1. **Roll Call**
   The meeting was called to order at 6:30 p.m. by Roll Call.

2. **Approval of minutes of last previous meeting**
   A motion by Messer and seconded by Kreckman to approve the minutes from the last meeting. The motion was call and passes 3-1 with Konkel abstaining.

3. **Discussion and possible action on Park and Rec. 5 year Plan.**
   Michael Draper addressed the committee on the 5 year plan he is working on. He requested any questions or changes that the committee might have. After some discussion, his plan is to have the document ready for his class by April 8th. He will send the committee copies of it prior to that date.

4. **Pool Update**
   Manager Raimer updated the committee on pool activities. He stated that the pool will close down on April 8th and reopen later in May. Just in time for the youth swim team to start training. Raimer will be working on the summer lessons times for the summer.

5. **Discussion and possible action for the Recreation at Goodyear Park.**
   a. Splash Park Committee Report
      Manager Raimer update the committee on this project and stated that the ground breaking is scheduled for March 28th.
   b. Skate Board Park Committee Report
      Kyle Little present his activities, to the committee on the "Family Skateboard Park". Several questions were asked about the plans. Mr. Little passed out a current broacher on where the plans are. His major drawback on this has been the inability of a 501C3 organization to step forward to help with the tax exempt status he needs to start taking donations.
6. **Silver Lake Beach Wall**
   Manager Raimer updated the group on the status of the new wall going into the beach this year. Rita Maass ask if there was a timeline to finish the wall up along the parking lot. Raimer said no time line was set yet. She asked if there was money in 2013 budget to finish the project and Raimer said no.

7. **Discussion and possible action on renaming of Silver Lake Beach Park for Dan Thompson and suggesting a formal application for naming rights.**
   This is a new request presented to the committee. Matt Gorsuch was the person

that originally made the request to the Mayor and common council.
Konkel made a motion that was seconded by Messer to approve the draft plan with its corrections and send it back to the full council for approval. The motion passed 4-0. Administrator Murphy stated that this will go to council at the March 28th meeting.

8. **Discussion and possible action on the current easement the City of Portage has along the canal that has the trail on. Hwy 33 east to the locks.**
   Manager Raimer showed the committee the updated land record that showed the land owned and controlled by the City and the end of the canal. He told the group that they have been talking to the Indian Agency House and Colonial Dames about some of the project that are being looked at for this area. Konkel had made his felling known about activities such as these, that had taken place in other committees, that had the Ice Age Trail group involved in.

9. **Discussion and possible action on grants for the purchase of land along Collipp St.**
   Manager Raimer presented the group with some grant opportunity for grants in looking at land for sale across from Collipp-Worden Park. The committee recommended that grant information be gotten ready to review at the April meeting.

10. **Discussion and possible action on little league spring Projects**
    a. Adding a batting cage.
       Julie Giese was present to request approval for her group to add an addition Batting cage and storage building west of the major league field.
    b. Putting water in for watering the fields.
       Julie also presented a project that would bring in water to both fields, so that the may be watered during the summer months.
       A motion was made by Kreckman and seconded by Messer to approve both request. The motion passed 4-0.

11. **Managers Report**
    Manager Raimer has stated that the Portage Muskie Club has donated $800.00 toward the purchase of a new boat dock at Silver Lake.

12. **Bleacher order for 2103**
    Was not discussed.

13. **Ideas for April meeting**.
    Raimer asked the committee to look at both of the following ideas for the April meeting.
    a. Wisconsin/Fox Heritage Park ideas
    b. Portage disc golf club
       People interested in starting a disc golf club were present and said they would bring back their request for next months meeting.

14. **Adjournment**
    A motion by Kreckman and seconded by Messer to adjourn at 8:00 p.m. Motion passed 4-0.

Respectfully submitted
Tim Raimer Manager

City of Portage
Parks and Recreation
Land and Facility Naming Policy

3/19/2013

Purpose

The purpose of the policy is to establish standard procedures and guidelines for the naming of public parklands and facilities owned and/or operated by the City of Portage.

Authority

The name of site shall be the function of Parks and Recreation Board. Upon review and recommendation by the Parks and Recreation Board, the Common Council shall have final approval.

Objectives

A. Provide name identification for parks, conservancy areas, public lands and recreational facilities.
B. Provide criteria for citizen input into the process of naming parks, conservancy areas, public lands and recreational facilities.
C. Insure that the naming of parks, conservancy areas, public lands and recreational facilities is controlled by the Common Council for the City of Portage upon review and recommendation by Parks and Recreation Board.

Qualifying Names

Names submitted for consideration should provide some form of individual identity in relation to the following:

A. The geographic location of the facility. This includes descriptive names.
B. An outstanding feature of the facility.
C. An adjoining subdivision, street, school or natural feature.
D. A commonly recognized historical event, group, organization or individual (living or deceased).
E. An individual or organization that contributed significantly to the acquisition or development of the facility to be named. This can include either a deed or substantial monetary contribution, or contribution toward acquisition and/or development of the park or facility (typically not less than 50 percent of the value of the property or improvements).
F. Outstanding accomplishments by an individual for the good of the community. Quality of the contribution should be considered along with the length of service by the individual - this to be fully substantiated by person making recommendation.

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G. An individual who provided an exceptional service in the interest of the park system as a whole. Typically, while serving in a public office, public officials should not be considered as a candidate for naming.

Other Naming Alternatives

A. Parks and facilities that are donated to the City can be named by deed restriction by the donor. The naming and acceptance of land is subject to approval by the City Council. Naming rights are not guaranteed if the donation of parkland is a dedication as required by the subdivision ordinance (parkland dedication).
B. Facilities within a park can be named separately from the park and/or facility in which they are located, subject to the general guidelines outlined in this policy.

Naming Process – Existing Un-named Facilities

A. Individuals, groups and/or organizations interested in proposing a name for an existing un-named park area or facility must do so in writing, presented to the Parks and Recreation Manager, for consideration by the Parks and Recreation Board.
B. The Parks and Recreation Board will conduct a public meeting on the request and allow 30 days following the public meeting for public comment.
C. The Board will recommend to the City Council action on the request following appropriate publication (website, press release, etc.).

Naming Process – New Facilities

A. A temporary name will be designated by City staff for identification during acquisition and/or development of the park area or facility.
B. Individuals, group and/or organization may suggest names for the park or facility in writing, presented to the Parks and Recreation Manager, for consideration by the Parks and Recreation Board.
C. The Parks and Recreation Board will evaluation and make a name recommendation. This Board may choose from a variety of means to select a name (citizen contests, recommendations from previous owners, historical review of the site, etc.) but in all cases, citizen involvement is encouraged.
D. The Parks and Recreation Board will conduct a public meeting on the suggested name and allow 30 days following the public meeting for public comment.
E. The Board will recommend to the City Council action on the request following the 30 days for public comment.

Draft

Park Renaming

Critical examination will be conducted to insure that renaming the park will not diminish the original justification for the name or the prior contributors. Renaming will follow the same procedures as naming the park.

A. Only parks and facilities named for geographic location, outstanding feature or subdivision should be considered for renaming. Parks that have been named by deed restriction shall not be considered for renaming.
B. Parks and facilities named after individuals shall not be changed unless it is found that because of the individual's character the continued use of their name would not be in the best interest of the community.

Plaques, Markers and Memorials

The Parks and Recreation Board, or its designee must approve any plaques, markers or memorials. All parties involved must agree upon a written maintenance agreement for each plaque/marker/memorial before they are installed.

All memorials must be designed to blend with and complement the existing Parks and Recreation Department signs, plaques, markers, and memorials.

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City of Portage
Legislative & Regulatory Committee Meeting
(This meeting will constitute a meeting of the Municipal Services and Utilities Committee as a quorum of members will be present; but no business of that committee will be taken up.)
Thursday, March 21, 2013, 6:15 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room One
Agenda

Members: Michael G. Oszman, Chairperson; Carolyn Hamre, Martin Havlovic, Rita A. Maass, Frank Miller

1. Roll call

   The meeting was called to order at 6:15 PM. All members were present.
   Others in attendance: Marie Moe, Jesse Spankowski, Marianne Hanson, Norm Milz, Craig Sauer

2. Approval of minutes from previous meeting

   Motion by Miller and second by Maass to approve the minutes as printed. Passed on a 4-0 call of roll. Haclovic abstaining.

3. Discussion and possible action on Class B Fermented Malt Beverage and Class C Wine License application for Norm E. Milz, 100 East Cook Street

   Motion by Miller and second by Hamre to approve a Class B Fermented Malt Beverage and Class C Wine License application for Norm E. Milz, 100 East Cook Street. Passed on a 5-0 call of roll.

4. Discussion and possible action on Operator License application for Nicole R. Krintz

   Motion by Maass and second by Miller to deny an Operator License application for Nicole R. Krintz based on two or more drug or alcohol related convictions in the past five years. Passed on a 4-0 call of roll. Hamre abstaining.

5. Discussion and possible action on Temporary Class B License for Portage Area Chamber of Commerce for April 18, 2013

   Motion by Maass and second by Havlovic to approve a Temporary Class B License for Portage Area Chamber of Commerce for April 18, 2013. Passed on a 5-0 call of roll.

6. Discussion and possible action on suspension/revocation hearing for the Class B Combination License held by Valarie Gillingham

   City Attorney Spankowski explained that this meeting was the next step in the process for suspesion/revocation for the Class B Combination License held by Valarie Gillingham.
   A hearing will be held Monday, April 15th by the Legislative and Regulatory Committee as the next step in this process.

7. Adjournment

   Motion by Maass and second by Oszman to adjourn the meeting at 6:31 PM. Passed on a 5-0 call of roll.

   Frank C. Miller, Secretary

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning ~~November~~ March 1, 20 ~~12~~ 13;
ending June 30 20 13

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of } Portage

County of Columbia Aldermanic Dist. No. _____ (if required by ordinance)

Applicant's Wisconsin Seller's Permit Number: 036000125133 104	
Federal Employer Identification Number (FEIN): [illegible]-5223275	
LICENSE REQUESTED ▶	
TYPE	**FEE**
☐ Class A beer	$ 33.36
☒ Class B beer	$ ~~66.64~~
☒ Class C wine	$ ~~66.64~~ 33.36
☐ Class A liquor	$
☐ Class B liquor	$
☐ Reserve Class B liquor	$
Publication fee	$ 25.00
TOTAL FEE	$ ~~158.28~~ 91.72

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☐ LIMITED LIABILITY COMPANY ☐ CORPORATION/NONPROFIT ORGANIZATION hereby makes application for the alcohol beverage license(s) checked above.
2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): ▶ NORM E MILL

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member			
Vice President/Member			
Secretary/Member			
Treasurer/Member			
Agent ▶			
Directors/Managers			

3. Trade Name ▶ NORM'S PITSTOP Business Phone Number 608/745-0900
4. Address of Premises ▶ 100 E COOK, PORTAGE, WIS Post Office & Zip Code ▶ 53901
5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☒ Yes ☐ No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No
8. (a) **Corporate/limited liability company applicants only:** Insert state _____ and date _____ of registration.
   (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☐ No
   (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No

   (NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)
9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) TOP FLOOR RESTAURANT 1100 SQ FEET
10. Legal description (omit if street address is given above): BASEMENT OFFICE 900 SQ FEET
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☐ Yes ☒ No
    (b) If yes, under what name was license issued? _____
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] ☒ Yes ☐ No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 20th day of February, 2013

Marie A. Moe
(Clerk/Notary Public)

My commission expires term of office

Norm E Mill
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk 02-20-13	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Applicant Name: Krintz Nicole R
Last First Middle Initial Maiden

1. How long have you continuously resided in the State of Wisconsin prior to the date of this application?
11 years

NOTE: If you need assistance in answering the questions below, please contact the Local Police Dept., the County Sheriff's department or the authority who made the arrest, issued the citation or the summons.

2. Have you ever been convicted of a felony (unless pardoned)? NO If YES, list violation, give conviction date and jurisdiction where convicted _____

3. Have you ever been arrested or convicted of violating any other laws of the United States, State, County, City, Village or Town, relating to the use or abuse (either as an adult or juvenile) of alcohol or controlled substances within the past 5 years? yes

If YES, describe the circumstances and give conviction date and jurisdiction where convicted
See attached sheet
Wisconsin Dells city ordinance possession of controlled substance - 2008/09

4. Are there charges of any kind pending against you (either as an adult or juvenile)? no
If YES, describe the circumstances and give conviction date and jurisdiction where convicted _____

5. Name of the licensed establishment(s) where you will be working. The Blarney Stone

6. Have you previously held an Operator License in the State of Wisconsin? no

If yes, list dates held and issuing jurisdiction

Date	Issuing Jurisdiction

7. Have you ever had an Operator License denied or revoked by the City of Portage? no

If YES, explain when and why _____

8. Have you completed the training session on alcohol beverage regulations? yes

If YES, when and where 2/18/13 (Date) online; Learn2Serve (Location)

If No, are you currently registered to attend a training session? _____

If YES, you must attach a copy of the registration form.

*If you haven't held an Operator (Bartender) License or a Class A or Class B Alcohol License, or were not an alcohol agent for a corporation within the past two years of the application date, you **MUST** complete the Alcohol Awareness Course and submit a copy of the Certificate of Completion before the Operator License can be issued.*

Revised 5/2011

READ CAREFULLY BEFORE SIGNING

The undersigned, being duly sworn on oath, deposes and says that he/she is the person named in the foregoing application, that the applicant has read and made a complete answer to each question, and the answers in each instance are true and correct.

The undersigned further understands that an incomplete, inaccurate or false answer constitutes sufficient reason for rejection, denial or revocation of the license.

The undersigned further understands that a full background investigation may be conducted by the Portage Police Department prior to consideration of this application.

The undersigned further understands that any license contrary to Chapter 125 of Wisconsin Statutes shall be void and under penalty of State law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Applicant Signature: Jacob Ky

Subscribed and sworn to before me this 20th day of February, 2013

Clerk/Notary Public Marie A. Moe

DEPARTMENT RECOMMENDATIONS

Department	Approved	Denied	Signature/Date
City Clerk	X		Marie A. Moe 02-20-13
City Treasurer			
Police Chief		X	Ken Manthey 2-27-13

If denied, explain reason

TWO OR MORE CONVICTIONS IN THE PAST FIVE YEARS

- CONVICTED OMVWI (2ND OFFENSE) ON 3-05-10
- CONVICTED OF POSSESSION OF DRUG PARAPHERNALIA ON 3-05-10
- CONVICTED OF POSSESSION OF MARIJUANA BY WISCONSIN DELLS P.D. ON 8-08-11 (PAID FINE) OFFENSE DATE WAS 5-04-11

Revised 4/2011

APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE $ 10.00 Application Date: 3-8-13

☐ Town ☐ Village ☒ City of Portage County of Columbia

The named organization applies for: *(check appropriate box(es).)*

☐ A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.

☒ A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning 4/18/13 and ending 4/18/13 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION *(check appropriate box)* ☒ Bona fide Club (organization) ☐ Church ☐ Lodge/Society ☐ Veteran's Organization ☐ Fair Association

(a) Name Portage Area Chamber of Commerce

(b) Address 104 West Cook St, Ste A Portage WI 53901
(Street) ☐ Town ☐ Village ☒ City

(c) Date organized 1929

(d) If corporation, give date of incorporation 1929

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box: ☐

(f) Names and addresses of all officers:

President Charles Poches 305 East Slifer St, Portage WI

Vice President Andy Murphy 2219 West Wisconsin St, Portage WI

Secretary —

Treasurer DeAnn Tollefson 2016 East Edgewater St, Portage WI

(g) Name and address of manager or person in charge of affair: Melody Pfutzenreuter 1414 East Edgewater Street Portage WI 53901

2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD: See Attached

(a) Street number

(b) Lot Block

(c) Do premises occupy all or part of building?

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover:

3. NAME OF EVENT

(a) List name of the event Portage Wine Walk

(b) Dates of event April 18, 2013

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Portage Area Chamber of Commerce
(Name of Organization)

Officer [signature] (Signature/date)

Officer DeAnn Tollefson (Signature/date)

Officer (Signature/date)

Officer (Signature/date)

Date Filed with Clerk 3/8/13

Date Reported to Council or Board

Date Granted by Council

License No.

AT-315 (R. 5-11) Wisconsin Department of Revenue

1-C130307

ADDITIONAL INFORMATION

May be Granted and Issued only to:

(1) Bona fide clubs that have been in existence for at least 6 months prior to the date of application.

(2) State, county, or local fair associations, or agricultural societies.

(3) Church, lodge, or society that has been in existence for at least 6 months prior to the date of application.

(4) Posts now or hereafter established of ex-servicemen's organizations.

Application:

(1) Filing: In writing, for each event, on Form AT-315.

(2) The local licensing authority may act on application or authorize an official or body of the municipality to issue the license. (ss. 125.26(1) and 125.51(1)(a), Wis. Stats.)

(3) The written application shall be filed with the clerk of the municipality in which premises are located:

Class "B" (Beer):

a. The governing body shall establish any waiting period before granting of a license for events lasting less than 4 days (s. 125.04(3)(f), Wis. Stats.)

b. At least 15 days prior to the granting of the license for events lasting 4 or more days.

"Class B" (Wine):

The application shall be filed with the clerk of the local municipality in which the event will be held at least 15 days prior to the granting of the license.

(4) Seller's Permit: Sec. 77.54 (7m), Wis. Stats., provides an exemption from Wisconsin sales and use taxes relating to certain sales by a nonprofit organization. Check the box if your organization qualifies for the exemption and therefore is not required to hold a seller's permit.

(5) Publication: Not required.

Fee: Not to exceed $10. (Exception: No additional fee may be charged if organization is applying for both a Temporary Class "B" and a Temporary "Class B" license for the same event.)

Duration: The day, or consecutive days, that the specified event is in progress.

Restrictions:

(1) License may not be issued to individuals.

(2) Licenses to organizations, other than ex-servicemen's organizations, can be issued only for a picnic or similar gathering. They may not be issued for business or social meetings of the organization.

(3) Licenses for club or organization meetings may be issued only to ex-servicemen's posts.

(4) License may cover either a specified area or the entire picnic grounds.

(5) License issued to a county or district fair must cover the entire fairground (ss. 125.26(6) and 125.51(10), Wis. Stats.)

(6) No license to clubs having any indebtedness to any wholesaler for more than 15 days for beer (s. 125.33(7), Wis. Stats.) and 30 days for wine (s. 125.69(4)(b), Wis. Stats.)

(7) Licensed operator(s) must be present at all times (ss. 125.26(6), 125.32(2) - Beer; 125.51(10), 125.68(2) - Wine; 125.17)

(8) The licensed club, club members, or any other persons are not permitted to possess intoxicating liquor on licensed premises on the Temporary Class "B"/"Class B" licensed picnic area. (s. 125.32(6), Wis. Stats.)

(9) Not more than 2 wine licenses may be issued to any club, county or local fair association, agricultural association, church, lodge, society or veterans' post in any 12 month period.

(10) Licensed organizations must purchase their product from a licensed wholesaler.

NOTE: Most coolers presently on the market have a fermented malt beverage base allowing sale under a beer license, e.g. Bartles and James, Seagrams, etc.

Location of Premises

1. Portage Area Chamber of Commerce- 104 W. Cook St., Ste A
   served on the first floor of the building

2. Fancy Pants/Smart Woman - 124 W. Cook St
   served in retail areas on first level of the building, with a shared walk thru area

3. The Mercantile - 117 W. Cook St.
   served in the retail areas on the first and balcony in back of the building

4. Antiques Mall of Portage - 128 W. Cook St.
   served in the retail area on all floors of the building

5. Forever Yours Jewelry - 123 W. Cook St.
   served in the front retail area of the building

6. Prairie Flower Beads - 210 W. Cook St.
   served in retail area on the first level of the building

7. Galley Studio - 222 W. Cook St.
   served in retail area on the first level of the building

8. Eye Deal Eyewear & Aspirations Salon - 215 & 213 W. Cook St.
   served in the front retail area of the building, share a front entrance

9. Studio K Hair Design - 226 W. Wisconsin St.
   served on the first level retail area of the building

10. VIBE Salon and Spa - 218 W. Wisconsin St.
    served on the first level retail area of the building

11. Portage Furniture Store - 126 E. Cook St.
    served in the retail areas on the first floor of the building

12. Portage Center for the Arts - 301 E. Cook St.
    served in the gallery area of the building on first floor

13. The Welcome Home Sew n Vac - 118 E. Cook St.
    served in the retail area on the first floor of the building

CITY OF PORTAGE

115 West Pleasant Street
Portage, Wisconsin 53901
Telephone: (608) 742-2176 • Fax: (608) 742-8623

"Where the North Begins"

Checklist for Temporary Class "B" Fermented Malt Beverage License and Temporary "Class B" Wine License

X Received a copy of the Ordinances dealing with Temporary Licenses.

X Filed completed application and paid applicable fees.

X Petition City Clerk if requesting waiver of the Ordinance. Inside buildings

X Contacted the Parks, Recreation and Forestry Manager regarding the event. If the license is for an event on non-city owned property and there is no request for city services, or if the license is for an indoor facility; it is not necessary to contact the Parks, Recreation and Forestry Manager. Not needed

X Contacted the Police Chief about the event.

Applicant Signature: Marianne Hanson for the Portage Area Chamber of Commerce

Date: 3-8-13

(Revised: 05/26/04)

ORDINANCE 13-005

AN ORDINANCE RELATIVE TO THE ZONING CODE OF THE CITY OF PORTAGE, COLUMBIA COUNTY, WISCONSIN

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF PORTAGE, WISCONSIN DOES ORDAIN AS FOLLOWS:

1. Articles I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XIII, XIV, XV, and XVI of Chapter 90 of the Municipal Code of the City of Portage are hereby repealed and re-enacted as Articles I, II, III, IV, V, VI, VII, VIII, IX, and X of Chapter 90, the zoning code in and for the City of Portage, Columbia County, Wisconsin.

2. Article XII of Chapter 90 of the Municipal Code of the City of Portage is hereby repealed and re-enacted as Article XI of Chapter 10, the building and building regulations code in and for the City of Portage, Columbia County, Wisconsin.

3. This ordinance shall take effect upon passage and publication as required by law.

_____
Kenneth H. Jahn, Mayor

Dated: March 14, 2013

Attest: _____
Marie A. Moe, WCPC, MMC, City Clerk

First and Second Readings:
Third Reading:
Passed:

Article XI SIGNS, BILLBOARDS AND CANOPIES

Sec. 10-371. - Purpose of sign regulations.

(a) The purpose of this article is to create the legal framework to regulate, administer and enforce outdoor sign advertising and display within the city. This article recognizes the need to protect the safety and welfare of the public and the need for the well-maintained and attractive sign displays within the community and the need for adequate business identification, advertising and communication.

(b) This article authorizes the use of signs visible from public rights-of-way, provided the signs are:

(1) Complying with the zoning regulations.

(2) Designed, constructed, installed and maintained in such a manner that they do not endanger public safety or traffic safety.

(3) Legible, readable and visible in the circumstances in which they are used.

(4) Respectful of the reasonable rights of other advertisers whose messages are displayed.

(Code 1990, § 13-1-100)

Sec. 10-372. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means a sign which no longer correctly advertises a bona fide business, lessor, owner, product or activity conducted or product available on the premises where the sign is displayed or elsewhere.

Area of copy means the entire area within a single, continuous perimeter composed of squares, rectangles or circles, which encloses the extreme limits of the advertising message, announcement or decoration of a wall sign.

Area of sign means the area of the largest single face of the sign within a perimeter which forms the outside shape, but excluding the necessary supports or uprights on which the signs may be placed. If the sign consists of more than one section or module, all areas will be totaled. Any irregular-shaped sign area shall be computed using the actual sign face surface. In the case of wall signs, the area of copy will be used.

Billboard. See "Off-premises signs."

Bulletin board and identification signs means bulletin boards and identification signs for churches, schools and other permitted institutions and nonprofit organizations.

Canopy sign means any sign attached to or constructed in, on or under a canopy, marquee or awning.

Changeable message sign means a sign such as a manual, electronic or electric controlled time and temperature sign, message center or reader board, whether electronic, electric or manual, where copy changes.

Copy area means the geometric area in square feet that encloses the actual copy of the sign.

Directional sign means any sign which serves to designate the location or direction of any place or area. This includes, but is not limited to, such signs as those identifying restrooms, telephone, parking areas, entrances and exists.

Electric sign means any sign containing internal electrical wiring which is attached or intended to be attached to an electrical energy source.

Flashing sign means any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source, not including changeable message signs.

Frontage means the length of the property line of any one premises parallel to and along each public right-of-way it borders.

Grade means the elevation or level of the street closest to the sign to which reference is made, measured at the street's centerline.

Ground sign means a sign erected on one or more freestanding supports or uprights and not attached to any building.

Gross area means the area of a sign determined by using the outside perimeter dimensions of the sign. If the sign consists of more than one module or section, their areas will be totaled. If the modules are formed in the shape of letters or symbols, the rules for area of copy apply.

Height of sign means the vertical distance measured from the grade at the street right-of-way line where the sign is located to the highest point of such sign or structure.

Illuminated sign means a sign which is lighted by an artificial light source either directed upon it or illuminated from an interior source.

Integrated shopping center means a shopping center in single ownership or under unified control and containing three or more separate businesses.

Legal nonconforming sign means a nonconforming sign that did meet regulations when it was originally installed.

Multifaced sign means a sign with copy on two or more faces that are legible from more than one direction.

Nonconforming sign means a sign that does not meet Code regulations.

Off-premises sign means a sign which advertises goods, products, facilities or services not on the premises where the sign is located, or directs persons to a different location from which the sign is located.

On-premises sign means any sign identifying or advertising a business, person, activity, goods, products or services located on a premises where the sign is installed and maintained.

Portable sign means any sign not permanently attached to the ground or a building.

Projecting sign means a sign, normally double-faced, which is attached to and projects from a structure or building facia.

Roof sign means a sign erected upon, against or above a roof.

Sign means any emblem, painting, banner, pennant, placard, design, identification, description, illustration or device, illuminated or nonilluminated, to advertise, identify, convey information or direct attention to a product, service, place, activity, person, institution, business of solicitation, including any permanently installed or situated merchandise. Signs shall also include all sign structures.

Sign contractor means any person, partnership or corporation engaged in whole or in part in the erection or maintenance of signs, excluding the business which the sign advertises.

Sign structure means any device or material which supports, has supported or is capable of supporting a sign in a stationary position, including decorative covers.

Swinging sign means a sign installed on an arm or mast or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole.

Wall sign means a sign attached to the wall or a building with the face in a parallel plane to the plane of the building wall. This includes signs painted directly on a wall.

Window sign means a sign installed in or on a window for purposes of viewing from outside the premises.

(Code 1990, § 13-1-101)
Cross reference— Definitions generally, § 1-2.

Sec. 10-374. - Permits, applications, fees, issuance and denial, appeals, indemnification, insurance.

(a) *Permits required.* It shall be unlawful for any person to erect, construct, enlarge or structurally modify a sign or cause the same to be done in the city without first obtaining a sign permit for each such sign from the zoning administrator as required by this section. Permits shall not be required for a change of copy of any sign, nor for the repainting, cleaning and other normal maintenance and repair of the sign and sign structure.

(b) *Application for a permit.* Application forms are available at the city clerk's office. Completed applications for a permit shall be filed with the zoning administrator.

(c) *Permit fees.* Application for a permit shall be filed with the zoning administrator, together with a permit fee for each sign shall be provided in the official fee schedule on file in the city clerk's office. Signs installed without a permit are subject to provisions of section 90-37 and shall be removed after proper notice.

(d) *Permit issuance and denial.* The zoning administrator shall issue a permit for the erection, structural alteration, enlargement or relocation of a sign within the city when the permit application is properly made, all appropriate fees have been made, and the sign complies with the appropriate laws and regulations of the city. If the sign permit is denied by the zoning administrator, he shall give written notice of the denial to the applicant, together with a brief statement of the reasons for the denial, along with the return of all permit fees and papers.

(e) *Sign permit appeal.*

(1) In the event any of the requirements herein contained cause undue or unnecessary hardship on any person, firm or corporation, a variance from requirements may be applied for to the board of appeals. An application for variance must be made within ten days after receipt of notice that the sign involved does not conform to this article. In the event that the appeal is not made in writing to the appeals board within such ten-day period, a variance may not be granted. The board of appeals is to take action on any variance request within 60 days of receipt of the variance application. The zoning administrator shall comply with and enforce the zoning board of appeals' decision.

(2) The zoning administrator's failure to either formally grant or deny a sign permit within 15 days of the date an application meeting the requirements of this article is filed shall be cause for appeal to the zoning board of appeals.

(Code 1990, § 13-1-102)

Sec. 10-375. - Legal nonconforming signs.

(a) *Notification of nonconformance.* Upon determination that a sign is nonconforming, the zoning administrator shall use reasonable efforts to so notify, either personally or in writing, the use or owner of the property on which the sign is located of the following:

(1) The sign's nonconformity.

(2) Whether the sign is eligible for characterization as a legal nonconforming sign or is unlawful.

(b) *Signs eligible for characterization as legal nonconforming.* Any signs located within the city's limits of the date of adoption of the ordinance from which this chapter is derived, or located in an area annexed to the city, hereafter which does not conform with the provisions of this chapter is eligible for characterization as a legal nonconforming sign and is permitted, providing it also meets the following requirements:

(1) The sign was covered by a proper sign permit prior to the date of adoption of the ordinance from which this chapter is derived.

(2) No permit was required under applicable law for the sign in question and the sign was, in all respects, in compliance with applicable law on the date of adoption of the ordinance from which this chapter is derived.

(c) *Loss of legal nonconforming status.* A sign loses its nonconforming status if one or more of the following occurs:

(1) The sign is structurally altered in any way, except for normal maintenance or repair, which tends to or makes the sign less in compliance with requirements of this article than it was before alliteration.

(2) The sign is relocated.

(3) The sign fails to conform to the chapter regarding maintenance and repair, abandonment or dangerous or defective signs.

(4) The sign is destroyed by any means to the extent of more than 50 percent of its fair market value.

(5) On the date of occurrence of any of the above, the sign shall be immediately brought in compliance with this chapter with a new permit secured therefor or shall be removed.

(d) *Legal nonconforming sign maintenance and repair.* Nothing in this chapter shall relieve the owner or user of a legal nonconforming sign or the owner of the property in which the sign is located from the provisions of this chapter regarding safety, maintenance and repair of signs.

(Code 1990, § 13-1-103)

Sec. 10-375. - Removal and disposition of signs.

(a) *Maintenance and repair.*

(1) Every sign, including, but not limited to, those signs for which permits are required, shall be maintained in a safe, presentable and good structural condition at all times, including replacement of defective parts, painting (except when a weathered or natural surface is intended), repainting, cleaning and other acts required for the maintenance of said sign.

(2) The zoning administrator shall require compliance with all standards of this chapter. If the sign is not modified to comply with safety standards outlined in this chapter, the zoning administrator shall require its removal in accordance with this article.

(b) *Abandoned signs.* All signs or sign messages shall be removed by the owner or lessee of the premises upon which an on-premises sign is located when the business it advertises is no longer conducted or, for an off-premises sign, when lease payments and rental income are no longer provided. If the owner or lessee fails to remove the sign, the zoning administrator shall give the owner 60 days' written notice to remove said sign. Upon failure to comply with this notice, the city may cause removal to be executed, the expenses of which will be assessed to the tax roll of the property on which the abandoned sign is located.

(c) *Deteriorated or dilapidated signs.* The zoning administrator shall cause to be removed any deteriorated or dilapidated signs under the provisions of Wis. Stats. § 66.05.

(Code 1990, § 13-1-104)

Sec. 10-376. - Prohibited signs.

The following signs shall be prohibited within the city:

(1) Abandoned signs.

(2) Flashing or moving signs. All moving or flashing signs are prohibited. Changeable message signs are not subject to this restriction.

(3) Swinging signs.

(4) Floodlighted and illuminated signs. Signs may be floodlighted or illuminated, subject to the following restrictions:

a. Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of a public right-of-way and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.

b. Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any residential property and which are of such intensity or brilliance as to cause a public nuisance are prohibited.

c. No sign shall be so floodlighted or illuminated that it interferes with the effectiveness of, or obscures an official traffic sign, device and signal or otherwise creates a nuisance.

(5) Unclassified signs. The following signs are prohibited which:

a. Bear or contain statements, words or pictures of obscene, pornographic or immoral subjects.

b. Signs which are an imitation of, or resemble in shape, size, copy or color an official traffic sign or signal.

(Code 1990, § 13-1-105)

Sec. 10-377. - Signs not requiring a permit.

The following signs shall not require a permit:

(1) *Construction signs.* Two construction signs per construction site, not exceeding 100 square feet in area each, shall be confined to the site of construction and shall be removed 30 days after completion of construction or prior to occupancy, whichever is sooner.

(2) *Direction and instructional nonelectric signs.* Direction and instructional nonelectric signs, which provide instruction or direction and are located entirely on a property to which they pertain and do not exceed eight square feet each in area and do not in any way advertise a business. This includes, but is not limited to, such signs as those identifying restrooms, telephone, parking areas, entrances and exits.

(3) *Identification signs and bulletin boards.*

(4) *Government signs.* Government signs for control of traffic and other regulatory purposes, danger signs, railroad crossing signs and signs of public

utilities including danger and aids to service and safety which are erected by or on the order of a public officer in the performance of his public duty.

(5) *House numbers and name plates.* House numbers and name plates not exceeding one square foot in area for each residential, commercial or industrial building.

(6) *Interior signs.* Signs located within the interior of any building or structure which are not visible from the public right-of-way. This does not, however, exempt such signs from the structural, electrical or material specifications of this chapter.

(7) *Memorial signs and plaques.* Memorial signs or tables, names of buildings and date of erection, which are cut into masonry surface or inlaid so as to be part of a building or when constructed of bronze or other noncombustible material not more than four square feet in area.

(8) *No trespassing or no dumping signs.* No trespassing and no dumping signs not to exceed 1½ square feet in area per sign.

(9) *Public notices.* Official notices posted by public officers or employers in the performance of their duties.

(10) *Public signs.* Signs required as specifically authorized for a public purpose by any law, statute or ordinance.

(11) *Political and campaign signs.* Political and campaign signs on behalf of candidates for public office or measures on election ballots provided that said signs are subject to the following regulations:

a. Said signs may be erected no earlier than 60 days prior to the primary election and shall be removed within seven days following said general election.

b. Each sign, except billboards, shall not exceed 16 square feet in nonresidential zoning districts and eight square feet in residential zoning districts.

c. No sign shall be located within 15 feet of the public right-of-way at a street intersection, over the right-of-way, nor on any publicly-owned property.

(12) *Real estate signs.* One real estate sales sign on any lot or parcel, provided such sign is located entirely within the property to which the sign applies and is not directly illuminated.

a. In residential districts and the central general business district, such signs shall not exceed eight square feet in area and shall be removed within 30 days after the sale, rental or lease has been accomplished.

b. In all other districts, such signs shall not exceed 32 square feet in area and shall be removed within 30 days after the sale, rental or lease has been accomplished.

(13) *On-premises symbols or insignia.* Religious symbols, commemorative plaques or recognized historic agencies or identification emblems of religious orders or historic agencies.

(14) *On-premises temporary signs.* Temporary signs not exceeding four square feet in area pertaining to drives or events of civic, philanthropic, education, religious organizations, provided such signs are posted not more than 30 days after the event.

(15) *Vehicular signs.* Truck, bus, trailer or other vehicles, while operating in the normal course of business which is not primarily the display of signs.

(Code 1990, § 13-1-106)

Sec. 10-378. - Construction specifications.

(a) Every sign or advertising structure hereafter erected shall have marked in a conspicuous place thereon the date of erection, the manufacturer's name, the permit number and the voltage of any electrical apparatus used in connection therewith.

(b) All signs shall comply with the provisions of the city building code and the current National Electrical Code and the additional construction standards hereinafter set forth.

(c) All ground and roof sign structures shall be self-supporting structures and permanently attached to sufficient foundations.

(d) Electrical service to ground signs shall be concealed wherever possible.

(e) All signs, except those attached flat against the wall of a building and those signs of which no portion exceeds a height of three feet and are no greater than nine square feet in area shall be constructed to withstand wind loads as follows, with correct engineering adjustments for the height of the sign above grade.

(1) For solid signs, 30 pounds per square foot of the sign and structure.

(2) For skeleton signs, 30 pounds per square foot on the total face cover of the letters and other sign surfaces or ten pounds per square foot of the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater.

(f) No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections.

(g) Supports and braces shall be an integral part of the sign design. Angle irons, chain or wires used for supports or braces shall be hidden from public view to the extent technically feasible.

(Code 1990, § 13-1-107)

Sec. 10-379. - Special signs.

(a) *Subdivision development signs.* The zoning administrator may issue a special permit for a temporary sign in any zone in connection with the marketing of lots or structures in a subdivision, subject to the following restrictions:

(1) Such permits may be issued for a period of not more than one year and may be reviewed for additional periods of up to one year and upon written application at least 30 days prior to its expiration.

(2) Signs as used in this section refer to all types of signs except those excepted or prohibited by this chapter.

(3) The sign must be located on the property being developed and must comply with all applicable building setback requirements.

(4) The sign may not exceed 80 square feet.

(5) One sign is allowed for each major street adjacent to the subdivision.

(b) *Banners and pennants.*

(1) *Generally.* Banners and pennants shall not be used on a permanent basis. Banners and pennants may be permitted as special promotion in a commercial or industrial establishment for a total period not to exceed 30 days and will be allowed in residential zones in conjunction with an open house or model home demonstration conducted by a realtor for up to five days before the opening of such a demonstration or five days after and not to exceed a total period of 30 days. A special permit must first be obtained from the zoning administrator.

(2) *Over-the-street banners.* Unlighted special civic event banners not exceeding 150 square feet in area are permissible over a street right-of-way by special permit from the common council after presentation of proof of insurance along with installation specification.

(c) *Portable signs.*

(1) *Permit.* Any person wishing to place a portable sign on his premises or the premises of another shall first obtain a permit from the zoning administrator. Permits shall be issued for a period not to exceed 60 days in any calendar year. Any sign remaining on the premises for more than 60 days in any calendar year shall be deemed to be a permanent sign and shall meet all requirements for a permanent sign.

(2) *Size.* No portable sign shall exceed 32 square feet and no portable sign shall be over seven feet in height from grade level.

(3) *Setback.* All portable signs shall have a minimum setback from the front property line of ten feet or an additional setback as deemed necessary by the building inspector for the safe flow of vehicle or pedestrian traffic.

(d) *Integrated shopping center.* For integrated shopping centers in single ownership or under unified control and containing several businesses, the following regulations shall apply:

(1) Each business or office shall be eligible for one attached sign. The area of such sign shall not exceed, in square feet, two times the lineal front footage of the business or office.

(2) One ground sign for shopping center identification with the height limitation of 30 feet is permitted. If the shopping center is on a corner, either one corner sign or two signs, one on each street, is permitted. If two signs are installed, they must be placed at least 200 feet from the lot corner at the intersection. The area of such sign shall not exceed, in square footage, the lineal front footage of the lot or 300 square feet, whichever is less. No sign shall be closer than ten feet to a property line unless the adjacent property is a residential district, in which case the sign shall be set back 25 feet.

(Code 1990, § 13-1-108)

Sec. 10-680. - Permitted signs.

(a) *Residential signs.* All signs are prohibited in all residential districts, except the following (no permit is required for these excepted signs):

(1) Signs over show windows or doors of a nonconforming business establishment announcing without display or elaboration only the name and occupation of the proprietor and not to exceed two square feet.

(2) Real estate signs not to exceed eight square feet in area which advertise the sale, rental or lease of the premises upon which said signs are temporarily located.

(3) Name, occupation and warning signs not to exceed six square feet located on the premises — unlighted.

(4) Bulletin boards for public, charitable or religious institutions not to exceed 20 square feet in area located on the premises.

(5) Memorial signs, tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against a structure.

(b) *Business and industrial signs.* Signs are only permitted in business and industrial districts subject to the following restrictions:

(1) Wall signs placed against the exterior walls of buildings shall not extend more than 12 inches outside of a building's wall surface and shall not exceed 500 square feet in area for any one premises.

(2) Projecting signs fastened to, suspended from or supported by structures shall not:

a. Exceed 100 square feet in area for any one premises;

b. Extend more than six feet into any required yard;

c. Extend more than six feet into any public right-of-way or closer than 18 inches to the back of the curb;

d. Be less than five feet from all side lot lines;

e. Be less than 8½ feet above the sidewalk grade;

f. Be less than 15 feet above a driveway; and

g. Exceed a height of 25 feet above the mean centerline street grade.

(3) Ground signs shall not exceed 25 feet in height above the mean centerline street grade, shall meet all yard requirements for the district in which it is located, and shall not exceed 100 square feet on the side nor 200 square feet on all sides for any one premises.

(4) Roof signs shall not exceed ten feet in height above the roof, shall meet all the yard and height requirements for the district in which it is located and shall not exceed 300 square feet on all sides for any one premises.

(5) Combinations of any of the above signs shall meet all the requirements for the individual sign.

(Code 1990, § 13-1-109)

Sec. 10-381. - Canopies and awnings.

(a) *Permit required.* No canopy or awning shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without a canopy/awning permit.

(b) *Canopy and awning restrictions.* Canopies and awnings are permitted in all districts subject to the following restrictions: Where a canopy or awning extends over the public right-of-way, it shall not be less than 8½ feet above the sidewalk grade, shall not be less than 15 feet above a driveway and shall not extend more than seven feet into the public right-of-way. The canopy or awning shall meet all the structural requirements of the state building code.

(c) *Existing canopies and awnings.* Canopies and awnings lawfully existing at the time of adoption or amendment of this chapter may be continued although the use, size or location does not conform with the provisions of this section. However, they shall be deemed a nonconforming use or structure, and the provisions of section 90-634 shall apply.

(Code 1990, § 13-1-110)

Secs. 10-682—10-700. - Reserved.

AIRPORT ACCESS
AGREEMENT

This Access Agreement is made and entered into on the day and date hereinafter set forth, by and between the City of Portage and Fall River Group, witnesseth:

WHEREAS, the Owner is the City of Portage of the Portage Municipal Airport located in Portage, Wisconsin; and

WHEREAS, the User is a corporation occupying a tract of land immediately adjacent to the Portage Municipal Airport which tract of land is legally described as follows:

> Lot 1, Certified Survey Map No. 382 as recorded in Volume 2 of Certified Survey Maps at Page 157, City of Portage, Columbia County, Wisconsin.
>
> Lot 2, Certified Survey Map No. 640 as recorded in Volume 3 of Certified Survey Maps at page 115, City of Portage, Columbia County, Wisconsin

WHEREAS, the User seeks through the fence access for the purpose of using the airport facility for takeoff, landing, and taxiing aircraft.

In consideration of the terms and provision set forth herein, and other good and valuable consideration, the receipt, sufficiency, and adequacy of which is acknowledged, the parties mutually agree as follows:

Owner hereby grants to User, for a term of five (5) years, the right to enter onto and exit from the Portage Municipal Airport from and to User's above described tract of land. The point of entrance and exit may be used only by the User for the purposes noted above at its aforesaid location; and may not be used as a "pass-through" point for other persons or businesses.

User shall pay to Owner, as compensation for the privilege of through the fence access, an annual fee of $200.00, which is based on comparable hanger rental fees at the Portage Municipal Airport. The annual fee to be paid during the term of this agreement shall be paid on January 1st of each year. Any fee increase is determined by the Owner, at five (5) year intervals, but is not to exceed a 10% increase. If this Agreement is terminated by Owner for any reason other than for a violation hereof by User, the Owner shall prorate the annual fee over a twelve month period and shall return to User a prorated portion representing the unused months remaining in the term. A termination by Owner for violation of this Agreement, or any termination by User, shall result in a forfeiture of the remaining balance of the annual fee paid.

The Owner may terminate this Agreement when the existence of the agreement and federal, state or local laws, regulations or ordinances restrict Owner's ability to operate the airport or otherwise disqualify Owner from funds or function associated with the ownership or operation of the airport. Notice of such termination shall be provided to User not less than thirty

(30) days prior to termination. Termination of this agreement results in the termination of User's through the fence access right..

The Portage Municipal Airport is a non-towered airport. User, in utilizing this access right, shall be and remain responsible and accountable for compliance with all local, state and federal safety operational requirements imposed on all aircraft using or utilizing such an airport.

No aircraft may be moved from the User's premises to the Portage Municipal Airport or from the Portage Municipal Airport to User's premises except as taxied by a licensed pilot or A & P qualified mechanic; or, towed by a person qualified to do so.

User shall comply with all Rules and Regulations of the Portage Municipal Airport and all federal, state and local statutes, laws, ordinances, rules and regulations. User shall not park or store any non-airworthy aircraft on any portion of the Portage Municipal Airport at any time whatsoever or allow or permit any third party to do so. User may not use the above described tract of land for any residential purpose.

Owner agrees that in the event or enactment of any change or new federal, state or local statute, law or ordinance that restricts the use or access to the airport under the terms of this Agreement by User, the parties will amend this Access Agreement or execute a new Agreement to allow for the continued use and access of the airport consistent with the terms of this Agreement in a fashion to continue compliance with any new or change in applicable law. Both parties agree that the intent of each party is to continue the historic use and access of the User to the airport.

Neither this access right, nor any right hereunder, may be sold, assigned or transferred in whole or in part by User to any party or in any fashion without the written approval of Owner prior to such sale, assignment or transfer. Any attempt to do so shall be deemed to effect an immediate termination of User's access right. This right shall also terminate upon any unauthorized conveyance, by User, of all or any part of its ownership interest in its aforesaid described tract of land, (excluding a mortgage for loan or collateral purposes).

The User shall comply with and conform in all respects to the requirements of any existing, future or proposed federal or state grant agreement of which Owner is party.

IN WITNESS WHEREOF, the parties hereto have signed this Access Agreement, in duplicate.

Dated this ___ day of January, 2013.

CITY OF PORTAGE

By: _____
Kenneth H. Jahn, Mayor

By: _____
Marie A. Moe, City Clerk

STATE OF WISCONSIN)
) ss
COUNTY OF COLUMBIA)

Personally came before me, this ____ day of January, 2013, Kenneth H. Jahn, Mayor and Marie A. Moe, city clerk of the above named municipal corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers and acknowledged the same.

_____
Print Name: _____
Notary Public, _____ County, WI
My Commission is Permanent/Expires: _____

User: Fall River Group

By: _____
~~Brennan Weigel, CEO~~
KEVIN LAMP, CFO

STATE OF WISCONSIN)
) ss
COUNTY OF COLUMBIA)

Personally came before me, this 25 day of ~~January~~ MARCH, 2013, ~~Brennan Weigel CEO~~ KEVIN LAMP, CFO of the Fall River Group, to me known to be the persons who executed the foregoing instrument, and to me known to be ~~CEO~~ CFO of the Fall River Group, and acknowledged that they executed the foregoing instrument as such officers and acknowledged the same.

Diane RETZLAFF
Print Name: Diane Retzlaff
Notary Public, Dodge County, WI
My Commission is Permanent/Expires: 6-15-2014

DIANE RETZLAFF
NOTARY
PUBLIC
STATE OF WISCONSIN

From: Stephanie Brensike [stephbrensike@gmail.com]
Sent: Wednesday, March 13, 2013 11:04 PM
To: Ken Jahn
Subject: Regarding the Portage Family Skate Park

Dear Mayor Jahn,

I am writing to you to voice my support for the Portage Family Skate Park project. As a mother of four young children, as well as a professional in the Health and Wellness field, I feel that the addition of the skate park would be an asset to our community, not just for recreation, but more importantly, the health of the children in our community.

It is hard to escape the constant streaming of news that obesity is a serious health issue in our current society. The most recent statistics, from July 2011, show that the state of Wisconsin has a combined overweight and obesity rate of 67.3%. Of that percentage, 27.4% are obese, a rate that had increased by 67 percent over just fifteen years. Diabetes rates have almost doubled in the state of Wisconsin in that time, and rates of hypertension have also increased. 26.5% of residents in Columbia County are considered to be obese. These numbers are just adults.

The health risks as a result of obesity are dangerous for children and adolescents. Children and adolescents who are obese are more likely to have what were once considered health issues unique to adults, including sleep apnea, asthma, or orthopedic problems. More than half of elementary school aged children who are considered obese have shown at least one risk factor for coronary heart disease, and a quarter show two risk factors. Long term studies have shown that 60% of obese adolescents will be obese as adults. Our children are the first generation whose life expectancy no longer exceeds that of their parents.

A study conducted by the Trust for America's Health in 2011 estimates that slightly less than 28% of Wisconsin residents ages 10- 17 are obese. This has more than doubled since the last set of data was collected just four years prior. In Wisconsin, 30.7% of children age 2-5 are considered overweight or obese by the most recent set of statistics collected by the CDC for that age group.

Physical activity is one of the key factors stressed by the US Department of Health and Human Services in preventing childhood obesity. Children and adolescents have different physical activity needs than we as adults do. The current CDC recommendations are for children and adolescents to participate in at least sixty minutes of moderate to intensely vigorous aerobic activity daily. Skateboarding is considered to be a moderately- intense aerobic activity. Children and adolescents should also be participating in muscle and bone strengthening activities at least three days per week. Bone strengthening activities are anything that puts stress on the bones and joints, typically involving jumping or other high-impact activity. The varying terrain offered in the skate park would allow for these types of activities that can help increase bone mass in our youth. Skateboarding is a sport that demands not only aerobic capacity and strength, but speed, agility, and balance; all movements shown to increase bone strength long-term.

Dr. Cheryl K. Olson, a public health researcher, compiled several recent research studies on the effects of physical activity on the health of children and adolescents. Dr. Olson found that all studies reviewed indicated that the earlier a child develops good habits of physical activity, the more likely they will continue those habits into adulthood. Regular physical activity showed increases in self-esteem, mood, and healthy body weight for children, as well as reduced symptoms of anxiety and depression. Long term studies indicated that adults who participated in regular physical activity beginning prior to puberty, had a marked decrease of risk of osteoporosis, Type 2 Diabetes, as well as had more favorable cholesterol and blood pressure. It was noted that the emphasis should not be on children participating in organized activities, rather open-ended "free play" physical activity.

Most elementary schools in our district offer Physical Education Classes two days per week. Recess does add more opportunity to be physically active, but what about when school isn't in session? Recess is not available for middle and high school aged children, and the physical education classes are still just a few days per week, and for some high school students, only half of the school year. There are a variety of extra-curricular activities that provide the opportunity for physical activity, but what about the children who either don't want to participate in team sports, or are not interested in the activities offered? Parks and Recreation Programs are a wonderful option, but only run for a short period of time, and cost may be prohibitive for some families.

Our children deserve other opportunities to be physically active, to develop a love of movement, doing something that they enjoy. We have wonderful playgrounds at the parks, but what about the older children and adolescents who have outgrown this type of free-play exercise?

We have the opportunity to provide our children with the Portage Family Skate Park where they can play and socialize, but more importantly, develop a lifelong habit of enjoying physical activity. Please give the children of Portage and our surrounding communities a safe, permanent place where they can continue to engage in open-ended free play, long after they have outgrown our beautiful playgrounds. The future health of our children can not wait.

Thank you for your time.

Sincerely,

Stephanie Brensike

$27.50

Department of Agriculture,
Trade and Consumer Protection
CP-121 (TRAC-433), 4/08

State of Wisconsin
(WI Stat 134.71)

LICENSE APPLICATION

for

PAWNBOKER
SECONDHAND JEWELRY DEALER
SECONDHAND ARTICLE DEALER
SECONDHAND ARTICLE DEALER MALL/FLEA MARKET

CHECK ALL THAT APPLY:

☐ Original application ☒ Renewal

TYPE: ☐ Pawnbroker ☐ Secondhand Jewelry Dealer
☒ Secondhand Article Dealer ☐ Mall/Flea Market

INSTRUCTIONS:

INDIVIDUAL LICENSE – Complete Sections 1, 2, 3 and 6
PARTNERSHIP LICENSE – Complete Sections 1, 2, 3, 4 and 6
CORPORATE LICENSE – Complete Sections 1, 2, 3, 5, and 6

(SECTION 1) APPLICANT INFORMATION

Applicant Name (Last, First, MI)	Sex	Race	Date of Birth	Place of Birth (City & State)
Nichols Michael L.	M	C	[redacted]	

Street Address	City	State	ZIP	Home Telephone Number
[redacted]		TX	75028	

(SECTION 2) CONVICTION RECORD

Have you, or any other person listed on this application, been convicted of any of the following:

A FELONY WITHIN THE LAST TEN (10) YEARS? ☐ YES ☒ NO

WITHIN THE LAST FIVE (5) YEARS OF:

a misdemeanor? ☐ YES ☒ NO
a statutory violation punishable by forfeiture? ☐ YES ☒ NO
a county or municipal ordinance violation? ☐ YES ☒ NO

For each "YES" response provide the date of arrest, the nature of the offense and conviction information:

N/A

(SECTION 3) BUSINESS INFORMATION

Business Name	Street Address	City	State	ZIP	Telephone Number
GameStop #6913	2830 New Pinery Rd	Portage	WI	53901	608.742.7298
Owner's Name	Street Address	City	State	ZIP	Telephone Number
GameStop, Inc.	1625 Westport Pkwy	Grapevine	TX	76051	817.722.7447
Business Manager's Name	Street Address	City	State	ZIP	Telephone Number
James Tierney	2830 Pinery Road	Portage	WI	53901	608.742.7298
Building Owner's Name	Street Address	City	State	ZIP	Telephone Number
Compass Properties	735 N. Water St.	Milwaukee	WI	53202	608.294.9400

Northridge Plaza LLC Suite 735

(Over)

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(SECTION 4) PARTNERSHIP INFORMATION

Partnership Name: N/A

List name, address, sex, race and date of birth (DOB) of all partners. *Attach additional sheets if necessary.*

Name (Last, First, MI)	Sex	Race	DOB	Street Address	City	State	ZIP

(SECTION 5) CORPORATE INFORMATION

Corporation Name: Game Stop, Inc.

State of Incorporation: MN

List name, address, sex, race and date of birth (DOB) of all corporation officers and directors. *Attach additional sheets if necessary.*

Name (Last, First, MI)	Sex	Race	DOB	Street Address	City	State	Zip
See attachment							

(SECTION 6) PENALTY NOTICE

I understand that this license may be denied or revoked for fraud, misrepresentation or false statement contained in the application or for any violation of Wis. Stats. §§ 134.71, 943.34, 948.62 or 948.63.

Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge. I agree to inform the clerk within ten (10) days of any change in the information supplied in this application.

Signature of Applicant: _____

Print Name of Applicant: Michael L. Nichols

FOR ADMINISTRATIVE USE ONLY

Licensing Authority	License Number Assigned	Date Effective	Clerk

FEES RECEIVED: Pawnbroker Bond $ ____ Secondhand Article License $ ____

Pawnbroker License $ ____ Secondhand Dealer Mall/Flea Market License $ ____

Secondhand Jewelry License $ ____ TOTAL FEE: $ ____

FOR LAW ENFORCEMENT USE ONLY

☐ Recommend Approval ☐ Recommend Denial (Attach explanation.)

Investigating Office Signature: _____ Date: _____

Print Name of Investigating Officer: _____

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Agreement with Portage Soccer Association
For use of the
Veterans Memorial Field

This Agreement is by and between the City of Portage (hereinafter referred to as “the City”) and the Portage Soccer Association (hereinafter referred to as "the Renter”).

WHEREAS, THE City owns property known as Veterans Memorial Field that is used by special groups for specific dates.

AND, WHEREAS, because of the long history of cooperation between the City and other groups within the country and State,

AND, WHEREAS, the City and the Renter acknowledge that this agreement is not intended to be comprehensive, but serve as a framework for how they will work together.

NOW, THEREFORE, in consideration of the terms and covenants set forth herein, it is agreed as follows:

1. The Renter shall provide written notice to the City, at the early possible date, of dates needed for the use of the grounds.
2. During the period of the Renter shall have use of the Veterans Memorial Field; including the bathrooms in Building #8, the grandstand seating area, the concession area and grounds known as the designated soccer fields, to hold their events. The storage areas of the Grandstand are not included in this Agreement shall not be used by the Renter. The Renter shall be responsible for all costs associated with the operation of their events, including utilities. The Renter is hereby approved to temporarily install 2 (two) portable storage units on the grounds, behind the Fair Officer or location approved by the Park and Recreation Department. The Renter shall not have access or hold activities during the week prior to, the week of the annual Columbia County Fair through the Wednesday following the close of the Columbia County Fair.
3. At all other times the City shall have exclusive control of the Veterans Memorial Field area and shall use as it deems appropriate.
4. The Renter at no time can alter any of the buildings and grounds at the complex, without written permission for the City.

5. The City shall be solely responsible for the maintenance, upkeep and repair of the buildings and grounds at Veterans Memorial Field with the exception that the Renter shall be responsible for line marking of the designated soccer fields and shall cooperate with the Park and Recreation Department in the daily maintenance and care for the designated soccer fields. Any new items requested by the Renter must be approved by the City prior to installation. The grounds cannot be altered at any time by the Renter without approval of the City and shall be returned in the condition that it was prior granted to the Renter's use. Additionally, the Port's Dog Park shall be kept open at all times and the Renter must provide ingress and egress to both sides of the Dog Park at all times. This includes the parking area for users of the Dog Park.

6. The City and the Renter further acknowledge that there are many issues, including but not limited to the licensing of amusements and vendors; the provision of insurance; and in-kind services that will be subject to regular discussion, agreement and approval so that the Renter will have a successful event for the Renter and the City.

7. The City and the Renter shall sign a pre-event review of the grounds, which shall include photographs of the condition prior to Renter's use. Both parties shall sign the review, which shall be used for comparison during the after event review to determine if any damage occurred or if the deposit shall be returned. The City shall contact the Renter within 7 business days from the end of the event to notify of any damage or other condition that were observed and grant the Renter an opportunity to repair or otherwise resolve the unsatisfactory conditions. The deposit shall be held by the City until such time as any damage or other specified items are addressed to the satisfaction of the Parks and Recreation Department.

9. The Renter has the right to appeal, in writing, this decision within 14 calendar days. Such appeal request shall be heard by the Municipal Services & Utilities Committee at the next regularly scheduled meeting. The recommendation from the Municipal Services & Utilities Committee shall be considered by the Common Council at their next regularly scheduled meeting.

IN WITNESS WHEREOF, the parties hereto have executed this agreement at the City of Portage, Columbia County, Wisconsin.

Dated this _____ day of April 2013.

CITY OF PORTAGE

By:_____
Kenneth H. Jahn, Mayor

By: _____
Marie A. Moe, Clerk

For the Renter

By: _____

Agreement with Portage Soccer Association
For use of the
Veterans Memorial Field

This Agreement is by and between the City of Portage (hereinafter referred to as “the City”) and the Portage Soccer Association (hereinafter referred to as "the Renter”).

WHEREAS, THE City owns property known as Veterans Memorial Field that is used by special groups for specific dates.

AND, WHEREAS, because of the long history of cooperation between the City and other groups within the country and State,

AND, WHEREAS, the City and the Renter acknowledge that this agreement is not intended to be comprehensive, but serve as a framework for how they will work together.

NOW, THEREFORE, in consideration of the terms and covenants set forth herein, it is agreed as follows:

1. The Renter shall provide written notice to the City, at the early possible date, of dates needed for the use of the grounds.
2. During the period of the Renter shall have use of the Veterans Memorial Field; including the bathrooms in Building #8, the grandstand seating area, the concession area and grounds known as the designated soccer fields, to hold their events. The storage areas of the Grandstand are not included in this Agreement shall not be used by the Renter. The Renter shall be responsible for all costs associated with the operation of their events, including utilities. The Renter is hereby approved to temporarily install 2 (two) portable storage units on the grounds, behind the Fair Officer or location approved by the Park and Recreation Department. The Renter shall not have access or hold activities during the week prior to, the week of the annual Columbia County Fair through the Wednesday following the close of the Columbia County Fair.
3. At all other times the City shall have exclusive control of the Veterans Memorial Field area and shall use as it deems appropriate.
4. The Renter at no time can alter any of the buildings and grounds at the complex, without written permission for the City.

5. The City shall be solely responsible for the maintenance, upkeep and repair of the buildings and grounds at Veterans Memorial Field with the exception that the Renter shall be responsible for line marking of the designated soccer fields and shall cooperate with the Park and Recreation Department in the daily maintenance and care for the designated soccer fields. Any new items requested by the Renter must be approved by the City prior to installation. The grounds cannot be altered at any time by the Renter without approval of the City and shall be returned in the condition that it was prior granted to the Renter's use. Additionally, the Port's Dog Park shall be kept open at all times and the Renter must provide ingress and egress to both sides of the Dog Park at all times. This includes the parking area for users of the Dog Park.

6. The City and the Renter further acknowledge that there are many issues, including but not limited to the licensing of amusements and vendors; the provision of insurance; and in-kind services that will be subject to regular discussion, agreement and approval so that the Renter will have a successful event for the Renter and the City.

7. The City and the Renter shall sign a pre-event review of the grounds, which shall include photographs of the condition prior to Renter's use. Both parties shall sign the review, which shall be used for comparison during the after event review to determine if any damage occurred or if the deposit shall be returned. The City shall contact the Renter within 7 business days from the end of the event to notify of any damage or other condition that were observed and grant the Renter an opportunity to repair or otherwise resolve the unsatisfactory conditions. The deposit shall be held by the City until such time as any damage or other specified items are addressed to the satisfaction of the Parks and Recreation Department.

9. The Renter has the right to appeal, in writing, this decision within 14 calendar days. Such appeal request shall be heard by the Municipal Services & Utilities Committee at the next regularly scheduled meeting. The recommendation from the Municipal Services & Utilities Committee shall be considered by the Common Council at their next regularly scheduled meeting.

IN WITNESS WHEREOF, the parties hereto have executed this agreement at the City of Portage, Columbia County, Wisconsin.

Dated this _____ day of April 2013.

CITY OF PORTAGE

By:_____
Kenneth H. Jahn, Mayor

By: _____
Marie A. Moe, Clerk

For the Renter

By: _____

Historic Preservation Commission

City of Portage

To: Mayor Ken Jahn and City of Portage Common Council

From: City of Portage Historic Preservation Commission

RE: Property @ 310 DeWitt Street, Portage, Wisconsin

Date: March 19, 2013

We, the members of the City of Portage Historic Preservation Committee, write today regarding the property at 310 DeWitt, commonly known as and alternately referred to within this document as the Black Building.

The City of Portage has expressed an interest in purchasing this property and, accordingly, approached this Commission for our input on the matter. This letter is the result of that inquiry.

This Commission finds that the Black Building holds much significance in the early and recent history of the City of Portage. It is a contributing member of the Portage Retail Historic District, listed in 1995 on the National Register of Historic Places.

The property at 310 DeWitt has a storied past, reflecting the progression of Portage's development through the various businesses housed on the property. In addition, the Black Building has hosted a virtual "Who's Who" of successful business owners who helped establish downtown Portage as a thriving business center.

A brief historical background of the Black Building follows:

> George and Alexander Murison, Scotch cabinetmakers, opened their shop in Portage in 1853. George Murison continued the shop as sole owner after 1857-1858. In 1880, George Murison moved from the Emporium Block at the northeast corner of DeWitt and Conant to a new building at 310 DeWitt—then the south portion of the current building.
>
> In 1892, Murison added the north wing, replacing a frame grocery. Portage contractor Alexander Carnegie completed the wing. At the turn of the century, Murison made the transition to purchasing furniture from wholesalers and closed his craft shop. His undertaking business had also grown from fabricating occasional coffins for home funerals to managing the funerals themselves.

Wallace Murison joined him as *Murison & Son Company* in 1893. In 1914, the partnership incorporated as *George Murison & Sons Company* with George Murison, Sr. and his two sons Wallace and George A. Murison. At the time of George Murison's death in 1914, the firm included Wallace Murison as President and Director of the funeral parlor and ambulance service, and George A. Murison as its Secretary and Treasurer and Director of the furniture portion of the business. In 1917, the company remodeled *Murison's Furniture Emporium* adding the two story glass front and the third floor.

George Murison, Jr. sold the business to Jack Weiss and Saul Black in December 1950. Otto Pflanz became employed with the Murison Funeral Service in 1944. In 1946, at the time of Wallace Murison's retirement, Pflanz purchased this portion of the business which became known as the *Murison-Pflanz Funeral Service*. One year after Weiss and Black purchased the store, Pflanz moved the funeral service to the former J.B. Wells home at 430 W. Wisconsin. By 1955, Black and Wells ran the still fondly-remembered *Black's Furniture Mart*.

The City of Portage commissioned a professional inspection of the property. This inspection, completed by Ken Fish and Mark Jankowski in October 2012 on behalf of the General Engineering Company, ultimately concludes that the Black Building is eligible for a raze order.

The Portage Historic Preservation Commission strongly disagrees with any plan to raze this historic building and replace it with a new structure. Estimates provided within the General Engineering inspection report indicate that the cost of repair and reuse is well below the cost of demolition and construction of a new building.

Because of the significance of the property in our community's history, the City of Portage Historic Preservation Commission strongly recommends that the Black Building be rehabilitated and repurposed in a historically sensitive manner.

Sincerely,

The City of Portage Historic Preservation Commission
Doug Klapper, Chair