

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Common Council of the City of Portage will conduct a public hearing to declare its intent to exercise special assessment powers relative to the installation and replacement of sidewalk and appurtenant work at the following locations:

East side of Airport Road from Henry Drive to Silver Lake Drive
South side of West Silfer Street from Schultz Street to Collipp Street
North side of Eastridge fronting the Pizza Ranch restaurant
North side of East Slifer Street at the PCSD parking lot west of their administrative building

The **Public Hearing** will be held on the 22nd day of August, 2013 at 6:45 p.m. in the Common Council Chambers at the City Municipal Building, Portage, Columbia County, Wisconsin.

All interested persons may appear in person or by their attorney or by agent for the purpose of offering proof either for or against the installation and replacement of sidewalk and appurtenant work.

DATED this 9th day of August, 2013.

City of Portage

Marie A. Moe, WCPC, MMC, City Clerk

**City of Portage Common Council Meeting
Council Chambers of City Municipal Building
115 West Pleasant Street, Portage, WI
Public Hearing – 6:45 p.m.
Regular Meeting – 7:00 p.m.
August 22, 2013
Agenda**

Public Hearing – 6:45 p.m.

Declaring intent to exercise special assessment powers relative to the installation and replacement of sidewalk and appurtenant work at the following locations: East side of Airport Road from Henry Drive to Silver Lake Drive, South side of West Slifer Street from Schultz Street to Collipp Street, North side of Eastridge fronting the Pizza Ranch restaurant, and North side of East Slifer Street at the PCSD parking lot west of their administrative building.

Regular Meeting – 7:00 p.m.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Taylor Rentals Hearing
 - A. Due Process Hearing Regarding Notification of Public Nuisance Regarding Length of Grass adjacent to Office building at 2425 Airport Road
 - B. Council Deliberation on Public Nuisance Which may Include Adjournment to Closed session per 19.85(1)(a) Wis. Stats. and Subsequent Return to Open Session
 - C. Council determination on the Public Nuisance specifying the Findings, Facts and Conclusions of the Public Nuisance.
6. Consideration of In-kind Request and Application for Temporary Class "B" License for August 29, 2013 – September 2, 2013 from Portage Elks #675
7. Minutes of Previous Meeting
8. Consent Agenda
 - A. Reports of Sub-Committees, Boards, and Commissions
 1. Tourism Promotion Committee, June 13, 2013 and August 6, 2013
 2. AdHoc Canal Committee, August 5, 2013
 3. Board of Zoning Appeals, August 5, 2013
 4. Library Board, August 13, 2013

5. Police and Fire Commission, August 14, 2013
- B. License Applications
 1. Operator
9. Committee Reports
 - A. Finance/Administration Committee, August 12, 2013 and August 19, 2013
 1. Consideration of Award of Contract No. 13-011, 2013 Sidewalk Construction and Replacement
 2. Consideration of Liability and Property Insurance Renewals
 3. Consideration of designation of surplus vehicle
 4. Consideration of reallocation of Capital Funds for Hamilton Street Trail Segment
 5. Consideration of Award of Contract No. 13-013, 2013 Bituminous Asphalt Street Resurfacing
 - B. Legislative and Regulatory Committee, August 15, 2013
 1. Consideration of Class "A" Fermented Malt Beverage License application for Wal-Mart Stores East, LP, Wal-Mart #1799, 2950 New Pinery Road, Kathleen M. Doucey, agent
 2. Consideration of Class "A" Fermented Malt Beverage License application for FKG Oil Company, Portage Motomart, 601 East Wisconsin Street, Katherine L. Winter, agent
 3. Consideration of Class "B" Fermented Malt Beverage and "Class C" Wine License for Golden Cup 2 Cafe, LLC, 2812 New Pinery Road, Arif Topalovski, agent
10. Old Business
11. New Business
 - A. Ordinances
 1. Ordinance No. 13-011 relative to Tourism Promotion Committee
 2. Ordinance No. 13-012 relative to Four-Way Stop on Cass Street
 3. Ordinance No. 13-013 relative to Regulations on Silver Lake
 4. Ordinance No. 13-014 relative to Park and Recreation Board
 - B. Resolutions
 1. Resolution No. 13-018 relative to Declaring intent to Exercise Special Assessment Powers Under Section 66.0703 of the Wisconsin Statutes (2013 Sanitary Sewer Construction)
 2. Resolution No. 13-019 relative to Acquisition of Storm Water Easement
 3. Resolution No. 13-020 relative to Proposing to Discontinue That Portion of McPherson Street Lying East of Wauona Trail and West of Ontario Street in the City of Portage, Columbia County, Wisconsin, Pursuant to Wis. Stat. § 66.1003

C. Mayor's Comments

1. Committee meeting quorums
2. In-kind Requests
3. Downtown Portage Inc.
4. Alzheimer's and Dementia Walk
5. Ovarian Cancer Awareness Month Proclamation

D. City Administrator's Report

1. Downtown Tree Replacement
2. U.S. Hwy. 51 (Wisconsin/DeWitt Streets) Reconstruction
3. Habitat for Humanity

12. Adjournment

TAYLOR RENTALS

Rick & Mary Taylor

August 1, 2013

City Clerk
City of Portage
115 West Pleasant Street
Portage, WI 53901

I received a notice July 31, 2013 that I am required to cut the grass that is growing on a parcel of real estate that I own adjacent to my office building at 2425 Airport Road in the City of Portage.

Pursuant to Section 26-106 of the code of ordinances of the City of Portage, I request a hearing before the Common Council to determine whether the notice to mow was appropriate. At that time I request that the City provides me with how they determined my grass is a nuisance. I also wish to provide evidence that the notice to mow was unfairly issued against me in light of the other areas owned privately and by the City that are left unmowed.

At this time I am also requesting a public records request of all notices issued by the City of Portage in the last 90 days to any and all property owners including those owned by the City itself in regards to the ordinance relating to the warning letter dated July 30, 2013 issued to myself. I would also request copies of any billings and or citations relating to this ordinance.

Regards,


Rick Taylor

cc
Mayor Bill Tierney
City of Portage Common Council
City Administrator Shawn Murphy
Director of Public Works Bob Redelings
Chief of Police Ken Manthey

In Kind Services Request Form

Labor Day Softball Tournament

Event Name

ELKS Club

Organization

Veterans Park Fields

MATTRUSSELL | LISA FOSS

Event Location

Aug 29 - Sept 2

Contact Person

201 W CONANT ST PORTAGE WI

Date(s) of Event

608/742-6040 / 608/297-8293

Mailing Address

PO BOX 316 53901
ELKS 675 @ YAHOO.COM

Phone Number

608-697-4403

Email

Barricades

Y N

*Banners: Y N

Location:

Location: _____

Walmart _____

Qty: _____

Commerce Plaza _____

Picnic Tables

Y N

Pauquette Park _____

Location: SOFTBALL PAVILION

33 E Wayside _____

Qty: 6-8

Hwy 51/16 South _____

Hwy 16 N _____ (only 1 at a time)

Others _____

Trash Containers

Y N

Fencing: Y N

Location: BOTH DIAPHRAGMS + CONCESSION

Type: SNOW FENCE

Qty: _____

Requesting Park Fee Waiver

Y N

Installation: ELKS - INSTALL

Traffic Control

Y N

Requesting Council Waivers Y N

Explain: _____

Certificate of Insurance

Y N

Does the organization have liability coverage?

Y N

Amount of Liability Coverage

Insurance Company

Licenses/Permits

Park Rental Form

Y N

(Res) Mon-Fri, \$15/day; Sat-Sun-Hol, \$25/day
(Non) Mon-Fri, \$25/day; Sat-Sun-Hol, \$50/day

Beer Picnic Permit

Y N

Fee \$10.00

Paid Y

N 8/15/13 C130815#1

Wine Picnic Permit

Y N

Fee \$25.00

Paid Y

N

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 \$ 10⁰⁰ 8/15/13 430815#1

Application Date: 8-12-13

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 8-29-13 and ending 9-2-13 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 Church Lodge/Society Veteran's Organization Fair Association

(a) Name PORTAGE ELKS #675

(b) Address PO BOX 316 201 W CONANT ST PORTAGE WI 53901
(Street) Town Village City

(c) Date organized 1901

(d) If corporation, give date of incorporation _____

(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 MARILYN GEORGE - [REDACTED]

Vice President NIKKI SHANNON - [REDACTED]

Secretary TOM TESSMAN - [REDACTED]

Treasurer ROBERT GOODMAN - [REDACTED]

(g) Name and address of manager or person in charge of affair: MAT RUSSEL LISA FASS
BOCCA LA PORTAGE WI 53901 Marilyn George Cl. Portage mg 8/15/13

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

(a) Street number VETERANS PARK

(b) Lot SOFTBALL DIAMONDS Block _____

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

(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 ELKS LABOR DAY SOFTBALL TOURNAMENT

(b) Dates of event 8-29 / 9-2-13

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.

X Officer Marilyn George
(Signature/date)

X Officer Nikki Shannon
(Signature/date)

PORTAGE ELKS LODGE #675
(Name of Organization)

X Officer Robert A. Goodman
(Signature/date)

X Officer Thomas Tessman 8/12/13
(Signature/date)

Date Filed with Clerk 8/15/13

Date Reported to Council or Board _____

Date Granted by Council _____

License No. _____

Common Council Proceedings
City of Portage

Regular Meeting
Council Chambers
City Municipal Building

August 8, 2013
7:00 p.m.

1. Call to Order

Mayor Tierney called the meeting to order at 7:13 p.m.

2. Roll Call

Present: Ald. Dodd, Ebnetter, Garetson, Hamre, Havlovic, Klapper,
Maass, Miller, Oszman

Also Present: Mayor Tierney, City Clerk Moe, City Administrator Murphy,
City Attorney Spankowski, Director of Public Works/Utilities Manager
Redelings, Fire Chief Simonson, 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

No changes.

5. Minutes of Previous Meetings

Motion by Klapper, second by Oszman, to approve the minutes of the July
11, 2013 meeting and the July 25, 2013 Common Council meetings.
Motion carried unanimously on call of roll.

6. Consent Agenda

Reports of Sub-Committees, Boards, and Commissions
Business Improvement Board of Directors, July 10, 2013
Historic Preservation Commission, July 16, 2013
Cable TV Commission, July 16, 2013
Airport Commission, July 23, 2013
Park and Recreation Board, July 23, 2013
Emergency Planning Committee, July 26, 2013

Motion by Dodd, second by Maass to accept the reports as presented.
Motion carried unanimously on call of roll.

License Applications

Operator license applications for period ending June 30, 2014 for David C. Green, Linda L. Heiskanen, Ronald G. Jacob, Margaret A. Russell.

Taxi Cab Operator license applications for period ending June 30, 2014 for Lonnie R. Martinez and Jerry J. Schoenemann.

Motion by Dodd, second by Oszman to approve the license applications as presented. Motion carried unanimously on call of roll.

7. Committee Reports

Plan Commission, July 15, 2013

Finance/Administration Committee, July 22, 2013 and August 8, 2013

Motion by Dodd, second by Garetson to approve the design engineering proposal from McMahon Engineers in the amount of \$26,900 for the Wastewater Treatment Plant digester upgrade project. Ald. Dodd indicated that following further research, he will not be supporting the proposal from McMahon Engineers. Motion carried 6 to 3 on call of roll with Dodd, Hamre and Oszman voting no.

Motion by Dodd, second by Maass to approve claims in the amount of \$1,511,670.60. Motion carried unanimously on call of roll.

Municipal Services and Utilities Committee, August 1, 2013

Motion by Garetson, second by Hamre to approve the in-kind service requests from Portage Kiwanis Club, American Red Cross and Portage Community Theatre. Banners at Pauquette Park are to be relocated to the SW corner of Pierce and West Edgewater Street. Motion carried unanimously on call of roll with Ebnetter abstaining.

8. Old Business

Change of Agent for Class "A" Fermented Malt Beverage License for Kwik Trip Inc., Kwik Trip #653, 1223 East Wisconsin Street, Randy Showers, agent

Motion by Oszman, second by Klapper to approve the change of Agent for Class "A" Fermented Malt Beverage License for Kwik Trip Inc., Kwik Trip #653, 1223 East Wisconsin Street to Randy Showers. Motion carried unanimously on call of roll.

Ordinances

Ordinance No. 13-010 relative to Number of "Class A" Intoxicating Liquor Licenses and Class "A" Fermented Malt Beverage Licenses received its third reading. Motion by Miller, second by Hamre to pass Ordinance No. 13-010. Several Alderpeople stated their position on the proposed

ordinance. Motion carried 6 to 3 on call of roll with Garetson, Maass and Oszman voting no.

9. New Business

Secondhand Article Dealer License for Amanda G. Stalker, Hidden Treasures, 111 East Haertel Street

Motion by Dodd, second by Garetson to approve a secondhand article dealer license for Amanda G. Stalker, Hidden Treasures, 111 East Haertel Street. Motion carried unanimously on call of roll.

Mayor's Comments

Friendship Village Celebrates Zona Gale will be held August 22, 2013.

Taste of Portage will be held August 24, 2013.

The streetlight LED project is complete.

Mayor Tierney stated that some of the greatest abusers of downtown parking are the business owners. He requested that the downtown business owners use the parking lots instead of parking on the main street.

The triathlon will be held August 17, 2012, and the Aquathon on August 16, 2013.

City Administrator's Report

An update was given on the Enterprise Center: Internet pricing has been restructured; another space has been leased; a firm is looking to occupy a production bay; MATC is looking at more space.

10. Adjournment

Motion by Oszman, second by Ebnetter to adjourn. Motion carried unanimously on call of roll at 7:50 p.m.

Marie A. Moe, WCPC, MMC
City Clerk

City of Portage
Tourism Promotion Committee Meeting
City Municipal Building, 115 West Pleasant Street
Conference Room One
June 13, 2013

MEETING MINUTES

Members present: Martin Havlovic, Rick Dodd, Carole LaVigne, Beth Woyt

Members excused: Andy Murphy, Dawn Schneller

1. Acting Chair Havlovic called the meeting to order at 5:30pm
2. Dodd nominated Havlovic as committee chair, second by Woyt. Havlovic elected committee chair on a 3-0 voice vote with Havlovic abstaining.

Havlovic nominated Dodd as committee vice-chair, second by Woyt. Dodd elected committee vice-chair on a 3-0 voice vote with Dodd abstaining.

LaVigne nominated Schneller as committee secretary, second by Woyt. Schneller elected committee secretary on a 4-0 voice vote.
3. Committee members agreed to meet the first Tuesday of the month at 5:30 pm at the City Municipal Building. Additional meeting times would be set when needed.
4. Moved by Dodd to accept minutes of January 2013 committee meeting, second by Woyt. Motion passed 4-0 on roll call vote.
5. No public comment.
6. Moved by Dodd to approve and pay claims submitted in the amount of \$53, 608.99, second by Woyt. Motion passed 4-0 on roll call vote.
7. Greater Portage Area Chamber of Commerce was instructed to come to the September budget meetings with a proposal for advertising/marketing activities.
8. Moved by LaVigne to approve up to \$200 to repair the bubbler in downtown Portage, second by Dodd. Motion passed on 4-0 roll call vote. It was noted that these repairs do not fit the mission or role of tourism promotion.
9. Moved by LaVigne to deny request to pay for a porta-potty adjacent to canal off Highway 33, second by Dodd. Motion passed on 4-0 roll call vote.
10. Next meeting date is August 6, 2013 at 5:30 pm.
11. Moved by Dodd to adjourn, second by LaVigne. Motion passed 4-0 on roll call vote. Chair Havlovic adjourned the meeting at 6:25pm

City of Portage
Tourism Promotion Committee Meeting
August 6, 2013, 5:30pm
City Municipal Building, 115 West Pleasant Street
Conference Room One
Minutes

Members Present: Marty Havlovic, Rick Dodd, Dawn Schneller Carol Laveign, Andy Murphy

Members Not Present: Beth Woyt

Others Present: Marianne Hanson (PACC), Destinee Udelhoven (Indian Agency House)

1. Roll Call: 5:30 PM
Meeting called to order at 5:30 PM with the above members present.
2. Approval of minutes from June 13, 2013 meeting:
Motion made by Carol to approve the minutes, 2nd by Rick. Motion passed 5-0.
3. Public Comment:
The money that was budgeted for Wisconsin Trails magazine (that went out of business), was used to place an ad in Our Wisconsin Magazine. Marianne discussed the ad that we ran with Amtrak and they also ran an Editorial along with the ad. We are focusing more advertising in the Milwaukee area. The Chamber would like help with signage along the bike routes at approximately \$50-\$60 per sign, includes the installation of signs.
4. Discussion and Action on Claims:
Total Claims Submitted: \$848.00
Our Wisconsin Ad: ¼ page ad runs, magazine comes out bi-monthly and we can change ad every time.
Motion to accept and pay the claims was made by Rick, with a 2nd by Andy. Motion passed 5-0.
5. Discussion and action 2013 Grant Request:
Tractor Daze has requested \$2,500.00. No action will be taken at this time, until we can get further information on expenses and income from the show.
6. Discussion and action on various marketing proposals by Portage Area Chamber of Commerce:
Per Marianne, they are currently work on it. No action taken at this time.
7. Discussion and action on informational signage in Portage:
The Directional signage in Portage is fading or has faded to longer readable. There are 7 directionals on each sign, to replace these it will be approximately \$4000.00 for Two Rivers Signs to replace these. Marianne will take inventory as to what is on each sign and what subtractions or additions should be made. Will discuss and take action at next meeting.
8. Discussion and action on preparing the 2014 Budget:
Discussed the Allotments, Advertising (would like 50% of budget), and Grants. We are asking the Chamber handle the marketing and we can tweak later. Meeting has been set for September 24, 2013, to have anyone requesting grants to come in. All requests will need to be to City Hall no later than September 10, 2013, this is a firm deadline, any requesting after this date will not be considered. We all will need a form filled out by applicant (unless it is a new event) on what money was spent on previously, Marty will create this form.
9. Next Meeting Date: Tuesday September 3, 2013 at 5:30 pm.
10. Adjournment: Rick made motion to adjourn, 2nd by Andy, all in unanimous agreement. Meeting adjourned at 6:30 pm.

Respectfully submitted by, Dawn Schneller, Secretary

City of Portage
Ad Hoc Canal Committee Meeting
Monday, August 5, 2013, 6:30 p.m.
Municipal Building, Conference Room One
Minutes

Members present: Fred Galley, Chairperson; Chris Arnold, Ron Dorn, Marianne Hanson, Doug Klapper, Gil Miesgeier, Bob Redelings, Addie Tamboli, Jesse Spankowski (citizen member), Mayor William Tierney ex-officio, Destine Udelhoven

Members excused: Tim Raimer

Others present: Shawn Murphy, Kim Johnson, Scott Inman, Jerry Foellmi, Roger Krejchik, Craig Sauer and Bill Welsh

1. Roll Call
2. Joel Engelland has decided not to join our committee.

Chairperson Galley gave an update on the membership. Mr. Engelland has declined membership and Tim Raimer will participate as his health permits.

3. Recap DOT Agreement with city (Klapper)

Klapper said that the Council approved the Agreement on a 6 to 3 vote with the most senior council members voting against it. Mayor Tierney indicated that of the 3 members voting against the Agreement, two of them had questions/concerns about the ultimate cost to the City.

4. Recap Columbia County Fair booth (Galley/Klapper)

The booth was manned by Klapper, Galley and Udelhoven. Though traffic wasn't high, there was a good exchange of information. Udelhoven indicated some adjoining property owners were concerned about their property rights and impact on property values. Galley responded that studies have shown that properties fronting on trails have increased in value be 20% to 30%.

Klapper suggested the Committee also have a booth at next year's fair and to hold other community events and to solicit other group participation from to build consensus.

5. DNR presentation (Scott Inman, DNR Water Quality Specialist)

Scott provided a presentation (slides attached) on the DNR's current sampling program. The DNR is examining the entire length of the canal and initial estimates indicate that an average 2.25' removal depth would

yield 60,000 cubic yards of material. If that depth is increased by a foot, an additional 27,000 cubic yards of material would need to be removed. Regardless, at approximately \$150/cubic yard, the project cost will range in the \$millions.

Though a phased approach may be considered, one of the reasons the entire canal is being considered for remediation is because the highest concentrations of lead and mercury were found north of Hwy 33. Previous concerns regarding contamination of fish have been forwarded to the Department of Health.

Miesgeier inquired if the dredged sediment could be placed behind the revetment walls. Inman indicated that's a possibility, but also mentioned that it may not be suitable as structural fill for building a trail.

Krejchik inquired as to how water depth would be maintained. Mr. Inman said it would be important to maintain the stormwater structures.

Galley suggested the final design should include ultimate removal of the stop logs at Adams Street.

Klapper inquired as to whether the project might be cheaper if the overlying sediments weren't as contaminated as the bottom sediments. Mr. Inman suggested additional sampling would be required to make a determination. Even if the sediments had different concentrations, it would be very difficult to separate the materials during the removal operation.

Miesgeier inquired if hydraulic dredging was an option and Mr. Inman indicated it was.

6. Request for Proposal of Segment 2 (Kim Johnson, Johnson Engineering)

Kim provided an explanation of the consultant selection process (handouts attached). She indicated the engineering cost is estimated at \$400,000 with an 80/20 split, the City's portion being 20%.

RFQ's would be solicited from DOT's roster of eligible consultants, but only a limited number of consultants would express interest. Thought the City isn't required to interview for the project, it's highly advised. When interviews are conducted, at least 5 firms must be considered.

Ms. Johnson also suggested that a consultant selection team would need to be identified along with a procedure for handling communications during the selection process.

Administrator Murphy suggested that staff work with Ms. Johnson to develop a scope of services for the work and bring it back to the committee for review next month.

7. Discussion and possible action on opening the canal waterway and ped/bike path under Hwy 51 & 16. (Klapper)

Klapper indicated that an ultimate goal of the canal project would to have an opening large enough at Hwy 16/51 to allow light watercraft to pass comfortably. Redelings suggested this item be included in the scoping of the Hwy 51 reconstruction project. Ms. Johnson inquired as to who the DOT project manager was. Redelings will obtain and convey this information.

Klapper suggested the WSHS may need to provide input. Galley indicated earlier versions included swing and lift bridges. Krejchik indicated it was important that safety be considered.

8. Discussion and possible action on storm water inlets into the canal (Klapper)

Klapper expressed his concern for ensuring the stormwater outfalls had adequate provisions to keep sediment out of the canal. Redelings provided a map (attached) showing the structures and drainage areas. Tamboli suggested that Vortex units could be provided to assist with sediment removal.

9. Meeting Schedule (Everyone) Monday, Sept. 9 or Monday, Oct. 7

It was the consensus that the next meeting would be held on Wednesday, September 4, 2013.

Arnold inquired as to whether consultants could be requested to provide a design cost – construction cost percentage. Ms. Johnson said that would not be permitted and suggested that the project budget be an item at all ad Hoc committee meetings.

10. Adjournment

Motion by Redelings, second by Tamboli to adjourn. Motion carried unanimously on call of the roll.

The meeting concluded at 7:50 p.m.

Respectfully submitted,

Robert G. Redelings, P.E.
City Engineer



PORTAGE CANAL
MEETING, 08.05.13



Table of Contents

- Jan – June 2013 Before the last meeting
- June The last meeting
- June – August Since Last Meeting
- August – Dec The rest of 2013

Before the Last Meeting (Jan – June)

- 2013 Ice Sampling (why)
 - Determine if contamination still exists or if any changes
 - Define lateral extent in canal
 - Test the sand is surrogate for clean theory
 - Access across ice is easier
 - Determine Volume
- Conclusions
 - Contamination still exists (conc. similar to previous investigations)
 - Machinery is needed to core deeper
 - Volume estimates will likely increase

Action Items from last meeting June – August

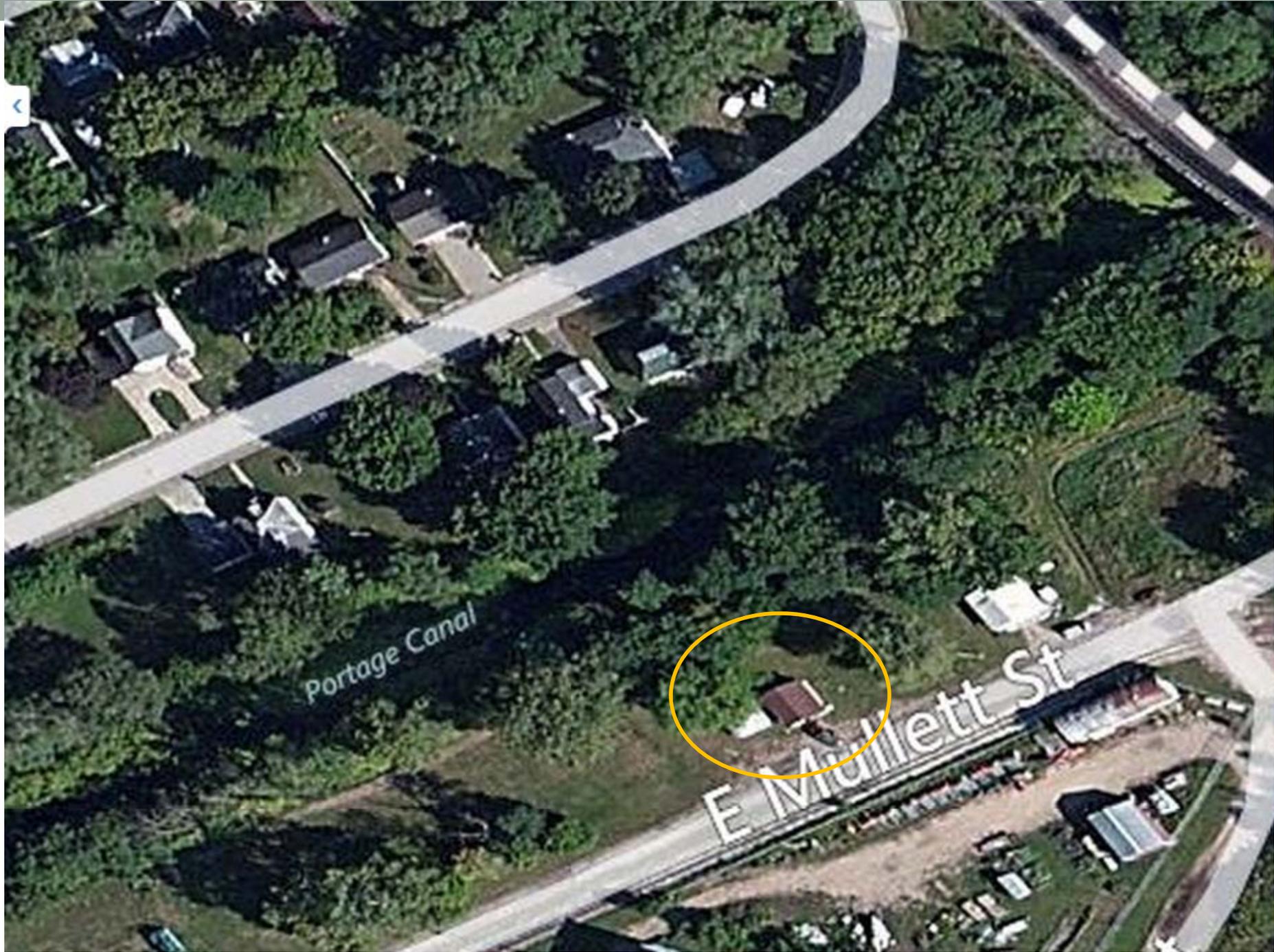
- Information Sheet for the County Fair
- Involve DOH for HHRA
- Check on DNR Marsh Master
- Setup a sampling plan
- Acquire quotes for services

August Meeting

- Information Sheet for the County Fair => completed
- Involve DOH for HHRA
 - Site Visit with DOH
 - DOH has submitted draft HHRA
- DNR Marsh Master => not going to work
- Sampling plan includes
 - USGS poling
 - Marsh Master Geoprobe – DNR Processing
 - State Lab of Hygiene Analytical
 - Fish samples
- Get quotes and rates for services
 - NRT - Milwaukee
 - Mateco – Michigan
 - Protech - Batton Rouse

Rest of Year August - Dec

- Provide Comments to DOH HHRA
- Access to Canal near DNR facility (shed)?
 - Work Ramp
 - Permits
- Finalize contracts
- Implement the sampling plan in fall (potentially October)



Portage Canal

E Mullett St



Questions

Marsh Master at Lincoln Park



**City of Portage
Board of Zoning Appeals
Monday, August 5, 2013, 5:30 p.m.
Municipal Building, Conference Room One
Minutes**

Members Present: Fred Reckling; Adam Field; Dave Carlson; Jeff Wetzel

Members Absent: Phillip Tegen; Michael Paul; Ryan Jahn, Alternate

Also Present: Cole and Pat Meyer, property owners; Jennifer Breunig, Frey Construction

1. Call to Order - meeting was called to order at 5:31 p.m. by acting chairman Reckling.
2. Roll Call - was taken with above members present.
3. Approval of minutes from previous meeting - motion by Reckling to approve, 2nd by Field, motion carries.
4. Public hearing and determination

The application of Jennifer Breunig, 2219 Yellowstone Avenue, LOT 7-BLOCK 6-INDIAN HILLS ADD. City of Portage, Columbia County, Wisconsin, for a variance to Chapter 90, Article II, Section 90-27, (5) governing rear and side yard setbacks. The property is zoned R-1 Single Family Residential District.

Said variance will allow the construction of an addition eight feet, seven inches from the side yard line (a variance of one foot, five inches) and thirty six feet, four inches from the rear property line (a variance of three feet, four inches).

Jennifer Breunig (Frey Construction) was present to represent property owners Cole and Pat Meyer. The purpose of the variance request was to put a small addition onto the house at 2219 Yellowstone Ave. The side variance is consistent with current perimeter of the home. The rear setback variance is consistent with other neighboring properties.

Field asked whether any concerns or objections were raised by neighboring property owners. Cole and Pat Meyer, property owners, responded that none had been raised to them. Neighboring property owners were provided notice of hearing. None were present.

Carlson raised a concern of whether the application met the statutory hardship standard to grant a variance, particularly as it related to rear setback request.

Motion made by Field to approve the variance application, 2nd by Wetzel. Motion carries 3-1, with Carlson voting no.

5. Adjournment – motion made by Field to adjourn at 5:48pm, 2nd by Carlson, motion carries.

Respectfully submitted,

Adam R. Field

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
August 13, 2013

Meeting called to order 12:07

Present: Tamboli, Voigt, McLeish, Poches, Gregory, Stevenson, Varvil-Weld, Vehring

Excused: Davis

Visitor: Mayor Bill Tierney

- 1) Motion to approve July 9, 2013 regular meeting minutes. (EV/DV-W)
- 2) Financial Reports:
 - a) Motion to approve July 2013 Municipal funds claims and Library restricted funds claims for payment as presented. (DV-W/CP)
- 3) Director's Report: Shannon Schultz
 - a) Friends of the Library Annual Book Sale brought in over \$4,000.00.
 - b) The hearing with the finance committee concerning the 2014 budget will occur on September 23.
- 4) Landscaping and maintenance issues were discussed.
- 5) Business:
 - a) No actionable change orders.
 - b) Motion to authorize up to \$150,000.00 to be taken out of reserve funds to pay for final construction and renovation costs. (DV-W/DG)
- 6) Meeting adjourned 12:47. (CP/DG)

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

City of Portage
Police and Fire Commission Meeting
Wednesday, August 14, 2013, 7:00 p.m.
City of Portage Municipal Building, 115 West Pleasant Street
Conference Room One
Minutes

Members: Thomas Drury, President; Pat Hartley, Charles Miller, Kay E. Miller

Absent: Jeynell Boeck

Others Present: Police Chief Ken Manthey, Assistant Police Chief Kevin O'Neill

1. Roll Call
Meeting called to order at 7:00 pm by Tom Drury.
2. Motion to approve minutes from previous meeting
Motion by K. Miller, second by Hartley to approve minutes from July 1, 2013 meeting. Motion carried unanimously on call of roll.
3. Police Report
Police Chief Ken Manthey presented the Police Report from July 1, 2013 through August 14, 2013. The full report has been attached to these minutes.

There was a bank robbery on July 17, 2013; the suspect was apprehended on July 18, 2013. There was great cooperation between all agencies, which led to the arrest.

There were two small children that fell out of 2nd story windows.

There have been several sexual assaults recently.

4. Motion by Hartley, second by C. Miller at 7:22 pm to go into closed session pursuant to Wisconsin State Statutes 19.85(1)(c) to conduct interviews for part-time Police Officer. Motion carried on unanimously on call of roll.
5. Adjournment
Next meeting will be November 13, 2013.
Motion by Hartley, second by C. Miller to adjourn. Motion carried on unanimously on call of roll at 8:46 pm.

Chuck Miller, Secretary

**PORTAGE POLICE DEPARTMENT
POLICE & FIRE COMMISSION (PARTIAL) 3rd QUARTER REPORT
(Activities from 7-01-13 – 8-14-13)**

- 1) **TRAINING**
 - **Ass't Chief O'Neill attended training on FMLA updates**
- 2) **COMMUNITY RELATIONS**
 - A) **Schools/Child related events**
 - **Chief Manthey & Officer Bob Bagnall will be attending the "New Teacher Luncheon" held at the Portage High School on 8-21-13**
 - B) **Businesses**
 - **An expensive riding mower was stolen from Arbor Green in the 400 block of East Albert Street on 8-03-13; a suspect was developed and he was caught on 8-05-13 with the mower as he tried to sell it in Dane County; he was taken into custody; he is a suspect in similar thefts**
 - **Two people from DeForest were charged with theft on 7-23-13 after they did multiple gas drive-off's at our Kwik Trip stores and others in our area; they were also stealing license plates**
 - **Bank robbery at the downtown US Bank on 7-17-13; female suspect demanded and received cash; implied that she was carrying a weapon; suspect was apprehended on 7-18-13**
 - **Daley's Liquor store was broken into on 7-15-13; a suspect was developed and taken into custody.**
 - **Snack booth was broken into at Silver Lake Beach on 7-15-13**
 - **Wal*Mart customer service employee prevented a senior citizen from being scammed from several thousand dollars on 7-09-13**
 - **Unknown female has been doing numerous gas drive-off's at various Kwik Trip stations; on 7-05-13; she got \$92.44 in gas**
 - **Extremely intoxicated subject at Ridge Motor Inn on 7-05-13; tested .515 on a PBT; he was transported to Tellurian for de-tox**
 - **Four Portage men taken into custody on 7-01-13 after they entered the Hitching Post after-hours and consumed alcohol/food & tripped an alarm**
 - C) **Neighborhoods:**
 - **Large flat screen TV was stolen from an apartment in the 1200 block of Dunn Street on 8-11-13**
 - **22 year old Portage man taken into custody on 8-08-13 for having sexual intercourse with a 16 year old girl on the east side of Portage in his home**
 - **Three year old girl accidentally fell from second floor window at the Red Fox Run Apartments on 7-31-13; she survived the fall**
 - **House was entered on School Road on 7-25-13; electronic device, swords & alcohol taken; search warrant was obtained and stolen property recovered; suspect charged with burglary & theft**

- Vehicle stolen from 200 block of East Carroll on 7-26-13; it was recovered later that day in the underground parking ramp
 - Intoxicated female found near Cook & Cass on 7-18-13; attempted to turn her over to a relative; refused & then taken to DSH for De-Tox; she attempted to kick the officer; she was taken into custody for Disorderly Conduct, Resisting Arrest and Probation hold
 - Complaint of suspicious activity in the bathrooms at the beach on 7-17-13; two juveniles are being referred to the juvenile authorities for having sexual contact
 - Complaint of underage drinking near boat landing at the beach on 7-16-13; two teenagers cited for underage drinking (one taken into custody on a probation hold) and a third cited for furnishing
 - 32 year old Portage man was taken into custody on 7-15-13 for having sex with a teenage girl on the west side of Portage in his home; multiple counts
 - Pistol was stolen from a vehicle parked in the 100 block of East Carroll Street on 7-14-13; reported to us on 7-16-13
 - Fire at Ram Hotel/Historic on 7-14-13; a Portage woman was charged with negligent handling of burning materials (fell asleep while smoking) and she also was taken into custody on a warrant; Officer Brauner poured water on the fire to put it out & waited for PFD to check it out
 - Three vehicle accident on 7-12-13 on MacFarlane @ Emmett with injuries and air-bag deployment; one driver was cited for inattentive driving, no insurance and suspended registration
 - Portage man arrested on 7-10-13 for strangulation, false imprisonment, battery and numerous counts of bailjumping after he assaulted his girlfriend in the 400 block of West Conant Street
 - Car-bicyclist accident with injuries on 7-10-13 at DeWitt & Marion Street; driver of the vehicle was cited for Failure to Yield
 - Officer Pomeroy was able to put out a truck fire with his fire extinguisher in the 1600 block of New Pinery Road on 7-06-13; PFD responded to make sure it was out; vehicle was towed
 - Fight at Gunderson apartments (224 E. Howard) on 7-03-13 resulted in one subject with a broken hand and another with a broken nose; both subjects are being charged criminally
 - Man arrested on East side of Portage for a warrant from COSO on 7-03-13; when patted down, he had felony controlled substance in his possession; also charged with felony bailjumping
- D) Community Service Officers Job Duties/Responsibilities**
- Assisted with the Silver Lake Triathlon on 8-17-13
 - Assisted with Kiwanis "Ride to Read" fundraiser on 8-10-13
 - Assisted with Triad fundraiser outside of Wal*Mart on 8-03-13
 - Assisted patrol with traffic control on New Pinery Road because of cement buckling due to high heat/humidity

- Checking to make sure swimming pools have either fencing or appropriate covers on them
 - Checking and tagging homes with tall grass violations
 - Following up on numerous junk complaints
 - Assist with animal nuisance complaints
 - Fill on for crossing guards when sub not available
 - Assisted with funeral escorts
 - Entering of information into the computer on a daily basis
- E) Senior Citizens
- Annual pork sandwich fundraiser held at Wal*Mart on 8-03-13
 - Annual picnic was held at Pauquette Park on 6-10-13
- F) Chaplains' Program
- Chaplain Mark Goldsworthy visited Ass't Chief O'Neill when he was in the hospital on June 19th
- G) VIPS (Volunteers In Police Services)
- A general meeting held on 7-09-13; reviewed recent activities and had a pot-luck supper
- H) Citizen Police Academy
- New class (#4) graduated on Tuesday, March 12th, we had 13 new graduates; they were very complimentary of the training; we're taking names for the 2014 class
- 3) ADMINISTRATION
- (A) Intergovernmental/Interagency
- Total of 61 Agency Assists
 - Four Madison PD Officers assisted us with a de-tox patient who became combative once he arrived at Tellurian on 8-09-13; he tested .40 on a PBT
 - Ass't Chief O'Neill sat on promotional panel for a new Sgt. for the Baraboo Police Department on 8-08-13
 - Assisted COSO with accident on I-39 at Hogan Road where a vehicle drove off the bridge on 8-07-13; the driver was injured
 - Assisted COSO with a "strong-armed robbery" complaint which occurred at Paradise City west of Portage on 8-05-13; suspect vehicle was located in the city; a suspect was taken into custody; another passenger was taken into custody on a warrant and the driver of the vehicle was arrested for OMVWI
 - COSO investigated a complaint on 8-02-13 where a woman was harassing one of our staff & his family; they had a restraining order against her; she violated it and was taken into custody
 - Assisted MASO by taking a domestic abuse suspect into custody in Portage on 7-27-13
 - COSO assisted us on 7-26-13 with executing a search warrant and recovering stolen property taken in a house burglary in Portage
 - Assisted COSO on 7-25-13 with arresting three armed burglars who had just burglarized a home in Caledonia Township
 - Assisted Fall River PD on 7-22-13 with a combative intoxicated subject who needed medical treatment once they entered the city

- Assisted MASO with a high speed chase on I-39 heading towards Portage on 7-20-13; vehicle came into Portage and ran a red light; stopped at DSH; driver cited for absolute sobriety and taken into custody for MASO for felony eluding a police officer
- Assisted PFD with traffic control for a major house fire in the 100 block of East Franklin Street on 7-17-13
- We were assisted with our bank robbery on 7-17-13 by numerous COSO staff (Supervisors, Detectives, Deputies & a K-9 unit), Sauk County K-9 unit and WI State Patrol
- Assisted Sauk County SO with locating a vehicle they reported stolen from their county; it was located in Portage on 7-09-13
- Officer responded to DSH ER on 7-07-13 for a young child with blunt force trauma to the stomach; it was learned that this occurred out in the county; case turned over to COSO deputy
- Officer Bob Bagnall assisted Sauk County First Responders with a Critical Incident Stress Debriefing on 7-03-13 reference a man who was killed on the go-cart track in Lake Delton
- Officers assisted Baraboo PD on 7-02-13 by taking a suspect into custody on theft charges; located at a business on the north side of Portage & transported him to the Columbia-Sauk line

(B) Attitude & Morale

- Sgt. Walters and Officers Neumann & Schutz performed CPR and used the defibrillator on a 51 year old man who had stopped breathing on 8-10-13; he was revived and med-flighted to Madison
- Sgt. Brian Fehd received a certificate of appreciation on 7-22-13 from the WI Bureau of Transportation Safety for his work on "Click-It or Ticket" and other traffic safety campaigns
- Officer Ben Neumann returned to work on 7-19-13 after taking FMLA time with his wife and newborn child

(C) Statistics/Criminal/Other Investigations:

- 1,581 total number of calls for this time frame

(D) Seasonal Issues

- Extra patrol around fairgrounds for the Columbia County Fair which ran July 24th through the 28th; fairly quiet
- Several incidents of cement buckling on New Pinery Road because of extreme heat/humidity
- Standard calls of fireworks violations the week of July 4th
- Standard calls of dogs being left in vehicles during extreme heat; one owner was cited for cruelty to animals after it was discovered that the windows were completely closed on his vehicle
- Many calls of suicidal subjects and extremely intoxicated subjects

Respectfully submitted,



Kenneth R. Manthey
Chief of Police 8-14-13

PORTAGE FIRE DEPARTMENT
QUARTERLY REPORT: May 1, 2013 to July 31, 2013

TRAINING:

May 14, 2013 Power Tools: Personnel went over all power tools we have and the difference between some of them for starting procedures. They then took turns starting each tool as some have a compression assist button to help them with the compression; a couple of tools have when they are started.

May 21, 2013 – Emergency Traffic Control and Scene Management: Personnel went through the proper set up of an accident scene on the roadway. We had a video on the proper scene management. Several accident scenes were gone over to see some of the things other departments did with their scenes and if they should have done it different.

May 28, 2013 – Pumping and Driving: Personnel went on various pieces of apparatus to improve their skills or start a new driving sheet to get qualified on another piece of apparatus.

June 11, 2013 – EVOC: All personnel went through an Emergency Vehicle Operators Course that we set up at the high school. They had to back trucks down narrowing clearances as well as back around and between obstacles.

June 25, 2013 – Hazmat: All personnel went through meters and the different chemicals we use them on. Members were given unidentified chemicals and had to use meters and manuals to find out what they were.

July 9, 2013 – Water Rescue: All personnel went over the Boat and Hovercraft starting and driving procedures. They then took both units to the Wisconsin River and took turns driving each one. Only certain members are qualified to operate the Hovercraft.

July 16, 2013 – Ladders: All personnel went through the different types of ladders the department has along with the proper carrying technique and how to deploy a ladder for a rescue versus breaking the windows.

COMMUNITY RELATIONS:

School/Event

- On May 16, 2013, I attended a meeting with CCI at Pizza Ranch.
- On May 29, 2013. The Police Chief and I participated in a fund raiser at Pizza Ranch for United Way.
- On May 31, 2013, some of the City employees had training on Safety in City hall. This involved Chief Simonson and Inspector Ratz for the fire portion. Ken Manthey and Kevin O'Neill did the police portion. Fire extinguisher and evacuation for a fire were covered as well as fires in their homes, along with tornado sheltering. Active shooter was covered by the Police department.
- On June 1, 2013, our department participated in the Canal day's parade.
- On June 6, 2013 we took a tender out to cool down any runners in the Torch Run.
- On June 7, 2013, Kevin O'Neill and myself participated in disaster training in Madison along with other emergency personnel from the Hospital and Healthcare for an ice storm.
- On June 13, 2013, I went to Saint Gobain to go over their tornado policy and shelter areas.
- On June 21, 22, 23, I attended the Wisconsin State Chief's convention in the Dells.

- On June 29, 2013, the department participated in the Fourth of July Parade.
- The Portage Firefighters Association had our food stand open for the County Fair to serve brats, hotdogs, burgers, and chicken. We also sent trucks down for the demo derby, motocross races, and tractor pulls to stand by for fire protection

Fire Safety/Extinguisher Training:

- A reminder to all City of Portage and Township residents; that we have smoke detector batteries available at the fire station. We have 9 volt batteries available and we also replace batteries in smoke detectors and carbon monoxide detectors for residents who cannot change them on their own. (This does not include apartment buildings).
- In July extinguisher training was done for employees at Encapsys.
- On July 8, 2013 we took Tower 1 to Weyauwega for repairs.

New Equipment:

- The department purchased 4 new four gas meters to replace the ones we had that were no longer serviceable.

FIRE SUPPRESSION/RESCUE:

- (17) Vehicle Accidents
- (4) Vehicle Fires
- (16) Dispatched and cancelled enroute
- (1) Good Intent
- (3) Wildland Fires
- (0) Outside Rubbish/Trash
- (3) Building Fires
- (1) Cooking Fire
- (1) Fire Other
- (2) Natural Gas Leak
- (2) Flammable Liquids Spill
- (1) Severe Weather
- (4) Smoke/Odor removal
- (4) Medical Assist
- (13) Smoke detector or Co Alarm or activation/Sprinkler Activation
- (8) Electrical Problem
- (0) Chimney Fire
- (2) Water Rescue
- (2) Removal of victims from Elevator
- (1) Hazardous condition

ADMINISTRATION:

Personnel

- Attitudes are good; we now have 30 members on the department. We just interviewed and put on a new member by the name of Grant Wotring. He will start his schooling in Entry Level on September 4, 2013.

STATISTICS:

Inspections: 282 inspections were completed during this time period.

Emergency Responses: The department responded to 86 emergency responses during this time period (1,018.75 man-hours). 48 (56%) responses were in the city and 38 (44%) were in the townships. Of those 17 (20%) were vehicle accidents.

Miscellaneous Activities: 419.25 man-hours were spent on miscellaneous activities which includes 224.75 man-hours spent at the County Fair – food stand and fire protection stand by for the events that took place.

CS: ce

OPERATOR LICENSE APPLICATIONS - BY LAST NAME

LICENSE YEAR: AUGUST 22, 2013-JUNE 30, 2014

KIMBERLY A. GAGLIO
RONALD M. GORSUCH
HEATHER L. KLAUER

**City of Portage
Finance/Administration Committee Meeting
Thursday, August 12, 2013, 6:00 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room One
Minutes**

Present: Rick Dodd, Chairperson; Jeff Garetson, Martin Havlovic, Rita Maass.
Doug Klapper joined at 6:24 pm.

Also present: Bill Welsh, Cable TV. Craig Sauer, Portage Daily Register and City Administrator Shawn Murphy joined at 6:17pm.

1. Roll call

The meeting was called to order by Rick Dodd at 6:07 p.m. It was noted the meeting notice indicated 6:00 pm while the agenda stated 6:30 pm.

2. Approval of minutes from August 8, 2013

Motion by Maass, second by Garetson to approve minutes from the August 8, 2013 meeting. Motion carried unanimously by a call of roll.

3. Review and possible recommendation 2013 Sidewalk Installation Bids

Redelings prepared memo dated 8/2/13 summarizing bids received. Some discussion occurred regarding the need to act on the bids prior to completion of the public hearing for proposed special assessments. Murphy explained that an additional public hearing for the locations of proposed special assessments not notified in the first public hearing will be held prior to the 8/22/13 Council meeting and the bid award is a separate matter. Motion by Maass, second by Havlovic to recommend award to Vans Construction in the estimated amount of \$77,550.65. Motion carried unanimously on call of roll.

4. Review and possible recommendation 2013 Street Resurfacing Bids

Redelings prepared a memo dated 8/2/13 summarizing bids received. It was subsequently recommended to delete E. Conant St from additional project list due to insufficient funds available to replace water main with that street. The Committee requested that E. Albert Street be added to the additional project list. No action was taken with the direction given to bring back summary of cost omitting E. Conant Street and adding E. Albert Street.

5. Review and possible recommendations of Liability and Property Insurance Proposals

- Murphy distributed and explained the summary of 3 proposals received from League of Wisconsin Municipalities (renewal), Don-Rick Insurance and Snyder Insurance. Murphy indicated that all 3 agencies offered to present to the Committee if desired. Motion by Maass, second by Garetson to recommend renewal of liability insurance coverages to League of Wisconsin Municipalities and Property Insurance to Local Government Property Insurance Fund for a total premium of \$290,872 including the no-fault sewer/water back up coverage. Motion carried unanimously on call of the roll.
- 6. Review and possible recommendation on designation of surplus vehicle.**
Motion by Maass, second by Klapper to recommend designation of 1997 Ford F350 (VIN 1FDJF34628E138933) as surplus vehicle. Motion carried unanimously on call of the roll.
 - 7. Review and possible recommendation on Residential Subordination**
Murphy presented a summary of a CDBG loan subordination request for 317 Ontario Street approved by Finance Director on 8/1/13. Dodd reminded Committee that pursuant to the revised CDBG residential loan regulations adopted earlier, Finance Committee does not need to act on subordination request in which there is sufficient Equity. The loan subordination allows recipient to reduce their interest rate from 8.5% to 4.49% with remaining equity of \$13,500.
 - 8. Review and possible recommendation on reallocation of Capital Funds for Hamilton Street Trail Segment.**
Murphy presented a memo summarizing estimated cost of \$6120 to construct city portion of recreation trail across Gunderson Park connecting school constructed segment to Hamilton Street. PATHS group pledged \$1500 toward the project and Divine Savior Hospital pledged \$500 toward the project. Murphy requested a reallocation of \$4200 from balance of project fund account left over from bleacher replacement (approx. \$12,523). Motion by Havlovic, second by Garetson to recommend reallocation of \$4200 to complete recreation trail through Gunderson Park. Motion carried unanimously on call of the roll.
 - 9. 2014 Budget Review Schedule**
Committee reviewed a proposed budget timeline with proposed adoption on November 26, 2013
 - 10. Adjournment**
Motion by Garetson, second by Klapper to adjourn. Motion carried unanimously on call of roll at 7:17 p.m.

Shawn Murphy, City Administrator

**City of Portage
Finance/Administration Committee Meeting
Monday, August 19, 2013, 6:00 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room One
Minutes**

Present: Rick Dodd, Chairperson; Jeff Garetson, Rita Maass, Doug Klapper

Excused: Martin Havlovic

Also present: Bill Welsh, Cable TV; Craig Sauer, Portage Daily Register; City Administrator Shawn Murphy; Finance Director Mohr; Clerk Moe; Fire Chief Simonson; Police Chief Manthey; Director Redelings; Mayor Tierney

1. Roll call

The meeting was called to order by Rick Dodd at 6:00 p.m.

2. Approval of minutes from August 12th, 2013

Motion by Maass, second by Garetson to approve minutes from the August 12th, meeting with a correction to #5; the motion was made by Garetson second by Maass. Motion carried unanimously by a call of roll.

3. Review and possible recommendation on Bids for Contract No. 13-013, 2013 Bituminous Asphalt Street Resurfacing.

Administrator Murphy reviewed the changes as requested at the August 12th, 2013 meeting summarizing the cost of omitting E Conant and the addition of E Albert St. The estimated cost of removing E Conant is \$28,080 and the estimated cost to resurface E Albert from New Pinery to E Haertel is \$48,140. However, there are stormwater drainage and right-of-way issues that need further investigation and design. The committee decided to accept the bid from Gasser as stated with a change order to remove E Conant to follow; leaving the E Albert resurfacing to be considered as part of the 2014 budget. This will allow for better planning of the E Albert project. Motion by Maass to award bid DL Gasser for \$235,322, second by Klapper to Motion carried unanimously on call of the roll.

4. Discussion on 2014 budget and review of Police Services and Fire Services budgets.

The committee reviewed the 2014 budgets for both Police and Fire Services.

5. Adjournment

Motion by Klapper, second by Garetson to adjourn. Motion carried unanimously on call of roll at 7:06 p.m.

Jean Mohr Finance Director

MEMORANDUM

To: Finance Committee
From: Bob Redelings, Public Works Director
Subject: Sidewalk Contract 13-011
Construction and Replacement Bids

Date: August 2, 2013
CC: Shawn Murphy, City Administrator
Bill Tierney, Mayor

Two bids were received on July 31, 2013 for the subject project. The bid tabulation is summarized as follows:

Bidder	Bid Items 1-3 Assessable Portion	Bid Items 4-9 Non-Assessable Portion	Total Bid (Items 1-9)
Van's Construction Portage, WI	\$63,310.65	\$14,240.00	\$77,550.65
Rennhack Construction Reeseville, WI	\$75,882.60	\$31,946.40	\$107,829.00

\$75,000 was budgeted in the 2013 revolving sidewalk fund. The budgeted project didn't include any sidewalk replacement. Several properties have sidewalk sections being replaced-primarily on request.

The budgeted project also did not include new sidewalks on Eastridge and E. Slifter St. These sidewalks were conditions of plan commission site approvals, but haven't been constructed to date.

Based on the bids received and the city's history with Van's Construction, I recommend award of Contract 13-011 to Van's Construction in the amount of \$77,550.65.

Summary of Insurance Proposals

Received 7/19/2013

Revised 8/15/13

<u>Insurance</u>	<u>Current Premium</u>	<u>Current/League Coverage Limits</u>	<u>Don/Rick Insurance</u>	<u>Snyder Insurance</u>
Workers Comp <i>Proposed Premium</i>	\$109,568	\$100K/\$500K/\$100K \$104,781 <i>(as of 8/14)</i>	\$500K/\$500/\$500 \$108,599	\$100K/\$500/\$100 \$116,209
Employers Liability <i>Proposed Premium</i>	Inc. w/Wrk Cmp	\$2,000,000 <i>Inc. w/ Work Comp</i>	\$1,000,000 <i>Inc. w/ Work Comp</i>	\$100K/\$500/\$100 <i>Inc. w/ Work Comp</i>
General Liability <i>Proposed Premium</i>	\$46,230	\$6,000,000(no Deduct) \$93,000 <i>Legal Out.</i>	\$2M/\$4M(No Deduct) \$50,968 <i>Legal Out.</i>	\$6,000,000(\$1000 Deduct) \$45,818+\$5,689 <i>Legal Inc.</i>
Law Enforcement Liability <i>Proposed Premium</i>	\$22,995	\$6,000,000(No Deduct) <i>Inc. w/ Gen Liability</i>	\$2M/\$2M(\$2500 Deduct) \$6,260	\$6,000,000(\$1000 Deduct) <i>Inc. w/ Gen Liability</i>
Public Officials Liability <i>Proposed Premium</i>	\$24,389	\$6,000,000(No Deduct) <i>Inc. w/ Gen Liability</i>	\$2M/\$2M(\$3000 Deduct) \$8,490	\$6,000,000(\$1000 Deduct) <i>Inc. w/ Gen Liability</i>
Airport Liability <i>Proposed Premium</i>	Inc. w/Gen Lib	\$6,000,000(No Deduct) <i>Inc. w/ Gen Liability</i>	\$6,000,000(No Deduct) \$3,065	\$6,000,000(\$2500 Deduct) \$7,500
Auto Liability(All \$500 Deduct) <i>Proposed Premium</i>	\$34,510	\$6M/\$25K/\$50K UI <i>Inc. w/ Gen Liability</i>	\$2M/\$100K UI \$50,463	\$6M/\$25K/\$50K UI \$23,810 <i>(\$1000 Deduct)</i>
Auto Physical <i>Proposed Premium</i>	Inc. w/Prop	Replacement(\$500 Deduct) \$15,611	ACV(\$500 Deduct) <i>Inc. w. Auto Liability</i>	ACV(\$1000 Deduct) \$13,717
Premises & Auto Medical Payments <i>Proposed Premium</i>	Inc. w/Prop	\$10,000 <i>Inc. w/Auto Physical</i>	\$10,000/No Coverage <i>Inc. w/Auto Physical</i>	\$1,000 \$520

<u>Insurance</u>	<u>Current Premium</u>	<u>Current/League Coverage Limits</u>	<u>Don/Rick Insurance</u>	<u>Snyder Insurance</u>
Property <i>Proposed Premium</i>	\$48,077	Replace (\$1000 Deduct) \$51,444	Replace Blanket(\$2.5K Deduct) \$59,710	NO COVERAGE
Contractor Equipment <i>Proposed Premium</i>	\$2,518	Replace(\$1000 Deduct) Inc. w/Property	Replace<10yrs\$2.5K Deduct \$3,127	NO COVERAGE
Crime Money & Securities-Lmtd <i>Proposed Premium</i>	\$ 793	\$55,000(\$1000 Deduct) \$285,000(\$1000 Deduct) Inc. w/ Property	\$55,000(\$1000 Deduct) \$285,000(\$1000 Deduct) \$154	No COVERAGE
Boiler & Machinery	\$7,607	\$30M (\$1000 Deduct) \$6,512	\$65,966,314 Inc. w/ Property	\$50,000,000(\$1000 Deduct) \$10,383
Sub TOTAL	\$296,687	\$271,348	\$290,836	\$223,646 (No Property)
No Fault Sewer/Water Back Up <i>Proposed Premium</i>	\$17,997	\$100K/\$300K \$17,997	\$15K/\$50K/\$250K \$1,030	Only when City Negligent Inc. w/Gen Lib
TOTAL w/No Fault Sewer	\$314,684	\$289,345	\$291,866	\$223,646 (No Property)
				LGIP Property \$ 51,444
				\$275,090

MEMORANDUM

To: Finance Committee
From: Bob Redelings, Public Works Director
Subject: Contract 13-013
Bituminous Asphalt Resurfacing Bids

Date: August 2, 2013
CC: Shawn Murphy, City Administrator
Bill Tierney, Mayor

Two bids were received on July 31, 2013 for the subject project. The bid tabulation is summarized as follows:

Bidder	Bid Item 1 Asphalt Surface Milling	Bid for Item 2 Bituminous Concrete Surfacing	Total Bid (Items 1-2)
D.L. Gasser Baraboo, WI	\$38,402.00	\$196,920.00	\$235,322.00
Northeast Asphalt Fond du Lac, WI	\$37,347.00	\$251,280.00	\$288,627.00

There is \$210,000 budgeted for street resurfacing in 2013. However, an analysis of borrowed funds in May, 2013, determined there are approximately \$220,000 of surplus funds available for additional street resurfacing. The subject bids reflect an augmented project which includes the 100 blocks of E. Emmett St., E. Howard St. and E. Conant St.

Based on the bids received and the city's history with Gasser, I recommend award of Contract 13-013 to D.L. Gasser in the amount of \$235,322.00.

East Albert Street/East Conant Street Paving Cost Estimates
August 16, 2013

1. East Conant Street (DeWitt St. to Adams St.)

- $700' \times 32' = 22,400 \text{ ft}^2 = 2,490 \text{ yd}^2$

Milling $\$2.00/\text{yd}^2 = \$4,980$

- $700' \times 32' \times .25' = 5,600 \text{ ft}^3 @ 150\#/\text{ft}^3 = 420 \text{ tons}$

Asphalt @ $\$55/\text{ton} = \$23,100$

- Total Cost = **\$28,080**

2. East Albert Street (New Pinery Rd. to East Haertel St.)

- $1200' \text{ ft} \times 32' = 38,400 \text{ ft}^2 = 4,270 \text{ yd}^2$

Milling @ $\$2.00/\text{yd}^2 = \$8,540$

- $1200' \text{ ft} \times 32' \times .25' = 9,600 \text{ ft}^3 @ 150\#/\text{ft}^3 = 720 \text{ tons}$

Asphalt @ $\$55/\text{ton} = \$39,600$

- Total Cost = **\$48,140**

3. Additional Cost to pave East Albert St in lieu of East Conant St.

= $\$48,140 - \$28,080 =$ **\$20,060**

**City of Portage
Legislative & Regulatory Committee Meeting
Thursday, August 15, 2013, 6:00 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room One
Minutes**

Members present: Michael G. Oszman, Chairperson; Carolyn Hamre, Martin Havlovic, Frank Miller

Excused: Kenneth A. Ebnetter

Also present: City Administrator Murphy, City Clerk Moe, Deputy Clerk Ness, City Attorney Spankowski, Mayor Tierney, Councilperson Maass, James Daley from Daley's Beverage Mart, Kathy Doucey from WalMart, Marianne Hanson from Portage Area Chamber, Steve Paske, Citizen, Todd Bennett, Citizen, Arif Topalovski from Golden Cup 2, Nurjana Velioska from Golden Cup 2, Katherine Winter from MotoMart, Bill Welsh from Cable TV, Craig Sauer from Portage Daily Register

1. **Roll call**
The meeting was called to order at 6:00 pm by Chairperson Oszman.
2. **Approval of minutes from previous meetings**
Motion by Miller, second by Hamre to approve the minutes as presented from the committee meeting of July 18, 2013. Passed 4-0 on call of roll.
3. **Discussion and possible recommendation on Class "A" Fermented Malt Beverage License applications**
 - A. **Wal-Mart Stores East, LP, Wal-Mart #1799, 2950 New Pinery Road, Kathleen M. Doucey, agent**
Motion by Miller, second by Hamre, to recommend to council denial of the application on grounds of proximity to other licensed establishments. Passed 4-0 on call of roll.
 - B. **FKG Oil Company, Portage Motomart, 601 East Wisconsin Street, Katherine L. Winter, agent**
Motion by Hamre, second by Miller, to deny application on grounds of proximity to other licensed establishments. Passed 4-0 on call of roll.

Chairperson Oszman asked if anyone had an objection to moving the discussion and possible recommendation on Ordinance revision to allow bow hunting in the City up on the agenda. No one objected.

10. Discussion and possible recommendation on Ordinance revision to allow bow hunting in the city

Steve Paske gave an overview of the Metropolitan Deer Hunting Proposal which was presented to the Common Council first in 2011. Miller had concern of a wounded animal roaming in the city limits; Paske suggested starting in out-lying areas and setting a time limit during the day for hunting. Miller had concern the problem will never go away, animals will repopulate; Paske suggested having a community that has implemented the program update the city on their success. Rita Maass noted correspondence from a pilot to the Airport Commission stating three separate dates of encounters with deer during take-off or landing. Any ordinance would require review by DNR. Attorney Spankowski noted he has spoken with a DNR Attorney. The committee requested from Clerk Moe and Attorney Spankowski information from the DNR, a copy of the original draft ordinance and ordinances from other municipalities.

4. Discussion and possible recommendation on Class B Fermented Malt Beverage and Class C Wine License application for Golden Cup 2 Cafe, LLC, 2812 New Pinery Road, Arif Topalovski, agent

Motion by Havlovic, second by Miller to recommend to council approval of Class B Fermented Malt Beverage and Class C Wine License application for Golden Cup 2 Café, LLC, 2812 New Pinery Road, Arif Topalovski, agent. Passed 4-0 on call of roll.

5. Discussion and possible recommendation on Ordinance revision for Sec. 6-111, sale of rabbits or artificially colored animals

Motion by Oszman, second by Miller to forward the ordinance to council approval or the ordinance. Failed on 2-2 vote with Hamre and Havlovic voting no.

6. Discussion and possible recommendation on Ordinance revision for Tourism Promotion Committee membership

Attorney Spankowski noted the revision in the Ordinance is to follow state statute. Motion by Havlovic, second by Hamre to recommend to the council approval of ordinance as presented with effective date of April 15, 2014. Passed 4-0 on call of roll.

7. Discussion and possible recommendation on Ordinance revision for hours of speed restrictions and water skiing on Silver Lake

The committee would like to review use of motors on Silver Lake. Any changes in ordinance need to go to the DNR for advisory review. Motion by Oszman to approve ordinance as presented, second by Hamre. Passed 4-0 on call of roll.

- 8. Discussion and possible recommendation on Ordinance revision for stop sign at Cass and West Emmett Streets**
Motion by Miller, second by Hamre to recommend to council Ordinance revision for 4 way stop sign at Cass Street and West Emmett Street.
Passed 4-0 on call of roll.
- 9. Discussion and possible recommendation on Ordinance revision for Park and Recreation Board membership**
Revision would make Park and Rec Board a committee of the council. The board would direct finances and make decisions. Citizen membership would change from six to five. Motion by Havlovic to recommend to council approval of Ordinance revision for Park and Recreation Board membership as presented with provision that the chairperson is appointed by Mayor and effective date to be April 15, 2014, second by Hamre.
Passed 3-1 with Miller voting no.
- 11. Adjournment**
Motion by Miller, second by Oszman to adjourn at 7:26 pm. Passed 4-0 on call of roll.

Rebecca C. Ness
Deputy Clerk

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 1 20 13 ;
ending June 30 20 14

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

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

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): Wal-Mart Stores East, LP

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	<u>See List Attached</u>		
Vice President/Member	_____		
Secretary/Member	_____		
Treasurer/Member	_____		
Agent	<u>Kathleen M. Doucey,</u>	_____	_____
Directors/Managers	<u>See List Attached</u>		

3. Trade Name Walmart #1799 Business Phone Number (608)742-1432

4. Address of Premises 2950 New Pinery Road Post Office & Zip Code Portage, WI 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 Delaware and date 11/09/01 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.) 1 room, 1 story, approximately 188,803 sq. ft.

10. Legal description (omit if street address is given above): N/A

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. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? 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 10th day of June, 20 13

Mark J. De-
(Clerk/Notary Public)

Andrew J. ...
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

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

My commission expires 9-7-20

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

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>07-01-13</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

C130701 # H #7500 pd

Applicant's Wisconsin Seller's Permit Number: _____	
Federal Employer Identification Number (FEIN): _____	
LICENSE REQUESTED ▶	
TYPE	FEE
<input checked="" type="checkbox"/> Class A beer	\$ 50.00
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ 25.00
TOTAL FEE	\$ 75.00

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning 07/01/2013 20____; ending 06/30/2014 20____;

TO THE GOVERNING BODY of the: Town of } PORTAGE
 Village of }
 City of }

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

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): ▶ FIG Oil Company

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	<u>TODD D. BADGLEY</u>	_____	_____
Vice President/Member	<u>ROBERT J. FORSYTH</u>	_____	_____
Secretary/Member	<u>MELINDA A FRENCH</u>	_____	_____
Treasurer/Member	<u>"</u>	<u>"</u>	<u>"</u>
Agent	<u>▶ KATHERINE L. WINTER</u>	_____	_____
Directors/Managers	<u>"</u>	<u>"</u>	<u>"</u>

3. Trade Name ▶ PORTAGE MOTO MART Business Phone Number 608-742-8435
 4. Address of Premises ▶ 601 EAST WISCONSIN Post Office & Zip Code ▶ PORTAGE 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 MO and date 8/1/1973 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.) outside - cedar + metal inside 1250 sq ft of sales + storage

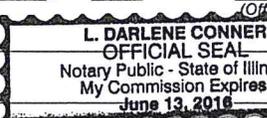
10. Legal description (omit if street address is given above): _____
 11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? _____
 12. Does the applicant understand they must file a Special Occupational 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 19th day of June, 2013

[Signature]
 (Clerk/Notary Public)



[Signature] **ROBERT J. FORSYTH**
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

My commission expires June 13, 2016

[Signature]
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner)
 Individual Partner(s)/Member/Manager of Limited Liability Company if Any

TO BE COMPLETED BY CLERK

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

ORDINANCE NO. 13-011

ORDINANCE RELATIVE TO TOURISM PROMOTION COMMITTEE

The Common Council for the City of Portage does hereby Ordain as follows:

The following Section is hereby repealed:

Section 2-331(a)

The following Section is hereby recreated to read as follows:

Section 2-331(a)

(a) *Composition.* The committee will consist of five members appointed for one-year terms by the mayor. The committee shall include two alderpersons, one of which represents the district with the most hotel/motel rooms in the city, and three citizen members, one of which shall represent the Wisconsin hotel and motel industry, and the other two will represent the City of Portage business community.

The following Section is hereby repealed:

Section 2-142(8)

The following Section is hereby recreated to read as follows:

Section 2-142(8)

(8) One member of the tourism promotion committee, who represents the Wisconsin hotel and motel industry by being an owner or manager of a hotel or motel located in the City of Portage, shall not be subject to the residency requirement.

This Ordinance shall take effect April 15, 2014.

Passed this _____ day of _____, 2013.

W.F. Bill Tierney, Mayor

Attest:

Marie A. Moe, City Clerk

Ordinance requested by:
Mayor

ORDINANCE NO. 13-012

ORDINANCE RELATIVE TO FOUR-WAY STOP ON CASS STREET

The Common Council for the City of Portage does hereby Ordain as follows:

SECTION 50-32(9)(d) is hereby repealed and recreated to read as follows:

- (9) Cass Street. Stop signs at:
 - d. West Emmett Street (four-way stop.)

Passed this _____ day of _____, 2013.

W.F. "Bill" Tierney, Mayor

Attest:

Marie A. Moe, WCPC, MMC, City Clerk

1st and 2nd Readings:
3rd Reading:

Ordinance requested by:
Legislative and Regulatory Committee

ORDINANCE NO. 13-013

ORDINANCE RELATIVE TO REGULATIONS ON SILVER LAKE

The Common Council for the City of Portage does hereby Ordain as follows:

The following Section is hereby repealed and recreated to read as follows:

Section 54-184 Water skiing in Silver Lake.

No person shall operate in Silver Lake a motorboat towing a person on water skis, aquaplane, personal watercraft, or similar device, nor shall any person engage in water skiing, aquaplaning or similar activity, at any time between the hours of 6:00 p.m. and 9:00 a.m.

The following Section is hereby repealed and recreated to read as follows:

Section 54-185. - Races, regattas, sporting events and exhibitions on Silver Lake.

- (a) Permit required. No person shall direct, sponsor or participate in any boat race, regatta, water ski meet or other water sporting event or exhibition unless such event has been authorized by the common council and a permit issued therefor by common council after investigation by the chief of police and manager of parks and recreation.
- (b) Permit specifications for events held at Silver Lake. A permit issued under this section shall specify the course or area of water to be used by participants in such event, and the permittee shall be required to place markers, flags or buoys approved by the manager of parks and recreation designating the specified area. Permits shall be valid only for the hours and areas specified thereon.

This Ordinance shall take effect upon passage and publication thereof.

Passed this _____ day of _____, 2013.

W.F. "Bill" Tierney, Mayor

Attest:

Marie A. Moe, WCPC, MMC, City Clerk
1st and 2nd Readings:
3rd Reading:

Ordinance requested by:
Legislative and Regulatory Committee

ORDINANCE NO. 13-014

ORDINANCE RELATIVE TO PARK AND RECREATION BOARD

The Common Council for the City of Portage does hereby Ordain as follows:

The following Division is hereby repealed and recreated to read as follows:

Chapter 2, Article V, Division 7 Park and Recreation Board.

Sec. 2-270. – Creation and Purpose.

- (a) A Park and Recreation Board is hereby created which shall have the powers granted herein and all the powers granted under Secs. 27.08 and 27.09, Wis. Stats.
- (b) Purpose. The establishment of the Park and Recreation Board shall be for the purpose of acquiring, governing, managing, controlling, improving and caring for all public parks, City trees, parkways, conservancy areas, and recreation programs in the City.

Sec. 2-271. – Membership, Appointment and term of office.

The Park and Recreation Board shall consist of five (5) citizen members and one (1) ex-officio member. The Manager of Parks and Recreation shall serve as an ex-officio nonvoting member of the Board and secretary to the Board. Two (2) members shall be Alders appointed by the Mayor annually for staggered two (2) year terms beginning on May 1 of each year. Three (3) citizen members of the park and recreation board shall be appointed at large by the mayor for staggered three (3) year terms beginning on May 1 of each year. The mayor shall appoint a citizen member of the board annually to serve as the board chairperson. All appointments shall be subject to confirmation by the common council.

Sec. 2-272. – Finances.

The Park and Recreation Board shall submit to the City Administrator by September 1 of each year a proposed program and budget for the ensuing calendar year. The Board shall not contract any liability in excess of the budget appropriated unless specifically authorized by the Common Council. All monies received for the purposes of the Board, whether from the general fund or from approved donations, or from such reasonable fees as may be charged for activities, shall be paid over to the City Treasurer and be disbursed in accordance with the annual budget as approved by the Common Council. (Code 1990, § 2-4-6(b))

Sec. 2-273. - Duties and responsibilities.

- (a) The Park and Recreation Board shall function in an advisory capacity to the Common Council, have responsibility for the planning, evaluation and development of city parks facilities and recreation programs. In this capacity, it is the Board's responsibility to develop specific recommendations regarding physical properties, staffing and equipment needs, program content and financial requirements for presentation to the Common Council.

(b) From time to time at the request of the Common Council, the Park and Recreation Board shall transmit an annual written report of its transactions and activities, an inventory of property or such other matters at the Council's discretion.

This Ordinance shall take effect upon passage and publication thereof.

Passed this _____ day of _____, 2013.

W.F. "Bill" Tierney, Mayor

Attest:

Marie A. Moe, WCPC, MMC, City Clerk

1st and 2nd Readings:
3rd Reading:

Ordinance requested by:
Legislative and Regulatory Committee

RESOLUTION NO. 13-018

PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS UNDER SECTION 66.0703 OF THE WISCONSIN STATUTES (2013 SANITARY SEWER CONSTRUCTION)

BE IT HEREBY RESOLVED by the Common Council of the City of Portage, Columbia County, Wisconsin:

1. That the Common Council of the City of Portage, Wisconsin, does hereby declare its intention to exercise its powers under Section 66.0703 of the Wisconsin Statutes to levy special assessments for the replacement of sanitary sewers on East Emmett Street from Adams Street to DeWitt Street and on East Howard Street from Adams Street to DeWitt Street.
2. That said reconstruction project shall include the installation and replacement of sanitary sewer and sanitary laterals.
3. The Common Council of the City of Portage, Columbia County, Wisconsin, determines that such improvements shall be made under the police power for the health, safety and public welfare and that the amount assessed against each parcel shall not exceed the actual cost of the project as prorated to each parcel.
4. The special assessments against any parcel may be paid in cash or in three (3) annual installments if the assessment is \$1,000 or less, plus interest; and five (5) annual installments if the assessment is over \$1,000, plus interest, at the proposed rate of 3.50% at the time of assessment per annum on the unpaid balance.
5. The City Engineer is hereby ordered to prepare a report including the following:
 - A. Preliminary plans and specifications for said improvements.
 - B. An estimate of the entire cost of the proposed improvements.
 - C. A schedule of the proposed assessments to be levied and a breakdown as to how said assessments affect each parcel in the area being assessed.
 - D. A statement that the property against which the assessments are proposed is benefited by the project.

6. Upon completion, a copy of such report shall be filed with the City Clerk for inspection by the general public.
7. Upon receiving such report, the City Clerk is directed to give notice of a public hearing on such reports, as specified in Section 66.0703(7) of the Wisconsin Statutes. A hearing shall be held at the Common Council Chamber in the City Municipal Building, Portage, Columbia County, Wisconsin, at a time set by the Clerk, in accordance with Section 66.0703(7) of the Wisconsin Statutes unless waived by all owners of benefited property.

DATED this 22nd day of August, 2013.

W. F. (Bill) Tierney, Mayor

Attest:

Marie A. Moe, WCPC/MMC, City Clerk

Requested by:
City Engineer

RESOLUTION NO. 13-019

RESOLUTION RELATIVE TO ACQUISITION OF STORM WATER EASEMENT

WHEREAS, the Municipal Services and Utilities Committee has reviewed the storm water drainage at 2635 New Pinery Road and nearby properties; and

WHEREAS, the Municipal Services and Utilities Committee has determined that acquisition and conveyance of a permanent storm water easement over the east 50 feet of Lot 2 of CSM 36, also known as 2635 New Pinery Road, allows the City to improve the stormwater conveyance from the subject parcel and surrounding properties; and

WHEREAS, Wisconsin Statutes Sections 62.22(1), 62.22(1m), 62.11(5) and Chapter 32 and other pertinent Wisconsin Statutes permit the City's acquisition, development, ownership, and use of land by means of easements and agreements for public purposes including, but not limited to, these set forth herein.

WHEREAS, the Common Council find that this easement acquisition and acceptance is in the best interests of, and of benefit to, the City of Portage.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Portage that they hereby authorize and direct the City staff to acquire a storm water easement from the property owner located at 2635 New Pinery Road on behalf of the City of Portage.

DATED this 22nd day of August, 2013.

W.F. "Bill" Tierney, Mayor

Attest:

Marie A. Moe, WCPC, MMC, City Clerk

Resolution requested by:
City Attorney

RESOLUTION NO. 13-020

A RESOLUTION PROPOSING TO DISCONTINUE THAT PORTION OF MCPHERSON STREET LYING EAST OF WAUONA TRAIL AND WEST OF ONTARIO STREET IN THE CITY OF PORTAGE, COLUMBIA COUNTY, WISCONSIN, PURSUANT TO WIS. STAT. § 66.1003

WHEREAS, the Common Council of the City of Portage believes the public interest may be served by discontinuing that portion of McPherson Street lying East of Wauona Trail and West of Ontario Street in the City of Portage, Columbia County, Wisconsin.

WHEREAS, the subject parcel was dedicated as and for a public street and right-of-way several years ago; and

WHEREAS, the subject parcel has not been improved, maintained, or repaired by the City of Portage at any time since dedication nor is the same identifiable on-site as a public street and presently there exists over the subject parcel a private road servicing a manufactured home community; and

WHEREAS, the parcels abutting the subject parcel continue to have direct access onto a public street and is not dependent upon the portion of McPherson Street to be discontinued for direct access onto a public way, and will not be landlocked as a result of the discontinuance; and

WHEREAS, discontinuance of the subject parcel will terminate all responsibility of the City of Portage for maintenance, repair, and liability with respect to its possible use by the public; and

WHEREAS, pursuant to Wis. Stat. §66.1005(1), the City's easement rights related to utilities located in the subject parcel shall remain in the event of discontinuance of the right-of-way; and

WHEREAS, pursuant to Wis. Stat. §840.11, a lis pendens containing a map and description of the subject parcel was filed in the Columbia County Register of Deeds Office on August 14, 2013 at 3:38 pm as Document No. 852800; and

WHEREAS, the Common Council believes the public interest may require vacating and discontinuing the subject parcel as it serves no public purpose and is not a through street and thoroughfare, and where said discontinuance will have no harmful effect upon the citizens and general public of the City of Portage nor to the abutting and adjacent property owner;

NOW, THEREFORE, the Common Council of the City of Portage does hereby resolve as follows:

1. That on October 10, 2013 the Common Council of the City of Portage shall meet to consider and conduct a public hearing on the passage of a resolution declaring the public interest requires that a notice of public hearing the proposed discontinuance of the subject parcel.

2. That the Clerk of the City of Portage be authorized and directed to personally serve the notice of said public hearing upon all of the owners of the land abutting that portion of McPherson Street to be discontinued, and any other parties required to be served under Wis. Stat. §66.1003.

3. That the Clerk is further authorized and directed to publish a Class 3 notice of said public hearing, pursuant to Wis. Stat. §66.1003(4)(b) and (8)(b).

DATED this 22nd day of August, 2013.

W.F. Bill Tierney, Mayor

Attest:

Marie A. Moe, WCPC, MMC, City Clerk

Resolution requested by:
Plan Commission

Ovarian Cancer Awareness Month Proclamation

WHEREAS, ovarian cancer is the fifth leading cause of death in women and the deadliest of all gynecologic cancers; and

WHEREAS, early detection and treatment of ovarian cancer often means the difference between a woman's life and death; and

WHEREAS, ovarian cancer awareness month provides an opportunity to learn more about the causes and warning signs of this deadly disease, so that ovarian cancer can be detected early and treated effectively, thereby improving the survival rate and quality of life for the women whom ovarian cancer affects.

NOW THEREFORE, I, W.F. "Bill" Tierney, Mayor of Portage, Wisconsin, do hereby proclaim the month of September 2013 as

OVARIAN CANCER AWARENESS MONTH

Given under my hand this 22nd day of August
2013, at Portage, Wisconsin.

W.F. "Bill" Tierney, Mayor