

**City of Portage Common Council Meeting
Council Chambers of City Municipal Building
115 West Pleasant Street, Portage, WI
Regular Meeting – 7:00 p.m.
October 24, 2013
Amended Agenda**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Minutes of Previous Meeting
6. Hearing and possible action on appeal by Rexford Taylor of the Notice of Public Nuisance for unsafe trees on property located at 910 Jefferson Street (Tax Parcel No. 922)
7. Consent Agenda
 - A. Reports of Sub-Committees, Boards, and Commissions
 1. Business Improvement District Board of Directors, October 9, 2013
 2. Historic Preservation Commission, October 15, 2013
 3. Police and Fire Commission, October 16, 2013
 - B. License Applications
 1. Operator
8. Committee Reports
 - A. Finance/Administration Committee, October 7, 2013; Community Development Block Grant Committee / Finance/Administration Committee, October 14, 2013
 1. Consideration of Task Order No. 14-01 with Strand Associates
 2. Consideration of Award of Bid for installation of gates at underground parking lot to Century Fence Co.
 - B. Human Resources Committee, October 14, 2013
 1. Consideration of use of city vehicle for Public Works Superintendent
 - C. Legislative and Regulatory Committee, October 17, 2013

1. Consideration of Class B Combination License transfer to different premises for license held by Sherry Lee Schehr
- D. Airport Commission, October 22, 2013
 1. Consideration of installation of PAPI lights
9. Old Business
 - A. Ordinances
 1. Ordinance No. 13-013 relative to Regulations on Silver Lake
 2. Ordinance No. 13-016 relative to Compensation
10. New Business
 - A. Ordinances
 1. Ordinance No. 13-017 relative to Special Event Ordinance
 - B. Resolutions
 1. Resolution No. 13-028 relative to Surplus Property.
 2. Resolution No. 13-029 relative to Final Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefitted Property in Portage, Wisconsin (2013 Sanitary Sewer Construction Project)
 3. Resolution No. 13-030 relative to Amendment to Line of Credit Agreement Between the City of Portage and Library
 4. Resolution No. 13-031 relative to Adoption of Modified Employee Classification and Pay Plan
 - C. Mayor's Comments
 1. Halloween Hours
 2. New recreational trail
 3. River Watch Tower
 - D. City Administrator's Report
 1. Auction
11. Adjournment
(Amended 10/22/13, 12:45 p.m)

Common Council Proceedings
City of Portage

Regular Meeting
Council Chambers
City Municipal Building

October 10, 2013
7:00 p.m.

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

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

Excused: Ald. Havlovic, Miller

Also Present: Mayor Tierney, City Clerk Moe, City Administrator Murphy, City Attorney Spankowski, 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 Meeting**
Motion by Klapper, second by Oszman, to approve the minutes of the September 26, 2013 Common Council meeting. Motion carried unanimously on call of roll.

6. **Consent Agenda**
Reports of Sub-Committees, Boards, and Commissions
Tourism Promotion Committee meetings of September 24, 2013 and October 1, 2013

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

License Applications
Operator license application for period ending June 30, 2014 for Steven J. Boelter. Motion by Oszman, second by Dodd to approve the license application. Motion carried unanimously on call of roll.

7. **Committee Reports**

Plan Commission meeting of September 23, 2013

Finance/Administration Committee meeting of September 30, 2013

Motion by Dodd, second by Maass to approve claims in the amount of \$1,538,148.74. Motion carried unanimously on call of roll.

Human Resources Committee meeting of October 1, 2013

Municipal Services and Utilities Committee meeting of October 3, 2013

Motion by Garetson, second by Klapper to approve the in-kind request from Portage Youth Soccer Association now through November 2, 2013. Motion carried on call of roll with Garetson abstaining.

8. **Old Business**

Ordinances

Ordinance No. 13-013 relative to Regulations on Silver Lake. The DNR, who has advisory review on the ordinance is recommending a change in the language. Motion by Dodd, second by Maass to send this Ordinance back to the Legislative Committee for revision. Motion carried unanimously on call of roll.

Ordinance No. 13-015 relative to Weed Commissioner and Overgrown Lawn and Grasses received its third reading. Motion by Oszman, second by Dodd to pass Ordinance No. 13-015 relative to Weed Commissioner and Overgrown Lawn and Grasses. Motion carried unanimously on call of roll.

9. **New Business**

Ordinances

Ordinance No. 13-016 relative to Compensation. Motion by Dodd, second by Oszman to read the Ordinance by title only. Motion carried 6 to 1 on call of roll with Maass voting no. Ordinance No. 13-016 relative to Compensation received its first and second reading by title only.

Resolutions

Resolution No. 13-023 relative to Taxi Cab Contract was read and adopted unanimously on motion by Oszman, second by Dodd and call of roll.

Resolution No. 13-024 relative to Taxi Cab Vehicle Lease Agreement was read and adopted unanimously on motion by Oszman, second by Dodd and call of roll.

Resolution No. 13-025 relative to Surplus Property was read and adopted unanimously on motion by Oszman, second by Dodd and call of roll.

Resolution No. 13-026 relative to Final Resolution Relative to Discontinuance of 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 was read and adopted unanimously on motion by Oszman, second by Dodd and call of roll.

Resolution No. 13-027 relative to Final Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefitted Property in Portage, Wisconsin (2013 Watermain and Sanitary Sewer Construction Project) was read. Motion by Dodd, second by Garetson to amend the interest rate to 3.50%. Motion carried unanimously on call of roll. Discussion included the project being completed prior to the public hearing, and the notification process to property owners for special assessments. The Public Hearing held this evening was not for the special assessments included in this Resolution. Motion by Dodd, second by Maass to adopt Resolution No. 13-027 relative to Final Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefitted Property in Portage, Wisconsin (2013 Watermain and Sanitary Sewer Construction Project) as amended. Motion carried unanimously on call of roll.

Mayor's Comments

The city is working with Renewal Unlimited to identify projects in the city that can be used for their Freshstart program which allows participants to acquire GED credits by doing certain projects. Roofing, painting and conversation projects are being considered.

The 9th annual Coat drive is underway with a number of agencies working together. Collected coats will be given away October 25 and 26.

Mayor Tierney has asked Ald. Hamre to be part of BID's AdHoc Parking Committee, along with Vern Gove from Columbia County.

City Administrator's Report

An agreement has been reached for the property at 121 Brady Street. The raze order has been suspended for property, as the individual purchasing the property has entered into an agreement with the city to do the necessary repairs to rehabilitate the building. Once completed, the rehabilitated property will add value to the tax base.

10. **Adjournment**

Motion by Oszman, second by Dodd to adjourn. Motion carried unanimously on call of roll at 7:48 p.m.

Marie A. Moe, WCPC, MMC
City Clerk

October 9, 2013

Rexford Taylor, Jr.
N398 Miller Ave
Endeavor, WI 53930

Re: Parcel No. 11271-922; 910 Jefferson Street
Notice of Public Nuisance-Unsafe Trees

Dear Mr. Taylor:

On September 6, 2013 an inspection occurred at 910 Jefferson Street whereupon 3 trees located along the west side of your property were determined to be unsafe and threatening to cause damage to the neighbor's property. These trees have been brought to your attention previously by former City Forester Tim Raimer on several different dates. Mr. Raimer noted that he had requested that the trees be made safe through extensive trimming and removal so as to not cause damage to your neighbor's property.

It has become apparent that you are unwilling or unable to correct the unsafe situation. Therefore pursuant to Section 26-132(1) & (2) and Section 26-135(5) of City Ordinances, this notice shall serve to inform you that said trees have been determined to be unsafe and it is so ordered that you to take measures to safely abate the unsafe nature of 3 trees that have been marked on the property. One tree has significant splitting down the main trunk and must be removed (marked with red "X") two additional trees shall require significant limb removal, in particular all limbs that encroach onto adjacent private property and public right-of-way shall be removed.

The above ordered abatement must be completed no later than **Friday, October 25, 2013**. If you fail to abate the nuisance by this date the City will arrange to render the trees safe by removal or partial removal and assess the full cost to you as the property owner. Failure to pay these charges will result in special assessment against the property and the cost with interest shall be added to the property taxes.

You have the right to appeal this order by requesting a hearing before the Common Council on October 24, 2013. In order to retain your right of appeal you must notify the City Clerk of your request to appeal no later than **2:00 p.m., Wednesday, October 16, 2013**.

Thank you for your prompt attention to this matter. If you have any questions, feel free to contact me at 608-742-2176.

Sincerely,

Robert Redelings, P.E.
Director of Public Works

The Skate Park has received a matching grant from Tony Hawk Foundation in the amount of \$5000; this grant usually isn't given until the skate park is complete.

Bob LaDow has requested a meeting for Committee of the Whole to present a business plan. October 16, 2013 at 7:00 p.m. is the meeting date.

City Administrator's Report

The city received a draft of an Intergovernmental Agreement regarding phosphorous discharge limits in the WI River and 28 other entities. Our Wastewater Treatment facility is in compliance with discharge limits. This draft will go to Municipal Services. Upgrades to our Wastewater Treatment facility will be driven by this.

Mayor's Comments

AED (Automated External Defibrillators) are located in the municipal building as well as city emergency vehicles. Mayor Tierney gave a demonstration on how to use this device and stated its importance as it was the tool used by the police officers who received the life-saving award.

11. Adjournment

Motion by Oszman, second by Dodd to adjourn. Motion carried unanimously on call of roll at 8:23 p.m.

Rebecca C. Ness
Deputy Clerk

**City of Portage
Business Improvement District Board of Directors
Wednesday, October 09, 2013, 7:30 a.m.
City Municipal Building, 115 West Pleasant St.
Conference Room One
Minutes**

Board Members: President- Peggy Joyce, VP- John Krueger, Treasurer-Dennis Rupers, Steve Polnow, Jim Rusch, Shane Schmidt, Chris Shadel

Also present: Roger Krejchik, Gil Meisgeier & Larry Okray

1. Meeting Came to Order at 7:31am under the direction of Vice President, John Krueger.
- Roll Call: All present except for President, Peggy Joyce (excused)
2. **Motion to approve minutes for September, 2013 meeting by Shadel. 2nd by Rusch. Motion passed with all in favor.**
3. Discussion and possible action on treasurer's report
 - a. Treasurer Rupers presented the Claims to Pay Voucher list for October, 2013.
 - i. \$3156.50 to pay
 - ii. **Motion to approve October 2013 Claims to pay by Krueger, 2nd by Rusch. Motion passed with all in favor.**
 - b. Treasurer Rupers presented the September, 2013 Financials.
 - i. Rupers stated that the Financials balance.
 - ii. **Motion to approve September 2013 Financials by Schmidt. 2nd by Polnow. Motion passed with all in favor.**
4. Introduction of Guests: VP Krueger welcomed guests Roger Krejchik, Gil Meisgeier and Larry Okray. No specific items to discuss were requested by the guests.
5. Discussion and possible action on requests for financial support for downtown events
 - a. Treasurer Rupers presented a \$1300 support request from Portage Area Chamber of Commerce for 2014 Taste of Portage Event.
 - i. **Motion to approve PACC's \$1300 request for 2014 Taste of Portage event by Rupers, 2nd by Schmidt. Motion passed with all in favor.**
 - b. Polnow brought up need to reconsider Community Event assistance of \$750 to help fund Reindeer Games event during the holidays.
 - i. **Motion to approve \$750 Community Event request from American Way for Reindeer Games event by Schmidt, 2nd by Rupers. Motion passed with all in favor.**
6. Gil Meisgeier, presenting the September 2013 BID Contractor's report.
 - a. Rupers thanked Gil for the color coded map of BID and City snow removal responsibility.
 - b. Meisgeier presented his monthly report to the Board.

- c. Polnow asked for update on Toro Snow Machine Service. Gil said that Carl F Statz is waiting for a screw to arrive to complete service on machine. Ready for winter.
- d. Schmidt discussed BID orange cone purchase possibility. Gil said that the cones are \$14 each when purchased in 20 count package. Board decided to hold off on purchasing cones at this time.
- e. **Motion to accept BID contractor's September report by Polnow, 2nd by Schmidt. Motion passed with all in favor.**

7. Discussion and possible action on BID Contractor's Position

- a. Shadel presented the assigned BID Contractor position items to the Board. Rupers thanked Shadel and the committee for their hard work on this project. Shadel presented and each line item was discussed for; 1.) a revised BID Contractor Job Duties list, 2.) a revised BID Contractor Contract Agreement, 3.) a BID Contractor Job Posting description, and 4.) the City Snow Removal and Charge back proposal from City.
 - i. **Motion to accept BID contractor's revised Job Duties list with requested changes by Schmidt, 2nd by Polnow. Motion passed with all in favor.**
 - ii. **Motion to accept BID contractor's revised Contract Agreement with requested changes by Schmidt, 2nd by Rupers. Motion passed with all in favor.**
 - iii. **Motion to accept BID contractor's Job Posting with requested changes by Schmidt, 2nd by Polnow. Motion passed with all in favor.**
- b. After discussion on the City Snow Removal and Charge back proposal from City, Shadel stated that in his meeting with City Administrator, Shawn Murphy, that there was no animosity felt as there is an atmosphere of working together for the betterment of the downtown, its owners & tenants and customers. Shadel suggested that the Contract Committee continue talks with the City Administrator and get an agreeable plan of action put together that works for everyone.

8. Discussion and possible action on procuring rental space to store BID Equipment.

- a. Shadel presented to the Board the need to house BID Equipment in a location not owned by the BID Contractor and within the BID boundaries. Shadel and Joyce met with the Dorns, who own the lot along the canal on Thomson and Mullet streets. Dorns agreed to rent the lot and structure to BID at no charge. BID must pay for necessary repairs and clean-up, as well as maintain the property appropriately.
 - i. Agreement with BID and the Dorns would be a month to month rental at no charge with a 60-90 day notice of cancellation for rental between both parties. President Joyce will be working on a lease agreement.
 - ii. Shadel said that it will cost around \$5000 for needed concrete, building repairs and clean-up. Improvement and Repair costs for property will not be reimbursable to BID by the Dorns at any time.

- b. **Motion to approve the project with a \$5000 pre-approved limit upon the acceptance of future written agreement between both parties by Schmidt, 2nd by Shadel. Motion passed with all in favor.**
9. Discussion and possible action on BID By-Laws
- a. Rupers presented three (3) By-Laws change proposals. Board members reviewed and
 - i. 2014 BID By-Laws Change
 - 1. For correcting references to Main Street Portage & Administrator
 - ii. Proposal for BID Board Officer Position – Secretary
 - 1. Increase Board member size from 7 to 9
 - 2. Secretary Position Duties
 - iii. 2014 BID Committee Structure Proposal
 - 1. Committee Structure Philosophy
 - 2. Committee Assignments
 - b. Board members reviewed and the general consensus was to move forward with proposal consideration but to table for further discussion at the November 13, 2013 Board meeting.
10. Discussion and possible action on BID/MSP/DPI Marketing Program
- a. Krueger provided an update stating that he has discussed with Tourism and with the Portage Area Chamber of Commerce that any coordinated marketing efforts must not be downtown specific but include the city of Portage as a whole.
 - b. Discussion on working with DPI and the coordination of Marketing efforts will continue to be discussed.
11. Discussion and possible action on Report on City Committees, Council Agenda, etc.
- a. Streetscape
 - i. Polnow presented to the Board the need for a Short-term and Long-term Streetscape plan for BID. Polnow volunteered to chair this committee.
 - ii. **Motion to form a Streetscape committee to get a short and long-term plan for BID by Polnow, 2nd by Rupers. Motion passed with all in favor.**
 - b. Conant Street Underground Parking
 - i. Schmidt provided an update that there is no new news at this time. A meeting with the BID Underground Committee and the city is forthcoming.
12. Adjournment
- a. **Motion to Adjourn at 9:22 by Schmidt, 2nd by Krueger. Motion passed with all in favor.**

Respectfully Submitted by Dennis Rupers, BID Treasurer.



CARL F. STATZ
Since 1930 & SONS INC.



6101 Hogan Road, P.O. Box 38
Waunakee, Wisconsin 53597
Phone: (608) 849-4101
Toll Free: (888) 867-8289
FAX: (608) 849-5699
www.carlfstatz.com

INVOICE No. 1973700 PG 1
P.O. No. /Desc. '09 SPRT 500
Date 09/17/13

SOLD TO OR SHIP TO
CITY OF PORTAGE
115 W PLEASANT STREET
PORTAGE WI 53901

SALES - PARTS - SERVICE
Serving The Area Since 1930

CUSTOMER No. 16747

WWW.CARLFSTATZ.COM

PREVIOUS TICKET 948156 10/24/12

Qty.				Unit	Price/Unit	Amount
1	2520799	FILTER-OIL, 10 MICRON	00586	5 EA	12.75	12.75
2	2876246	PS4 PLUS SYNTHETIC 5	SHOP	5 EA	9.22	18.44
5	2877922-1	OIL, DEMAND DRIVE HUB PER COUNCSHOP		5 EA	0.36	1.80
32	2878069-1	TRANSMISSION, SYNTHETIC AGL PTOY SBO		5 EA	0.41	13.12
1	5243518	SEAL, EXHAUST	01804	5 EA	17.99	17.99
1	1261611-489	WELD-SILENCER, TRK, B	XXX	5 EA	112.99	112.99
3.10		CUST LABOR: T.S.		5	72.00	223.20
		SHOP SUPP./EPA CHG		1+		11.16
TEST DROVE, RESET MAINTENANCE METER, CHECKED AIR FILTER CHECKED ALL CV BOOTS, SET T.P @ 5PSI, CHANGE TRANS & FRONT DIFF FLUID, GREASED, CHANGED OIL & FILTER, REPAIRED WIRES UNDER HEADLIGHT & REPLACED MUFFLER & DONUT						
3	180695C1	BUSHING FOR GAUGE WHEEL	003N3	5 EA	11.52	34.56
2	63920	SELF-LOCKING TWIST PIN (1/2, 90DISPLAY		5 EA	0.65	1.30
1	914PTL	PTO LOCK PIN, 1/4 DIA X 1-3/4 DISPLAY		5 EA	0.81	0.81
SUBTOTAL						448.12

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL - NO RETURNS AFTER 30 DAYS

The undersigned hereby claims exemption on the purchase, lease or rental of tangible personal property or taxable services based upon the purchaser's proposed exclusive use of the item(s) purchased in farming, dairying, agriculture, horticulture or floriculture engaged in as a business enterprise.
Tractors and farm machines, including parts, fuel and repair service therefor.
Feed, Seeds for planting, plants, fertilizer, sod conditioners, sprays, pesticides and fungicides.
Baling twine and baling wire.
I am authorized to execute the exemption.

X

DATE

/ /

A FINANCE CHARGE computed by a periodic rate of 1 1/2% per month which is an ANNUAL RATE OF 18% will be applied to the adjusted balance that has become more than 30 days past due as of the billing date shown on this statement.



CARL F. STATZ
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INVOICE No. 1973700 PG 2
P.O. No. /Desc. '09 SPRT 500
Date 09/17/13

SOLD TO OR SHIP TO
CITY OF PORTAGE
115 W PLEASANT STREET
PORTAGE WI 53901

SALES - PARTS - SERVICE
Serving The Area Since 1930

CUSTOMER No. 16747

WWW.CARLFSTATZ.COM

PREVIOUS TICKET 948156 10/24/12

Qty.				Unit	Price/Unit	Amount
						DLN
*SALES TAX						0.61
TOTAL						448.73
CHARGED TO ACCOUNT						448.73

BID ATV

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL - NO RETURNS AFTER 30 DAYS

The undersigned hereby claims exemption on the purchase, lease or rental of tangible personal property or taxable services based upon the purchaser's proposed exclusive use of the item(s) purchased in farming, dairying, agriculture, horticulture or floriculture engaged in as a business enterprise.
Tractors and farm machines, including parts, fuel and repair service therefor.
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Baling twine and baling wire.
I am authorized to execute the exemption.

X

DATE

9/17/13

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 Phone: (608) 849-4101
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 FAX: (608) 849-5699
 www.carlfstatz.com

INVOICE No. I974617 PG 1
 P.O. No. /Desc. 2006 500x2
 Date 09/26/13

SOLD TO
 OR
 SHIP TO

CITY OF PORTAGE
 115 W PLEASANT STREET
 PORTAGE WI 53901

SALES - PARTS - SERVICE
 Serving The Area Since 1930

CUSTOMER No. 16747

WWW.CARLFSTATZ.COM

PREVIOUS TICKET 973700 09/17/13

Qty.			Unit	Price/Unit	Amount
1	2520799	FILTER-OIL, 10 MICRON	005B6	5 EA 12.75	12.75
2	2876246	PS4 PLUS SYNTHETIC 5	SBOP	5 EA 9.22	18.44
32	2878069-1	TRANSMISSION, SYNTHETIC AGL FLOY SHO		5 EA 0.41	13.12
5	2877922-1	OIL, DEMAND DRIVE HUB PER CONC SHOP		5 EA 0.36	1.80
1	3070172	SPARK PLUG-BRR6E (NEWER 500 SC009B4		5 EA 3.28	3.28
1.10		CUST LABOR: 1.5.		5 72.00	79.20
		SBOP SUPP./EPA CHG		1 ⁴	3.96
CHANGED OIL & FILTER, TRANS & FRONT GEAR CASE OILS, CHECKED: ALL CV BOOTS & AIR FILTER, SET TIRE PRESSURE & MAINTENANCE METER, REPLACED SPARK PLUG AND STEERED					
SUBTOTAL					132.55
*SALES TAX					0.22
TOTAL					132.77
CHARGED TO ACCOUNT					132.77

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL - NO RETURNS AFTER 30 DAYS

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Tractors and farm machines, including parts, fuel and repair service therefor.
 Feed, Seeds for planting, plants, fertilizer, sod conditioners, sprays, pesticides and fungicides.
 Baling twine and baling wire.

I am authorized to execute the exemption.

X

DATE

____/____/____

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**City of Portage
Historic Preservation Commission
Tuesday, October 15, 2013, 6:00 p.m.
Municipal Building, 115 West Pleasant Street
Conference Room Two
Minutes**

Members Present: Doug Klapper, Chairperson; Todd Bennett, Marlena Cavanaugh, Kristin Droste, Erin Foley, Wade Udelhoven
Members Excused: Kyle Dumbleton, Stephanie Miller-Lamb
Guests Present: Bill Wade (Cable TV)

1. Roll call

Klapper called the meeting to order at 6:02 pm. Kyle Dumbleton will submit his resignation—he is too busy to attend the HPC meetings. Rob Nurey has been appointed and approved as an HPC member, but has not yet taken his oath of office.

2. Approval of previous meeting minutes

Marie Moe changed the submitted minutes by adding W Udelhoven as the abstention on the vote in item #4 to support a \$500 payment for the Historic Indian Agency House's 2014 Summer Speaker series. Bennett moved that the minutes be approved as amended. Droste seconded the motion, which passed unanimously by voice vote.

3. Discussion and possible action on claims

No new claims have been presented.

4. Discussion and possible action on Municipal Register

Discussion on adding the Grandstand at the fairgrounds to the Municipal Register was tabled until the November meeting due to Miller-Lamb's absence. Klapper mentioned that such a designation will not benefit the City financially. W Udelhoven agreed, but commented that the HPC should work to preserve any historic structure. Klapper is unsure of the status of a proposal to modify the Grandstand as a storm shelter. Foley noted that the new fence around the fairgrounds would make access difficult.

5. Discussion and possible action on Historic Preservation Month Activities (May 2014)

W Udelhoven suggested Preservation Month programs feature motivational activities, perhaps a walking tour with lectures, newspaper articles, or talks about successful communities or restoration projects. Klapper will contact Joe DeRose of the Wisconsin Historical Society for ideas.

6. Discussion and possible action on 2013 funds

Klapper does not have a statement of how much money remains in the HPC budget. Members discussed possible uses for the money, including educational books or signs, or reprinting the downtown walking tour brochure. Droste suggested all HPC members come to the next meeting with ideas.

7. Discussion and possible action on historic preservation books and booklets

Klapper will speak with Library Director Shannon Schultz about donating the preservation books to the Library. He hopes there will be time in the next couple of months.

8. Discussion and possible action on naming of City Parking lots

Ten years ago, Portage's Parking Commission suggested that the parking lots be named to make them easier to identify. The HPC was given the task of naming the lots, which was completed by HPC members Dr. Robert Curtis, Judy Eulberg, and Doug Klapper. Jeff Garetson, Chair of the Municipal Services and Utilities Committee, wants official notification of this action so that Municipal Services can add the cost of the signs to its budget. Details about the HPC work will be brought to a later meeting.

9. Adjournment

Chair Klapper adjourned the meeting at 6:43 pm.

Respectfully submitted,
Erin Foley
Secretary

**City of Portage
Police and Fire Commission Meeting
Wednesday, October 16, 2013, 7:00 p.m.
City of Portage Municipal Building, 115 West Pleasant Street
Conference Room Two
Minutes**

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

Absent: Kay E. Miller

Also Present: Police Chief Ken Manthey

1. Roll Call
The meeting was called to order by President Drury at 7:05 pm.
2. Approval of minutes from previous meeting
Motion by Boeck, second by Hartley to approve minutes from August 14, 2013 meeting. Motion carried unanimously on call of roll.
3. Recruitment of part-time police officers.

The need to provide an eligibility list and make our rule public was discussed. Chief Manthey discussed the challenge in finding a part-time officer. Union contracts limit how part-time officers can be used. Hours per week for part-time officers cannot be guaranteed, making it hard to find people to fill the program. Part-time officers are used to save money for the city, as it is very expensive to train and outfit an officer, \$8,200 in total. For full time officers, 100 hours of overtime costs \$3,700. The benefits of having part-time officers are great, including covering for officers out due to serious injury, health issues, paternity/maternity leave, or retiring officers. The sheriff's department has three part-time officers at 20 hours per week.

Lucas Dawson, one of the candidates for the part-time position, is not available as he was hired by the Waupun Police Department. Chief Manthey stated he has two possible candidates for the part-time officer's position. The commission requested that he contact these candidates and put an ad on the city's website.

Requirements for the candidate would be:

- Law Enforcement Certified
- 10 week FTO Program or commensurate law enforcement experience
- Experience with ITI or Vision Mobile computer systems or both

- Able to respond within 40 minutes
- Valid driver's license
- No domestic abuse convictions
- 60 college credits

Qualified applicants will be interviewed by the Police and Fire Commission to establish an eligibility list. Candidates will have to pass physical, psychological, and drug tests, and a background check.

4. Adjournment
Motion by Pat Hartley, second by Boeck to adjourn at 8:48 pm. Motion carried unanimously on call of roll.

Prepared by Chuck Miller

OPERATOR LICENSE APPLICATIONS - BY LAST NAME

LICENSE YEAR: OCTOBER 24, 2013-JUNE 30, 2014

STONE, DENNIS D.
DEKEYREL, JOHN M.

City of Portage
Finance/Administration Committee Meeting
Monday, October 7, 2013, 6:00 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room One
Minutes

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

Excused: Martin Havlovic

Also Present: Bill Welsh, Cable TV; Craig Sauer, Daily Register; City Administrator Shawn Murphy; Finance Director Jean Mohr; Mayor Bill Tierney

1. Roll call

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

2. Approval of minutes from September 30, 2013

Motion by Maass, second Klapper to approve the minutes from the September 30th meeting. Motion carried unanimously by a call of roll.

3. Discussion and possible action on Claims

Motion by Maass, second by Klapper to approve claims in the amount of \$1,538,148.74. Motion carried 4-0 on a call of roll.

4. Discussion on 2014 budget and review of Special Revenue Fund Budgets and Capital Fund Budgets.

The committee reviewed the 2014 Special Revenue Funds and Capital Fund Budgets. It was brought up that with the new project prioritization the city may need to borrow to complete the projects. Mainly due to the switching of Haertel Street construction which included grant money to River Street construction which is funded 100% by the city. This will be firmed up as we complete the 2013 projects to see what may be available. It was suggested that the city use the money that was borrowed for chip sealing for roads and then borrow money at a shorter term for the chip sealing.

5. Discussion and possible recommendation on proposed surplus assets.

Finance Director Mohr reviewed the list of surplus items. Motion by Klapper, second by Garetson to approve the items listed as surplus. Motion carried 4-0 on a call of roll.

6. Adjournment

Motion by Maass, second by Klapper, to adjourn. Motion carried unanimously on a call of roll at 7:35 p.m.

Jean Mohr
Finance Director

City of Portage
Community Development Block Grant &
Finance/Administration Committee Meeting
(This meeting will constitute a meeting of the Community Development Block
Grant Committee)
Monday, October 14, 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

Excused: Doug Klapper

1. Roll call

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

2. Approval of minutes from October 7, 2013

Motion by Garetson, second by Havlovic to approve the minutes from the October 7th meeting. Motion carried unanimously by a call of roll.

3. Discussion and possible action on reallocation of Block Grant Administration Dollars to Project Dollars

Finance Director Mohr explained that the Block Grant programs allows up to 15% of the grant to be used for administrative purposes. In the past the city utilized a flat dollar amount each year for administration; this resulted in a buildup of \$20,470.03 administration dollars in the program. The state has recommended that the city reallocate the administration dollars back into the project dollars in order to utilize the money.

Motion by Garetson to reallocate \$20,470.03 from administrative dollars to project dollars in the Community Development Block Grant program, second by Havlovic. Motion carried 4-0 on a call of roll.

4. Discussion and possible recommendation on agreement with Strand Associates for IT services

The committee recommended this service be put out for bid next year. Motion by Maass to recommend Task Order No. 14-01 with Strand Associates, Inc. for 2014 IT services, second by Havlovic. Motion carried 4-0 on a call of roll.

5. Discussion and possible recommendation on bids received for installation of gates at underground parking lot

The committee discussed the interest by BID to possibly have some involvement in the operation of the underground parking lot. Administrator Murphy stated that the city is following through with the direction given by council to close off the structure mainly due to safety concerns. The committee concurred that the structure needs to be closed off now with other options involving BID to be considered in the future.

Motion by Maass to recommend the low bid from Century Fence Co. for the total amount of \$5,910.00 for 2 gates and posts to close off the parking lot, second by Garetson. Motion passed 4-0 on a call of roll.

6. Discussion on 2014 budget and review of remaining Capital Funds.

The committee reviewed the budgets for Vehicle/Equipment Fund; Revolving Sidewalk Fund and Canal Fund

7. Adjournment

Motion by Garetson, second by Maass, to adjourn. Motion carried unanimously on a call of roll at 6:37 p.m.

Jean Mohr
Finance Director



Strand Associates, Inc.[®]
910 West Wingra Drive
Madison, WI 53715
(P) 608-251-4843
(F) 608-251-8855

Task Order No. 14-01
City of Portage, Wisconsin (OWNER)
and Strand Associates, Inc.[®] (ENGINEER)
Pursuant to Technical Services Agreement dated December 1, 2011

Project Information

Services Name: General Information Technology Consulting Services

Services Description: Provide OWNER with general information technology (IT) consulting and support services on an as-requested basis for its Administration, Police, Fire, Water, and Wastewater Departments.

Scope of Services

ENGINEER will provide the following services to OWNER:

1. Network Configuration: Configure network equipment and telecommunications circuits, such as Internet connections, to perform as requested by OWNER.
2. Network Troubleshooting: Test, reconfigure, and troubleshoot network equipment and systems so the systems can be restored to working order or a review for replacement can be made.
3. Purchasing Advice: Provide OWNER with purchase recommendations for software, hardware, and related components based on OWNER's existing network and future needs.
4. Technology Advice: Provide OWNER with general advice about technology such as potential upgrades, purchases, and software, and additional services.
5. Helpdesk: Provide OWNER with general support, troubleshooting, and assistance for desktop and network applications. Support will be provided between 8 A.M. and 5 P.M. Central Standard Time. Contact information will be provided for after-hours support, but response time may be limited outside normal business hours

Compensation

OWNER shall compensate ENGINEER for Services under this Task Order on an hourly rate basis plus expenses an estimated fee of \$14,000.

Schedule

Services will begin upon execution of this Task Order, which is anticipated on January 1, 2014. Services are scheduled for completion on December 31, 2014.

TASK ORDER AUTHORIZATION AND ACCEPTANCE:

ENGINEER:

OWNER:

STRAND ASSOCIATES, INC.[®]

CITY OF PORTAGE

Matthew S. Richards
Corporate Secretary

Date

W.F. Bill Tierney
Mayor

Date



Strand Associates, inc.
910 West Wingra Drive
Madison, WI 53716
(P) 608-251-4843
(F) 608-251-8655

Task Order No. 14-01
City of Portage, Wisconsin (OWNER)
and Strand Associates, Inc.® (ENGINEER)
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TASK ORDER AUTHORIZATION AND ACCEPTANCE:

ENGINEER:

OWNER:

STRAND ASSOCIATES, INC.®

CITY OF PORTAGE

Matthew S. Richards
Corporate Secretary

Date

W.F. Bill Tierney
Mayor

Date

CITY OF PORTAGE

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



"Where the North Begins"

MEMORANDUM

To: Finance Committee
From: Bob Redelings, Public Works Director *B.R.*
Subject: 2 Chain Link Gates for Underground Parking Structure
Date: October 9, 2013
CC: Shawn Murphy, City Administrator
Bill Tierney, Mayor

Five bids were received on October 3, 2013 for the subject project. The bid tabulation is summarized as follows:

Bidder	Bid \$
Northway Fence, Inc. ;Menomonee Falls, WI.	\$8,950.00
Century Fence Co.; Pewaukee, WI	\$5,615.00
Kleen Maintenance dba Patriot Fence; Sussex, WI.	\$7,200.00
Security Fence & Supply; Stevens Point, WI.	\$6,044.00
D. J. Fence Co.; Portage, WI.	\$10,860.00

Following the bid opening, I met with the estimator for Century Fence on site to review the project. Due to the limited space, the gates will need to be offset and two additional end posts will be required. The cost for the posts is \$295.00. There is \$7,000 in the 2013 Parking Lot Budget for this project.

I recommend award of the 2 gates to Century Fence in the amount of \$5,910.00 which includes the additional posts.



SINCE 1917 THE MARK OF PERMANENCE

Office (262)-547-3331
Toll Free (800)-558-0507
Fax (262)-691-3463
Cellular (262)-993-5515
E-Mail mcrapp@centuryfence.com

P.O. BOX 727, Pewaukee WI. 53072-0727

10/9/2013

Phone: 608-742-2176 Fax: 608-742-8623

Proposal To:

City of Portage
Marie
115 W Pleasant St.
Portage, WI 53901

Ship To:

Parking Structure

Installed Material Only Prepaid Freight Freight Collect F.O.B. Job Site Delivery Schedule:

Description

2 - Single slide gate 20' wide by 7' high. Frame shall be constructed of 2" steel pipe welded at all corners to form a rigid panel. with 3' wide gate integrated.

6 - 4" Schedule 40 steel pipe Gate posts, 7' high.

2 - 4" Filler posts for security gap

All posts surface mounted to concrete floor and ceiling

Material and Labor: \$5,910.00

Acceptance: This proposal when accepted in writing by purchaser and by Century Fence Company's Main Office becomes a contract between two parties. The conditions on the attached "Terms and Conditions" sheet are made a part of this contract.

Terms of Payment: Net Cash upon receipt of invoice.

Buyer's signature _____ Date _____

Submitted by _____

Michael Crapp

**City of Portage
Human Resources Committee Meeting
Monday, October 14, 2013, 6:45 p.m.
Municipal Building, Conference Room One
Minutes**

Present: Bill Tierney, Chairperson, Rick Dodd, Jeff Garetson, Rita Maass and Frank Miller.

Absent/Excused: Michael G. Oszman

Also Present: Police Chief Ken Manthey, City Administrator Shawn Murphy and Bill Welsh, Cable TV

1. Roll call

The meeting was called to order by Mayor Tierney at 6:45pm.

2. Approval of minutes from previous meeting.

Motion by Dodd, second by Maass to approve minutes from the October 1, 2013 meeting. Motion carried unanimously on call of roll.

3. Motion to convene to Closed Session per Chap. 19.85(1)(c)&(e) to discuss and provide possible recommendation on employee use of vehicle and proposed 2014-2015 agreement with Wisconsin Professional Police Association.

Motion by Dodd, second by Miller to convene to Closed Session per Chap. 19.85(1)(c)&(e) to discuss and provide possible recommendation on employee use of vehicle and proposed 2014-2015 agreement with Wisconsin Professional Police Association. Motion carried unanimously on call of roll at 6:46 pm.

4. Reconvene to Open session for possible recommendation on item(s) discussed in closed session.

Motion by Dodd, second by Garetson to reconvene to reconvene to open session for possible recommendation on item(s) discussed in closed session. Motion carried unanimously on call of roll at 7:39 pm.

Motion by Tierney, second by Garetson to recommend approval (as an exception to the policy) of the request to allow Public Works Superintendent Standke to use city vehicle for commute to/from home from November 1 through April 30. It was noted that Standke will be responsible for payment of taxes on IRS computed value of use of city vehicle. Motion carried unanimously on call of roll.

5. Adjournment

Motion by Garetson, second by Dodd to adjourn the meeting at 7:40 pm. Motion carried unanimously on call of roll.

Respectfully submitted,

Shawn M. Murphy, City Administrator

2.6 USE OF CITY VEHICLES

A. General Policy.

The use of city vehicles and/or other vehicular equipment is intended for official business purposes only. It is expected that any such use will be confined to corporate limits of the City.

However, it is recognized that there are occasions that require usage outside the City for official business. It is the responsibility of all Department Heads to assure that vehicle usage outside the City limits is consistent with the needs of the Department and is, in fact, for purposes of official business. Employees shall use a City vehicle to travel on official City business if there is a City vehicle available. If the employee chooses to drive his private vehicle when a City vehicle is available, there will not be a mileage reimbursement.

Employees operating City owned vehicles and equipment are expected to obey all rules and regulations pertaining to the operation of motor vehicles. Any fines incurred as a result of an employee's failure to obey such regulations shall be paid by the employee.

B. Authority for Use.

For reasons of both safe-keeping and required emergency (on-call) response capacity, it is deemed necessary that certain staff be authorized the use of a City vehicle on a "take home" basis if residence is within the corporate limits of the City of Portage. Authorization for such use is extended to the following positions: Police Chief, Fire Chief, Utilities Manager, Manager of Parks, Recreation and Forestry, Street Superintendent, Police, Detective Lieutenant, Police Detectives.

C. Fringe Benefit Application.

As may be required by IRS regulations, the "take home" use of a City vehicle shall be treated as a fringe benefit reportable as income. Compliance with IRS regulations shall be the responsibility of the City Clerk.

2.7 USE OF PRIVATE VEHICLE FOR CITY BUSINESS

If a City employee, with prior approval from the Mayor, uses private transportation to fulfill the requirements of employment with the City other than going to and from work, a mileage allowance will be paid to the employee. Any employee so authorized to use his personal vehicle for city business shall maintain appropriate insurance for liability, bodily injury, and property damage.

2.8 USE OF CITY INTERNET AND E-MAIL

Internet and e-mail accounts shall be used for City of Portage business only. It may not be

Commuting Rule

If the only personal use of an **employer-provided vehicle** is commuting to and from work, then the employer can use the commuting rule. The value of each one-way commute is \$1.50, and either the value has to be included in the employee's wages or the employee can reimburse the employer this amount.

The commuting rule is the easiest method to use because it does not require employees to keep mileage logs of vehicle use, and it is the easiest for employers to administer. However, employers can use this rule only if four requirements are met:

- The employer provides the vehicle to the employee for use in the employer's trade or business.
- The employer has a written policy that does not allow the employee to use the vehicle for personal purposes, "other than for commuting or de minimus personal use (such as a stop for a personal errand on the way between a business delivery and the employee's home)."
- The employee in reality does not use the vehicle for personal purposes.
- The employee is not a control employee. Control employees are defined in Publication 15-B.

**City of Portage
Legislative & Regulatory Committee Meeting
Thursday, October 17, 2013, 6:00 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room One
Minutes**

Present: Michael G. Oszman, Chairperson; Kenneth A. Ebnetter, Carolyn Hamre, Martin Havlovic, Frank Miller

Also Present: City Clerk Moe, City Administrator Murphy, City Attorney Spankowski, Police Officer Klafke, Police Officer Stenberg, Detective Lieutenant Hahn, Sherry Schehr, Steve Paske, Marianne Hanson, Bill Welsh from Cable TV

1. Roll call

The meeting was called to order at 6:00 p.m. by Chairperson Oszman.

2. Approval of minutes from previous meeting

Motion by Miller, second by Ebnetter to approve the minutes from the committee meeting of September 19, 2013. Motion carried unanimously on call of roll.

3. Discussion and possible recommendation on Class B Combination License transfer to different premises for license held by Sherry Lee Schehr

An application has been received from Sherry Lee Schehr to transfer the license held by her from 1207 Dunn Street to 1505 New Pinery Road. 1505 New Pinery Road no longer is a licensed premises as Reynaldo Augilo turned the license he held for that location back to the city when the restaurant closed September 24, 2013. Motion by Miller, second by Hamre to recommend to council approval of the transfer of the license for Sherry Lee Schehr from 1207 Dunn Street to 1505 New Pinery Road. Motion carried unanimously on call of roll.

As there was no objection, the ordinance allowing hunting was taken up next, as Police Officer Klafke was only available until 6:40 p.m.

4. Discussion and possible recommendation on ordinance allowing hunting

Changes were reviewed. Police Officers Klafke and Stenberg were present as both are avid bow hunters, and to offer their assistance to the committee as the committee considers the implementation of an ordinance and program. In addition, Officer Klafke has done a lot of research on the subject. In order to implement a program the correct way, many questions need to be answered, making it not feasible to have a program in place this year. The committee was in agreement that hunting would not be permissible closer than 300 feet from parcels with structures. There was discussion regarding allowing people to discharge arrows outside any

hunting season for target practice. Decisions needing to be made prior to the enactment of an ordinance include where hunting would be allowed, requiring proficiency testing, rules and regulations, hunting seasons, registration form. Discussion will continue at the next meeting.

5. Discussion and possible recommendation on special event ordinance

Revisions to the proposed ordinance following the last meeting include:

- Removing Section 14-59(3) regarding the fencing requirements for temporary fermented malt beverage or wine licenses; the entire section 14-59 will be reviewed for possible revisions at a later date.
- Section 66-262 has language added to give the Chief of Police or Public Works Director the authority to order immediate street closure if public safety or property is threatened.
- Timeframes have been added to Section 66-266 with regard to the appeal of a denied permit.
- The fee structure is proposed as: follows: \$50 minimum; \$150 for events with 1 – 10 hours of staff time; \$300 for events with 11 – 20 hours of staff time; \$600 for event with 21 – 60 hours of staff time; and for events over 60 hours of staff time, the fee will be determined by agreement.

Ald. Hamre expressed concern with the fees. The committee was in agreement with having the minimum fee be \$30, instead of \$50. Marianne Hanson, representing Portage Area Chamber of Commerce told the council that the fees would present a hardship for not only the Chamber, but in her opinion, for other groups as well. She suggested that perhaps the city could look at more efficient ways to move tables, etc. Committee members discussed purchasing different type of tables that could be stored and used for the events.

Motion by Hamre, second by Miller to recommend to council approval of the special event ordinance. Motion carried unanimously on call of roll.

6. Discussion on possible ordinance for child safety zones

Detective Lieutenant Hahn was present to explain that part of the reason for considering an ordinance for child safety zones has been eliminated because of recently approved legislation by the State Legislature prohibiting any registered sex offender from being on any school grounds unless they notify the school. The city, by ordinance, could declare certain areas of the city as child safety zones, which would require any sex offender to notify the police department prior to being present in that area. Possible areas are the splash pad and beach. Constitutional issues with potential zones will be researched and a draft ordinance will be prepared for the next meeting.

7. Discussion of barking dogs and possible ordinance revision

Possible revision of the ordinance was requested by Ald. Hamre. The current ordinance requires two formal written complaints within a four-

week period for a citation to be written. It was Ald. Hamre's opinion that a person should not be required to identify themselves when calling in a complaint. The current procedure, according to Detective Lieutenant Hahn, is that if a call comes in a warning is given. If there is another complaint, a citation is issued. The committee reviewed a report showing barking dog complaints received this year. The committee discussed revising the ordinance as follows: if there are three (3) complaints within a four (4) week period, verified by a police officer, a citation would be issued. A draft ordinance will be prepared for the next meeting.

8. Discussion and possible recommendation on regulations of Silver Lake ordinance

Based on the DNR's suggestions, Section 54-184 water skiing in Silver Lake will be repealed, as Sec. 54-182 addresses that issue. The slow-no-wake within 50 feet referenced in Sec. 54-182(c) will be changed to 100 feet. The ordinance with the suggested changes will be forwarded to the DNR for formal review and approval.

Motion by Miller, second by Hamre to recommend to council approval of the ordinance as revised. Motion carried unanimously on call of roll.

9. Adjournment

Motion by Ebnetter, second by Miller to adjourn. Motion carried unanimously on call of roll at 8:36 p.m.

Marie A. Moe, WCPC, MMC
City Clerk

RETAIL LICENSE TRANSFER – PREMISES TO PREMISES

Wisconsin Department of Revenue

FEE \$ 10.00

10/8/13 C13007-2

APPLICATION FOR TRANSFER OF LICENSES FOR SALE OF FERMENTED MALT BEVERAGES AND/OR INTOXICATING LIQUOR FROM ONE PREMISES TO ANOTHER

Portage, Wisconsin
Oct. 7, 2013

To the governing body of the City Village Town of Portage
County of Columbia Wisconsin.

The undersigned hereby applies for a transfer of Class B license from 1207 Dunn St
Portage WI (present location) to 1505 New Pinery Rd Portage (proposed location)
on or about 10-25-13 (date)

1. APPLICANT: (print name and address plainly)

(a) Full name of applicant Sherrylee Schehr

(b) Address 1207 Dunn St. Portage WI 5390

2. LOCATION AND DESCRIPTION OF PREMISES TO WHICH APPLICATION FOR TRANSFER IS MADE: Describe building or buildings where alcohol beverages are to be sold, served and stored.

(a) Street number 1505 New Pinery Rd Portage

(b) Trade name of establishment The Caboose BBQ Co.

(c) Physical description of building, buildings and/or land area comprising licensed premises.
Restaurant, Bar & Walkin cooler located
at 1505 New Pinery Road Portage, WI

(d) Legal description (omit if street address is given above.) _____

(e) Is any other business conducted on same premises? Yes No If so, what? _____

(f) Was this location licensed for beer or liquor during the past year? Yes No

(g) Give name and address of previous licensee.
Reynaldo Angulo 1505 New Pinery Rd
Portage WI

(h) Will the previous licensee surrender its license? Yes No

**City of Portage
Airport Commission Meeting
Tuesday, October 22, 2013, 6:30 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room One**

Members present: Rita Maass, Chairperson; Carolyn Hamre, Barry Erath, and Fred Langbecker.

Members excused: Jeff Garetson and David Tesch.

Others present: Manager John Poppy and Director Bob Redelings.

1. Roll Call
2. Approval of minutes of previous meetings

Motion by Langbecker, second by Hamre to approve the minutes.
Motion passed 4 to 0 on call of the roll.

3. Discussion and possible action on unfinished 2013 projects and the need to carryover funding to 2014.

Redelings provided an update on the PAPI installation – see attached documentation. It's apparent the PAPI can still be installed this year and Electric 1 is available to perform the work the second week in November. Motion by Erath, second by Hamre to recommend award of the PAPI installation to Electric 1 for \$7,425 w/ the work on the REILs deleted. Motion passed 4 to 0 on call of the roll.

Redelings explained that the drainage issue at the hanger doors is more involved than initially thought. Estimates from a local contractor place the cost between \$12,000 and \$15,000. It was the consensus of the Commission to cut off the bottom of the hanger door to prevent freezing and enable opening during the winter months.

Chairperson Maass suggested a follow-up w/ the BOA was in order regarding the status of the ALP.

4. Discussion and possible action on claims.

Motion by Erath, second by Langbecker to approve the following claims:

- \$2,900 to Davis Construction for paving
- \$79 to Portage Lumber for (no trespassing) sign posts
- \$29.99 to Ace Hardware for paint

And to purchase a Velcro shroud for the fueling station at a cost of \$100. Motion passed 4 to 0 on call of the roll.

5. Public Works Director report.

Redelings indicated that there was an incident whereby trees were cut on private property. The error occurred because of a property line error on the draft ALP. The DNR is involved and the property owner is cooperating with the City on the matter.

Hamre indicated the archery deer hunting ordinance has become complex and won't occur this season. She advocates for sharpshooters to cull the herd, similar to what has been done in the past on park lands.

6. Airport Manager report.

Poppy indicated the painting is complete for the year and provided the records (attached) for the times painting occurred.

He also indicated that everything is working fine but EAA traffic was down about 25% from previous years.

7. Adjournment

Motion by Langbecker, second by Hamre to adjourn. Motion passed 4 to 0 on call of the roll.

The meeting concluded at 7:20 p.m.

Respectfully submitted,

Robert G. Redelings, City Engineer



Electric One
221 E. Albert St. PO Box 261
Portage, WI 53901
(608) 742-2222 Fax (608) 742-5658

PROPOSAL 1574-13

October 15, 2013

Portage Airport

Re: PAPI installation

Dear John,

Please accept our proposal for the installation of the owner supplied precision approach path indicator at the Portage airport which includes the following:

- Install owner supplied PAPI
- Demo existing VASI (visual approach path indicator)
- Tie new PAPI into existing service
- Relocate REILs (runway end identifier light) at north end of runway

Wired complete for the sum of:

\$8,475.00

Please feel free to call me with any questions.

*w/o REIL relocation
per telecon w/ Tyler at Electric
one on 10/22/13 B.R.*

7,425

Jay Howell

By the Wisconsin construction lien law, claimant hereby notifies owner that persons or companies performing, furnishing, or procuring labor, services, materials, plans, or specifications for the construction on owner's land may have lien rights on owner's land and buildings if not paid. Those entitled to lien rights, in addition to the undersigned claimant, are those who contract directly with the owner of those who give the owner notice within 60 days after they first perform, furnish, or procure labor, services, materials, plans or specifications for the construction. Accordingly, owner probably will receive notices from those who perform, furnish, or procure labor, services, materials, plans, or specifications for the construction, and should give a copy of each notice received to the mortgage lender, if any. Claimant agrees to cooperate with the owner and the owner's lender, if any, to see that all potential lien claimants are duly paid.

ORDINANCE 13-013

ORDINANCE RELATIVE TO VETERAN'S MEMORIAL FIELD AND SILVER LAKE REGULATIONS

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

Article IV of Chapter 54 of the Municipal Code of the City of Portage is hereby repealed and recreated as Articles IV and V of Chapter 54 to read as follows:

CHAPTER 54

ARTICLE IV – VETERAN'S MEMORIAL FIELD REGULATIONS

Sec. 54-132. – Animals Regulated.

Sec. 54-133. – Unauthorized use of racetrack.

Sec. 54-134. – Unauthorized electrical connections forbidden.

Sec. 54-135. – Speed limit.

Secs. 54-136 - 54-165. – Reserved.

Sec. 54-132 Animals Regulated.

No person shall permit any animal over 60 pounds on the Veteran's Memorial Field property hereinafter enumerated:

- (1) The baseball, football and softball lighted fields;
- (2) The grandstand infield; and
- (3) The summer recreation fields.

Sec. 54-133. – Unauthorized use of racetrack.

No person shall operate any motor vehicle or power-driven cycle on the racetrack without permission from the parks and recreation department and authorization from the chief of police.

Sec. 54-134. – Unauthorized electrical connections forbidden.

No person, firm or corporation shall strip any part of the electrical distribution lines of the city at the Veteran's Memorial Field, or make any electrical or other connection thereto, without permission of the manager of parks and recreation and a permit from the manager of parks and recreation or, except under such permit, draw electricity from such distribution system unless authorized to do so and then only from the regular outlets installed for that purpose by the city. Such permit shall be granted only if a public need exists therefor and the applicant is responsible and the proposed work is done in accordance with the applicable electrical codes and can be done without material injury to or impairment of the system or any part thereof.

Sec. 54-135. – Speed limit.

The speed limit shall be ten miles per hour in Veteran's Memorial Field.

Secs. 54-136 - 54-165. – Reserved.

ARTICLE V – LAKES

DIVISION 1. – REGULATION OF BOATING AND SILVER LAKE BEACH

Sec. 54-166. – State boating laws adopted.

Sec. 54-167. – Silver Lake speed restrictions.

Sec. 54-168. – Prohibition of motorboats in beach area.

Sec. 54-169. – Races, regattas, sporting events and exhibitions on Silver Lake.

Sec. 54-170. – Possession or consumption of alcoholic beverages, glass containers and tobacco products at Silver Lake Beach.

Sec. 54-171. – Miscellaneous restrictions.

Sec. 54-172. – Penalties.

Secs. 54-173 - 54-180. – Reserved.

Sec. 54-166. – State boating laws adopted.

The statutory provisions describing and defining regulations with respect to boating in the Wisconsin Statutes are hereby adopted by reference.

Sec. 54-167. – Silver Lake speed restrictions.

(a) *Speed to be reasonable and prudent.* No person shall operate a motorboat or personal watercraft on Silver Lake at a speed greater than is reasonable and prudent under the conditions and having regard for the actual and potential hazards then existing. The speed of a motorboat or personal watercraft shall be so controlled as to avoid collision with any object in or on the water or with any person, boat or other conveyance in or on the water in compliance with legal requirements and exercising due care.

(b) *Fixed limits.* No person shall operate a boat or personal watercraft faster than slow-no-wake during the hours of 6:00 p.m. and ending 9:00 a.m. local time on Silver Lake. In the event of high water, as determined by the city, no person shall operate a boat or personal watercraft faster than slow-no-wake.

(c) *"Slow-No-Wake" limitations.* No person shall operate a boat or personal watercraft faster than slow-no-wake within 100 feet of the boat landing or the bridge on Silver Lake, at any time of the day.

(d) *Definitions.* The term "slow-no-wake" means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

Sec. 54-168. – Prohibition of motorboats in beach area.

No person shall operate a motorboat or personal watercraft on Silver Lake within 100 feet of the posted, marked or roped area of the city-owned property at Silver Lake Beach.

Sec. 54-169. – 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.

(c) *Right-of-way of participants.* Boats and participants in any such permitted event shall have the right-of-way on the marked area and no other person shall obstruct such area during the race or event or interfere therewith.

Sec. 54-170. – Possession or consumption of alcoholic beverages, glass containers and tobacco products at Silver Lake Beach.

(a) No person shall possess or consume any alcohol beverage on the beach area of Silver Lake.

(b) No person shall use or bring upon the beach area at Silver Lake Beach any tobacco products.

(c) The "beach area" of Silver Lake Beach is defined as the area between the water's edge and the concrete retaining wall located to the northeast thereof. This area shall include the concession stand and the area adjacent thereto.

Sec. 54-171. – Miscellaneous restrictions.

(a) No person shall jump, dive or enter the water within 20 feet of the bridge from Silver Lake. No person shall swim within 20 feet of the bridge.

(b) No person shall swim, wade, jump, dive, enter or be in the water within 20 feet of the boat landing other than and incidental to put in or remove a boat or water craft from the water. No person shall interfere with the launching or landing of any boat or water craft within that area.

(c) No persons shall stand in the road right-of-way for the purpose of fishing, above the east side of the bridge.

Sec. 54-172. – Penalties.

Any person violating any provision of this division shall be subject to the general penalty provisions of section 1-15.

Secs. 54-173 - 54-180. – Reserved.

DIVISION 2. – BULKHEAD LINES

Sec. 54-211. – Bulkhead lines established.

(a) The city has established in the interest of the public, and pursuant to Wis. Stats. § 30.11, a bulkhead line along a part of the shore of Silver Lake as hereinafter described: That the bulkhead line of Silver Lake hereinafter described and more particularly shown by the map on

file with the city clerk is established and determined as set forth in the following description, subject to the approval of the department of natural resources, namely:

(1) Bulkhead line westerly of Silver Lake Dr. designated as A-B-C and shown as such on the map, described as: Starting at an iron pin marking the intersection of the centerline of Silver Lake Dr. with the north line of Section 6, T-12-N, R-9-E; thence south (assumed) along the centerline of Silver Lake Dr. a distance of 903.0 feet; thence west 50 feet to point A, the point of beginning of Bulkhead Line A-B-C; thence S 16°-13'-E, a distance of 115 feet to point B; thence south a distance of 170 feet to point C.

(2) Bulkhead line easterly of Silver Lake Dr. designated as D-E-F and shown as such on the map, described as: Starting at an iron pin marking the intersection of the centerline of Silver Lake Dr. with the north line of Section 6, T-12-N, R-9-E; thence south (assumed) along the centerline of Silver Lake Dr. a distance of 911.0 feet; thence east, 75 feet to point D, the point of beginning of Bulkhead Line D-E-F; thence south a distance of 77 feet to point E; thence S-35°E; a distance of 275 feet to point F.

(b) The city by and through the common council proposes to establish, in the interest of the public and according to Wis. Stats. § 30.11(13), a new bulkhead line along a part of the shore of the Silver Lake/Marsh area of the county described below:

(1) That the bulkhead line along the shore of Silver Lake/Marsh described and as shown by the map incorporated by reference is established subject to the approval of the department of natural resources. (See legal description denoted as Exhibit "A" on file with the city clerk.)

(2) That the bulkhead line is in the public's interest because the affected area has been filled in the past and the park development is compatible with the public's interest in navigable waters.

(3) That three certified copies of this section and three true and correct copies of such map be submitted to the department of natural resources for its approval for and upon return and receipt of the approved ordinances and maps; copies shall be filed with the department of natural resources, the city clerk and the county register of deeds.

This Ordinance shall take effect upon passage and publication thereof.

Passed this _____ day of _____, 2013.

W.F. "Bill" Tierney, Mayor

Attest:

Marie A. Moe, City Clerk

Ordinance requested by:
Legislative and Regulatory Committee

ORDINANCE NO. 13-016

ORDINANCE RELATIVE TO COMPENSATION

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 IV, Officers Employees, Departments.

Sec. 2-115. - Classification and pay plan.

- (a) *General policy.* In order to help ensure its ability to recruit and retain a competent and effective workforce, the city is committed to providing a competitive, equitable, and secure pay plan based on the concepts of job evaluation, performance appraisal, and merit compensation.
- (b) *Statement of purpose.* The position classification and pay plan for nonunion employees is designed to meet the following management objectives:
 - (1) To provide a competitive wage/salary position with respect to comparable municipal employers.
 - (2) To maintain an equitable wage/salary relationship among classified employment positions.
 - (3) To maintain an equitable relationship between nonunion wage rates and those of collective bargaining units.
 - (4) To provide a consistent, objective and rational system for determining wage and salary adjustments that recognize differential performance levels among employees.
 - (5) To maintain an affordable and fiscally responsible posture with regard to overall financial management considerations.
- (c) *Position classification*
 - (1) *Classification of employment positions.*
 - a. All full time positions in the city service, except those represented by a collective bargaining agreement, shall be classified on the basis of job content as determined by the Common Council upon recommendation of the Human Resources Committee.
 - b. Position descriptions which define the duties, responsibilities and qualifications required of the position shall be developed for each classification.
 - (2) *Application and interpretation of position classification.*
 - a. *Allocation of existing positions.* The employment positions are hereby assigned to appropriate grades in accordance with the wage and salary schedule. The city clerk shall notify each employee of his assignment and each employee having served in any such position is hereby given status in each position.

- b. *Interpretation of positions specifications.*
1. *Purpose and effect of positions specifications.* Each position description shall state in writing the major characteristics of the position and thereby differentiate each position from others in terms of kind and complexity of work and minimum qualifications. It shall give example of duties which employees holding such positions may properly be required to perform and is intended to be descriptive and explanatory but not restrictive. The listing of particular examples of duties does not preclude the assignment of other tasks of related kind or character.
 2. *Statements of desirable qualifications.* The statement of qualifications in the position description is intended to express desirable minimum qualifications to be utilized as a guide in selecting candidates for employment or selecting employees for assignment to new positions.
 3. *Administration and maintenance of the position classification.*
 - a. *Responsibilities of the mayor and Human Resources Committee.* The mayor or his/her designee shall be responsible for the administration and maintenance of the position classification. The Human Resources Committee shall conduct periodic reviews of the position descriptions to ensure that the job descriptions are current. Human Resources shall make recommendations to Common Council for significant changes in duties, responsibilities or classification of a position.
 - b. *Changes requiring Common Council approval.* The approval of the Common Council, upon recommendation of the Human Resources Committee shall be required for the establishment of any new position or changes in any existing position. Such changes may take the form of amendments to the wage and salary schedule approved by resolution of the Common Council, and all such changes shall be effective after the approval of the resolution by the Common Council.
 - c. *Employee request for classification adjustments.* Employees shall have the right to consideration of any request with respect to a change in the classification of the position held by the employee. Such request shall be made in writing to the employee's supervisor who, in consultation with the City Administrator shall submit a recommendation to the mayor's office or his/her designee. It shall be the responsibility of the Human Resources Committee to review the request pursuant to the procedures established in section c(3)(a).

(d) *Pay plan*

- (1) *Wage and salary practice.* The objectives of the city's pay plan are to provide a competitive wage and salary position in relation to comparable municipal employers, and to afford employees an opportunity for salary advancement on the basis of individual performance.
- (2) *Wage and salary schedule.* Pay for nonunion employees occupying classified positions shall be on the basis of pay grades and pay steps for each classification.
 - a. *Pay grades.* Based on job description a series of pay grades will be established in such a manner as to assign comparable classified positions to each pay grade.
 - b. *Pay steps.* For each of the established pay grades there shall be corresponding pay ranges which set forth the minimum and maximum pay rates for each pay grade. Annual establishment of intermediate pay rates within the approved pay range of the respective pay grades shall be recommended by the Human Resources Committee for adoption by resolution by the Common Council.
 - c. *Pay step adjustments.* Comparison communities, regional and national salary structure movement date will be evaluated to determine adjustments to the pay steps. Annual cost of living adjustments to pay steps may be considered by the Human Resources Committee pursuant to section 4a. Merit adjustments may be initiated by the Mayor or City Administrator for recommendation by the Human Resources Committee pursuant to section 4b.
 - d. *Wage and salary schedule adopted.* The Common Council shall adopt, by Resolution, a wage and salary schedule to apply to the nonunion personnel:
- (3) *Application interpretation of pay plan.*
 - a. *Entrance rate.* The rate of pay upon initial employment in any classified position shall be made at the minimum of the range for the position's pay grade. Provided, however, the human resources committee may approve initial compensation at a rate higher than minimum in the event that the employee's experience and/or abilities substantially exceed the minimum qualification for the position.
 - b. *Responsibility for interpretation and application of plan.* The mayor or his/her designee shall be responsible for the interpretation and application of the plan in relation to pay issues not specifically addressed by this plan, using the principles set forth herein as a policy guide.
- (4) *Pay rate adjustments.*
 - a. *Market adjustment.* On or about January 1st each year, the city may adjust employee wages based on current market trends. In

determining the level of such adjustment, the city will consider several market indicators, including: most recent Consumer Price Index (CPI); comparison community salary survey data; and collective bargaining agreement wage adjustments.

1. In-range adjustments. Employees whose base pay is less than the maximum rate established for their classification will be eligible to receive a general market rate adjustment on or about January 1st each year.
 2. Adjustments at maximum pay rate. Employees whose base pay has reached the maximum for their classification will be eligible to receive a general market rate adjustment on or about January 1st each year.
- b. *Merit adjustment.* Employees will be eligible for a merit increase on each anniversary date of employment. Merit advancement shall be earned solely on the basis of semiannual performance appraisals.
1. In-range adjustments. Employees whose base pay is less than the maximum rate established for their classification will be eligible to receive a merit adjustment on each anniversary date of employment.
 2. Adjustments at maximum pay rate. Employees whose base pay has reached the maximum for their classification will be eligible to receive a performance bonus in the same manner as prescribed for merit adjustments. However, a performance bonus shall be treated as a "one-time" payment and will not increase the employee's base pay rate.
- (5) *Administration and plan maintenance.* The administration and maintenance of the pay plan, as set forth herein, shall be the responsibility of the mayor or his/her designee.
- a. *Wage and salary survey.* At the mayor's or his/her designee's direction, the city clerk shall conduct a survey of comparable municipal employers for the purpose of evaluating the competitive position of the city's salary schedule. A comprehensive evaluation of the city's pay plan will be conducted every three to five years or sooner at Mayor's discretion.
 - b. *Pay plan adjustments.* Whenever the results of annual salary surveys and/or comprehensive plan evaluations suggest that the city's established pay plan no longer meets the objectives set forth herein, the mayor's office or his/her designee shall submit recommended revisions to the Human Resources Committee. Implementation of a revised salary schedule or a revised pay plan shall be upon Human Resources recommendation and subject to approval by the Common Council.
 - c. *Administrative documentation.* The city clerk shall be responsible for maintaining necessary administrative and supporting

documentations required for plan implementation and continued operation.

- (6) *Application of wage and salary schedule.* The annual base pay rate set forth in the wage and salary schedule is based on a standard work year totaling 2,080 hours. Non-salaried personnel shall receive the "hourly equivalency" rate corresponding to their respective pay grade.

This Ordinance shall take effect January 1, 2014.

Passed this _____th day of October, 2013.

W.F. "Bill" Tierney, Mayor

Attest:

Marie A. Moe, WCPC, MMC, City Clerk

1st and 2nd Readings:

3rd Reading:

Published:

Ordinance requested by:
Legislative and Regulatory Committee

ORDINANCE NO. 13-017

ORDINANCE RELATIVE TO SPECIAL EVENT ORDINANCE

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

The following Sections are hereby repealed in their entirety:

Chapter 14, Article IV. Nonintoxicating Beverages
Chapter 14, Article VI. Transient and Temporary Public Entertainments
Chapter 14, Article VII. Public Dances
Chapter 14, Article IX. Amusements

The following Sections are hereby repealed and recreated to read as follows:

Chapter 66, Article V. Division 4. Street Use Permits

Sec. 66-261. Purpose. The streets in possession of the city are primarily for the use of the public in the ordinary way. However, under proper circumstances, the city clerk, following review and approval by the Chief of Police and Public Works Director, may grant a permit for street use, subject to reasonable municipal regulation and control. Therefore, this division is enacted to regulate and control the use of streets pursuant to a street use permit to the end that the health, safety and general welfare of the public and the good order of the city can be protected and maintained. Persons or groups who successfully obtain a Special Event Ordinance shall not be required to obtain a separate Street Use Permit under this division.

Sec. 66-262. Application. A written application for a street use permit by persons or groups desiring the same shall be made on a form provided by the city clerk and shall be filed with the city clerk. The completed application must be received by the city clerk no later than fifteen (15) days prior to the proposed street use. The Chief of Police or Public Works Director have the authority to order immediate street closure if public safety or public/private property is threatened.

Sec. 66-263. Review by chief of police and director of public works. The application shall be reviewed by the director of public works and chief of police for their recommendation as to the affect that the temporary closing of the street will have on the public safety and traffic movement in the area during the time the street may be closed.

Sec. 66-264. Standards for approval or Mandatory denial of street use permit. Review of an application for a street use permit shall consider the following factors:

- (1) Compliance with Laws. The proposed street use shall be denied if it would violate any federal or state law or any ordinance of the city.
- (2) Traffic volume, route and circulation. The proposed street use will not substantially hinder the movement of police, fire or emergency vehicles, constituting a risk to persons or property.
- (3) Completeness of Application. The Director of Public Works and Chief of Police in reviewing the application may request additional information necessary for consideration.
- (4) In the event the application is denied, the applicant shall receive written notification of such denial detailing the reason(s) for the denial within ten (10) days of the date the application was submitted.

Sec. 66-265. Permit fee. Each application for a street use permit shall be accompanied by a fee set forth in the official city fee schedule on file in the city clerk's office. In addition to the permit fee, the applicant shall be responsible for additional costs the City may incur (including hourly equipment and personnel costs as listed in the schedule of fees) in providing service or assistance with the proposed street use permit use.

Sec. 66-266. Appeal of Denied Permit. An applicant may modify the application to seek approval or request an appeal of a denied permit within five (5) days of the issuance of the denial. The appeal shall be considered by the Municipal Services & Utilities Committee. Such appeal shall be rendered by the Municipal Services and Utilities Committee within twenty (20) days from the request for the appeal.

The following Sections are hereby repealed in their entirety:

**Chapter 66, Article VI. Processions, Parades, Runs, Walks,
Bicycle Races and Marathons**

The following Section is hereby created to read as follows:

Section 66-321 Special Event Ordinance

(a) Purpose. This Chapter is enacted to regulate and control the use of streets and public property to insure that the health, safety and general welfare of the public and the good order of the City is protected and maintained. The City's authority to regulate streets and public property is contained in the Wisconsin Statutes, including, but not limited to, Sec. 349.185, Wis. Stats.

(b) Definitions. As used in this Chapter:

(1) Processions, parades, runs, walks, marathons, bicycle races, block parties, and similar activities have their usual and customary usage.

(2) "Highways" and "streets" have the meanings set forth in Wis. Stats. § 340.01, and also include alleys (as defined in Sec. 340.01, Wis. Stats.) and areas owned by the City of Portage which are used primarily for pedestrian or vehicular traffic.

(3) "Neighborhood Event" includes any planned gathering to take place in a residential location such as a residential street or cul-de-sac. Examples include neighborhood or residential block parties and estate sales or auctions.

- (4) "Special Event" means any planned event on a highway or street in the City of Portage or on property owned by the City of Portage, including, but not limited to: processions, parades, runs, walks, marathons, bicycle races, block parties, transient or temporary public entertainment, festivals or celebrations, estate sales or auctions, political gatherings or events, and events requiring the issuance of a Temporary Class "B" alcohol license. For avoidance of doubt, a Special Event includes a Neighborhood Event.
- (5) *"Transient or temporary public entertainment" is one to which the public may gain admission by payment of an admission charge. A transient or temporary public entertainment includes shows, circuses, exhibitions, carnivals, or other traveling entertainment venues.*
- (6) *"Person" means any natural individual, group, entity, organization, partnership, association, corporation, or limited liability company.*

(c) Permit Required. No person may hold a Special Event on a highway or street in the City of Portage or on property owned by the City of Portage without first obtaining a Special Event Permit from the City.

- (1) The Chief of Police has the authority to issue a Special Event Permit for a Neighborhood Event. Said permits shall be exempt from the fee as required in Section (j) and may be exempt from insurance as required in Section (l) herein. Issuance of a Special Event Permit for Neighborhood Event or other Special Event defined herein shall not require obtaining separate Street Use Permit.
- (2) All other Special Event Permits shall be subject to review and approval by the City Administrator upon review by the Chief of Police, City Clerk, Director of Public Works, Fire Chief and

Manager of Parks & Recreation (Departmental Review), subject to subsection (c)(3) below.

- (3) The City of Portage reserves the authority, in its sole discretion, to refer any Special Event Permit application to the Legislative and Regulatory Committee or the Common Council for review and approval.

(d) Application. A person seeking to hold a Special Event shall file an application with the City Clerk on the form provided by the City Clerk. The application shall be filed at least forty-five (45) days before the Special Event. No application shall be considered that is filed fifteen (15) days or less from the date of the Special Event. The application shall contain the following information:

- (1) The name, address and telephone number of the applicant or applicants.
- (2) If the Special Event is to be conducted for, on behalf of, or by an organization or company, the name, address and telephone number of the organization's or company's headquarters and of individual(s) authorized to act on behalf of the organization or company.
- (3) The name, address and telephone number of the person or persons who will be responsible for operating the Special Event.
- (4) The proposed use, described in detail, for which the Special Event Permit is requested.
- (5) The date(s) and duration of time during which the Special Event is to occur.
- (6) An accurate description of the portion(s) of the street(s) or property to be used.
- (7) The applicant shall indicate if the Special Event requires complete, partial, or no closure of any streets.

- (8) A map of the Special Event, including the street(s)/property to be used, the route of the event, and the placement of any tents, facilities, or equipment.
- (9) The approximate number of persons who will attend the Special Event.
- (10) Any other information that the City deems necessary or appropriate.

(e) Exemptions. A Special Event Permit is not required for assembling or movement of a funeral procession or military convoy. A Special Event, including a parade, sponsored by an agency of the federal or state government, acting in its governmental capacity within the scope of its authority, may be required to obtain a Special Event permit; however, the agency may be exempt from the permit fee and insurance requirements contained in this Chapter.

(f) Application Review. If the City Clerk determines that the Special Event Permit application is complete, the City Clerk shall forward the application to the Chief of Police, Director of Public Works, Fire Chief and Manager of Parks & Recreation for review (Departmental Review). If the Departmental Review determines that members of the Fire, Parks & Recreation, Police or Public Works Departments must assist with setup, operation, clean-up or be available to staff the Special Event, the applicant shall pay a deposit as established in the Fee Schedule. The City Clerk may require the applicant to provide additional information in support of the application if the Departmental Review deems the additional information necessary for review purposes.

(g) Representative at Meeting. The Departmental Review of the application may require a meeting or meeting(s) with applicant representative(s). If the Special Event Permit application is to be

reviewed by the Legislative and Regulatory Committee or the Common Council, the applicant shall attend the meeting or meetings at which the application is considered. The applicant may be asked to provide additional information at the meeting or meetings.

(h) Action on Application. The individuals of the Departmental Review, the Legislative & Regulatory Committee, or the Common Council shall consider the following factors when deciding whether to grant a Special Event Permit:

- (1) How vehicular traffic may be affected by the Special Event, including the effect, if any, of construction projects in and around the City.
- (2) When the Special Event is scheduled to be held and the duration of the event, particularly if the event is scheduled between the hours of 10:00 p.m. and 7:00 a.m.
- (3) Whether sufficient supervision will be provided to reasonably assure orderly conduct by the attendees.
- (4) Whether the location, facility or City has adequate resources to accommodate the event.
- (5) Whether the Special Event is primarily for private or commercial economic gain, unless the event is an estate sale or auction.
- (6) Whether the Special Event will negatively affect the health, safety or general welfare of the public, including, but not limited to, the movement of police, fire, or emergency vehicles within the City.
- (7) Whether the operation of the Special Event violates any federal or state law or City ordinance. The City Administrator, Legislative & Regulatory Committee, or the Common Council may deny a Special Event Permit application if, in their discretion, it is determined that one or more of the factors identified above warrant denial of the application. Further, the City Administrator, the Legislative & Regulatory Committee, or

the Common Council may place conditions on the approval of a Special Event Permit application. If a Special Event Permit is granted, the permittee shall comply with all conditions placed on the Permit, if any, and with all applicable federal and state laws and City ordinances and regulations.

- (i) Appeal of Permit Denials. If a Special Event Permit application is denied by the City Administrator, the applicant may appeal the denial to the Legislative & Regulatory Committee by filing a request with the City Clerk within five (5) days of the application denial. The Legislative & Regulatory Committee shall consider the appeal and make a recommendation to the Common Council sustain or overturn the decision to deny the permit, or send the application back to City Administrator with direction for further review the application. In each instance, the Common Council shall consider the recommendation of the Legislative & Regulatory Committee within fifteen (15) days of the Committee recommendation. If a Special Event Permit application is denied by the Common Council, there is no further appeal.

- (j) Permit Fee. Each application for Special Event Permit shall be accompanied by a fee per the City Fee Schedule. Applications that are filed less than forty-five (45) days before the Special Event are subject to a double application fee, which shall be paid before the application is considered. Further, an application for a Special Event that is not a Neighborhood Event shall be subject to a Special Event fee, pursuant to the City Fee Schedule or fees specified in a written agreement between the applicant and the City. The Deposit shall be returned to the applicant upon completion of the Special Event less any costs the City incurs in the actual assistance during setup, operation, clean-up and/or staffing required by the City. Additionally, costs to restore or repair damage to facilities and property owned by the City as a result of the Special Event shall be deducted from the Deposit. Any

remaining balance shall be returned to the applicant within ten (10) days of the completion of the Special Event along with an itemized listing of any deductions. If the amount of the Deposit is insufficient to cover such City incurred expenses, the City shall invoice the applicant for the remaining balance. The fees referenced in the preceding sentence are intended to cover costs the City incurs relating to the Special Event.

(k) Neighborhood Events. Each application for a Special Event Permit for a Neighborhood Event shall include a petition designating the proposed area of the street to be used and the time for such use. The petition shall be signed by adult residents from not less than seventy-five percent (75%) of the households on the portion of the street designated for the proposed use. The petition shall be verified and shall be submitted in substantially the following form:

PETITION FOR SPECIAL EVENT PERMIT

We, the undersigned residents of the _____ hundred block of _____ Street in the City of Portage, hereby consent to the _____ recreational or business use of this street between the hours of _____ and _____ on _____, the _____ / _____ / _____ day of _____, 20_____, for the purpose of _____. We also hereby consent to the City of Portage granting a Special Event Permit for use of the portion of the street identified above for the use identified, and do hereby agree to abide by any conditions that the City of Portage places on the Special Event Permit. We further understand that the Permit will not be granted for longer than twelve (12) hours, and agree to remove from the street before the end of the Special Event all equipment, vehicles, and other personal property placed or driven thereon during the Special Event.

We designate _____ as the responsible person or persons who shall apply for a Special Event Permit.

(l) Insurance. An applicant for a Special Event Permit may be required to furnish the City Clerk with a certificate of insurance written by a company licensed in the State of Wisconsin, approved by the City Clerk, and covering any and all liability or obligations that may result from the Special Event, including any and all activities and operations by the applicant and the applicant's employees, agents, or contractors, including worker's compensation coverage in accordance with Chapter 102 of the Wisconsin Statutes. The certificate shall be written in comprehensive form and shall protect the applicant and the City against all claims arising out of the Special Event, including, but not limited to, any act or omission of the applicant and the applicant's employees, agents, or contractors. The policy of insurance shall provide minimum combined single limits for bodily injury and property damage of One Million Dollars (\$1,000,000.00) or such other insurance limits as deemed adequate by the City. The certificate of insurance (and any required endorsements) shall name the City of Portage as an Additional Insured and must be submitted to the City Clerk at least five (5) days before the Special Event is to occur.

(m) Indemnification. The applicant shall indemnify, defend and hold harmless the City of Portage and its officers, officials, agents, and employees against all loss or expense (including liability costs and reasonable attorney's fees) by reason of any claim or suit, or of liability imposed by law upon the City or its officers, officials, agents or employees, for damages because of injury, including death at any time resulting therefrom, sustained by any person or persons, or on account of damages to property, including loss of use thereof, arising from, in connection with, caused by or resulting from the Special Event.

- (n) Cleanup Requirements. The applicant shall return the site to the condition that existed before the Special Event occurred within twenty-four (24) hours of the completion of the event. The City may require the applicant to provide a deposit in an amount to be determined by the City to insure that the site is adequately restored.
- (o) Termination of Permit and Special Event. A Special Event may be immediately terminated, and the Special Event Permit revoked, while the event is in progress, if the Chief of Police or his or her designee determine that the health, safety or general welfare of the public, including participants at the event, is endangered by activities generated as a result of the event, or if the Special Event has violated any conditions placed on the event in the Permit, or if the Special Event has violated any City ordinances.
- (p) Emergency Revocation. The Chief of Police or his or her designee may revoke a Special Event Permit that has already been issued if the Chief of Police or Fire Chief or his or her designee determine that revocation is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace, or by a major change in the conditions forming the basis for the issuance of the Permit.
- (q) Penalties. Any person who violates any provisions of this Chapter shall be subject to a penalty as provided in Section 1-15 of this Code. Additionally, failure to comply with any provisions of this Chapter may result in the withholding of approval on any subsequent permit applications for this or other permits required by the City.

This Ordinance shall take effect upon passage and publication thereof.

Passed this _____ day of _____, 2013.

W.F. "Bill" Tierney, Mayor

Attest:

Marie A. Moe, City Clerk

First and second readings:

Third reading:

Published:

Ordinance requested by:

Legislative and Regulatory Committee

RESOLUTION NO. 13-028

RESOLUTION RELATIVE TO SURPLUS PROPERTY

WHEREAS, the Finance/Administration Committee has recommended that the following property be declared surplus property and disposed of in the most financially beneficial manner for the City:

- Homelite portable generator, asset ID #100-20-01368
- 73 Midland water pump, asset ID #100-20-00557
- (3) wooden benches from break room, asset ID #100-20-01727

NOW THEREFORE IT IS HEREBY RESOLVED by the Common Council of the City of Portage that the above listed property be declared surplus and disposed of in the most financially beneficial manner for the City.

DATED this 24th day of October, 2013.

W.F. "Bill" Tierney, Mayor

Attest:

Marie A. Moe, WCPC, MMC, City Clerk

Resolution requested by:
Finance/Administration Committee

RESOLUTION NO. 13-029

FINAL RESOLUTION AUTHORIZING PUBLIC IMPROVEMENT AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITTED PROPERTY IN PORTAGE, WISCONSIN (2013 SANITARY SEWER CONSTRUCTION PROJECT)

WHEREAS, the Common Council of the City of Portage held a public hearing in the Common Council Chambers at the City Municipal Building, 115 West Pleasant Street, Portage, Columbia County, Wisconsin at 6:40 p.m. on October 10, 2013, for the purpose of hearing all interested persons concerning the preliminary resolution and report of the City Engineer on the proposed public improvements consisting of installation of sanitary sewer laterals on portions of East Emmett Street, and East Howard Street.

NOW, THEREFORE, BE IT HEREBY RESOLVED, the Common Council of the City of Portage determines as follows:

1. The report of the City Engineer, a copy of which is attached hereto and incorporated herein, including the plans and specifications and assessments set forth therein, is adopted and approved.
2. The City of Portage has advertised for bids and supervised construction of the improvements in accordance with the report hereby adopted.
3. Payment for the improvements shall be made by assessing the entire cost to the property benefited as indicated in the report.
4. Benefits shown on the report are true and correct and are hereby confirmed.
5. Assessments for all projects included in the report are hereby combined as a single assessment but any interested property owner may object to each assessment separately or all assessments jointly for any purpose.
6. 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 and five (5) annual installments if the assessment is over \$1,000, plus interest, at the rate of 3.50% at the time of assessment per annum on the unpaid balance.
7. The municipal clerk shall publish this resolution as a class 1 notice under ch. 985, Stats., in the assessment district and mail a copy of this resolution and a statement of the final assessment against the benefited property together with notice of installment payment privileges to every property owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

DATED this 24th day of October, 2013.

W.F. "Bill" Tierney, Mayor

Attest:

Marie A. Moe, WCPC, MMC, City Clerk

Resolution recommended by:
City Engineer

**ASSESSMENT REPORT
for
2013 WATERMAIN AND SANITARY SEWER CONSTRUCTION PROJECT**

**Contract No.13-001
March, 2013**

**City of Portage
Columbia County, Wisconsin**

Prepared By:

**Robert G. Redelings, PE
City Engineer**

GENERAL

The utility improvements being proposed will improve sanitary sewer to each lot.

The project includes sanitary sewer and lateral replacement.

COSTS

All of the sanitary sewer lateral replacement costs will be assessed to the affected properties. A map of the Assessment District is included. The costs provided in the enclosed preliminary assessment roll are based on an engineer's estimate. The actual assessments will be based on actual construction costs. The proposed work was advertised and bid according to Wisconsin Statutes, and, was awarded to the lowest bidder.

Attached are the proposed assessments to be levied upon each lot or parcel within the Assessment District. The plans and specifications and the engineer's estimate are available for review upon request at the Municipal Building.

BENEFITS

Improved sanitary sewer service will benefit the adjacent properties, as well as the City in general. The Common Council of the City of Portage hereby determines that each of the lots or parcels abutting upon the streets to be improved will be substantially benefited by the utility improvements and that part of the cost of the improvements shall be levied as a special assessment against the property constituting the Assessment District. For the purpose of this report, it is assumed that the benefit is at least equal to the construction costs.

Respectfully Submitted:

CITY OF PORTAGE

Robert G. Redelings, PE
City Engineer

Attachments

Preliminary Assessment Roll

PROJECT - City of Portage - 2013 Sanitary Sewer Construction

100 BLOCKS E. EMMETT ST & E. HOWARD ST

Parcel No	property owners	Property Address	Mailing Address	City	State	Zip	Assessible Sewer Lateral Length (FT)	Sewer Lateral Cost per ft.	Total Sewer Lateral Assessment
968	Gale A Janda-Maney; Mary K Miller	1001 DEWITT ST	2601 Touchmark Drive Unit 215	Appleton	WI	54914	25	\$35.00	\$875.00
726	Monique Warnke	105 E HOWARD ST	6569 Chestnut Circle	Windsor	WI	53598	25	\$35.00	\$875.00
944	Christine M Derr	106 E Emmett Street	106 E Emmett Street	Portage	WI	53901	25	\$35.00	\$875.00
943	David R; Price Francine M Price	108 1/2 E EMMETT ST	N7576 Turtle Trail	Pardeeville	WI	53954	25	\$35.00	\$875.00
701	Benjamin M Boyce	108 E HOWARD ST	108 E Howard Street	Portage	WI	53901	25	\$35.00	\$875.00
969	Kid's V LLC	109 E EMMETT ST	PO Box 177	Montello	WI	53949	25	\$35.00	\$875.00
700	Nick D & Darcy L Schultz Jensen	110 E HOWARD ST	110 E HOWARD ST	Portage	WI	53901	25	\$35.00	\$875.00
727	Stephen J Monthey	111 E HOWARD ST	111 E HOWARD	Portage	WI	53901	25	\$35.00	\$875.00
942	Guillermo C Madrigal	112 E EMMETT ST	1316 East Avenue	Worthington	WI	56187	25	\$35.00	\$875.00
699	Grant D & Monique Warnke Hetherington	114 E HOWARD ST	6596 Chestnut Circle	Windsor	WI	53598	25	\$35.00	\$875.00
970	James N & Charlene Schliesman	115 E EMMETT ST	115 E EMMETT	Portage	WI	53901	25	\$35.00	\$875.00
698	Sherri L Smith	116 E HOWARD ST	116 E Howard Street	Portage	WI	53901	25	\$35.00	\$875.00
728	Amanda A; Gonzalez Jose L Gonzalez	117 E HOWARD ST	117 East Howard Street	Portage	WI	53901	25	\$35.00	\$875.00
971	Chad J Wilcox	119 E EMMETT ST	119 East Emmett Street	Portage	WI	53901	25	\$35.00	\$875.00
729	Marie L; Raimer Timothy A Raimer	119 E HOWARD ST	701 W Carroll Street	Portage	WI	53901	25	\$35.00	\$875.00
941	KE Enterprises LLC	120 E EMMETT ST	6677 Wendell Way	DeForest	WI	53532	25	\$35.00	\$875.00
697	Judith L Snowden	120 E HOWARD ST	120 E HOWARD ST	Portage	WI	53901	25	\$35.00	\$875.00
972	Janice L Baker Kevin A Baker	123 E EMMETT ST	123 E Emmett Street	Portage	WI	53901	25	\$35.00	\$875.00
730	Patricia M Egge Walker	123 E HOWARD ST	123 E Howard Street	Portage	WI	53901	25	\$35.00	\$875.00
940	Edith Kuhn Roger Kuhn	124 E EMMETT ST	N1265 County Road T	Endeavor	WI	53930	25	\$35.00	\$875.00
696	Renewal Unlimited Inc	124 E HOWARD ST	2900 Red Fox Run	Portage	WI	53901	25	\$35.00	\$875.00
695	Kent D & Kathleen J Hepler	126 E HOWARD ST	126 E HOWARD	Portage	WI	53901	25	\$35.00	\$875.00

RESOLUTION NO. 13-030

RESOLUTION RELATIVE TO AMENDMENT TO LINE OF CREDIT AGREEMENT BETWEEN THE CITY OF PORTAGE AND LIBRARY

WHEREAS, the City of Portage previously entered into a Line of Credit Agreement dated May 10, 2013, by which the City extended a line of credit in the amount of \$500,000.00 to the Library; and

WHEREAS, the Agreement provides that the Agreement may be amended upon the written consent of the City and the Library; and

WHEREAS, the Agreement provides that the Library, as grantor, entered into a security agreement dated May 10, 2013, by which the Library granted the City a \$500,000.00 security interest in the Library's collateral as security for the indebtedness of the Library to the City;

WHEREAS, the City and the Library desire to enter into an Amendment to amend the Agreement as set forth herein, a copy of which has been attached to this Resolution.

NOW THEREFORE, be it hereby resolved by the Common Council of the City of Portage that the Mayor and City Clerk are hereby authorized to execute the Amendment to Line of Credit Agreement with the Library.

DATED this 24th day of October, 2013.

W.F. "Bill" Tierney, Mayor

Attest:

Marie A. Moe, WCPC, MMC, City Clerk

Resolution requested by:
Finance/Administration Committee

AMENDMENT TO LINE OF CREDIT AGREEMENT

This AMENDMENT TO LINE OF CREDIT AGREEMENT (“Amendment”) is made and entered into as of November ___, 2013, by and between the City of Portage (“City”), and the Portage Public Library (“Library”).

WHEREAS, the City and the Library previously entered into a Line of Credit Agreement (the “Agreement”) dated May 10, 2013, by which the City extended a line of credit in the amount of \$500,000.00 to the Library;

WHEREAS, Section 7 of the Agreement provides that the Agreement may be amended upon the written consent of the City and the Library;

WHEREAS, Section 4 of the Agreement provides that the Library, as grantor, entered into a security agreement (the “Security Agreement”) dated May 10, 2013, by which the Library granted the City a \$500,000.00 security interest in the Library’s collateral as security for the indebtedness of the Library to the City;

WHEREAS, the City and the Library desire to enter into this Amendment to amend the Agreement as set forth herein.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual promises contained in this Amendment, and for other consideration, the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

1. Amendments.

1.1 Section 4 of the Agreement is hereby amended and restated in its entirety to read as follows:

4. COLLATERAL.

- a. As security for all indebtedness and other obligations of Library to City, Library grants to City the security interest in Library’s collateral pursuant to a certain Security Agreement (“Security Agreement”), a copy of which is attached as Exhibit B.
- b. The Library agrees that it shall on the date of this Amendment provide collateral on deposit in the account as provided by the Security Agreement in the minimum amount of \$500,000.00.
- c. The City agrees that as of the date of this Amendment, the minimum amount of collateral on deposit as provided in Section 4(b) may be reduced to \$300,000.00, in exchange for the Library granting the City a security interest in \$200,000.00 of the pledge money the Library will receive through its fundraising program.
- d. The City’s interest in the Library’s pledge money shall be applied either directly to the loan balance or to restore the collateral, at the option of the Library.

2. Governing Law. This Amendment shall be governed by and construed and interpreted under the laws of the State of Wisconsin.
3. Severability. In the event that any provision of this Amendment becomes or is declared by a court of competent jurisdiction to be illegal, unenforceable or void, this Amendment shall continue in full force and effect without said provision.
4. Modification. This Amendment may not be altered, amended or modified in any way except by a written instrument referencing this Amendment signed by the Library and the City.

The parties have caused this Amendment to be duly executed by their proper and duly authorized officers as of the date and year first written above.

PORTAGE PUBLIC LIBRARY

CITY OF PORTAGE

BY: _____
Richard G. Davis, President

BY: _____
W. F. Bill Tierney, Mayor

BY: _____
Marie A. Moe, City Clerk

RESOLUTION NO. 13-031

RESOLUTION PERTAINING TO ADOPTION OF MODIFIED EMPLOYEE CLASSIFICATION AND PAY PLAN

WHEREAS, the City of Portage Human Resources Committee has reviewed and recommended changes to the employee Classification and Pay Plan (Chap. 2, Article IV) for non-represented employees occupying classified positions and part-time, limited term and seasonal employee salaries; and

WHEREAS, the Human Resources Committee, in conjunction with the modification to the Classification and Pay Plan is recommending the following reclassifications to non-union employees occupying classified positions:

<u>Administration Department</u>	<u>Current Plan</u>	<u>Revised Plan</u>
Administrative Secretary/Deputy Clerk	5	3
City Clerk	10	5
Finance Director	10	5
Receptionist/Administrative Assistant	2	1
Court Clerk	5	3
<u>Engineering/Public Works</u>		
Deputy Treasurer/Public Works Secretary	4	2
Engineering Technician	10	8
Public Works Superintendent	10	5
Engineer/Director of Public Works	13	8
<u>Fire Department</u>		
Fire Chief	13	8
Secretary	5	3
<u>Library</u>		
Adult Services Librarian	6	3
Children's Librarian	6	3
Director	10	5
Library Assistant 1-3	1	1
<u>Park and Recreation Department</u>		
Manager of Parks & Recreation and Forestry	10	5
Secretary/Administrative Assistant	5	3

<u>Police Department</u>		
Assistant Chief of Police	11	6
Detective Lieutenant	10	5
Police Chief	13	8
Police Lieutenant	9	5
Secretary – Confidential	4	2
Community Service Officer	5	3
 <u>Utilities</u>		
Wastewater Superintendent	10	5
Water Superintendent	10	5
Utility Account Clerk	5	3
Customer Account Clerk	3	2

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Portage that all non-represented employees occupying classified positions are reclassified as stated above effective January 1, 2014;

DATED this 24th day of October, 2013.

W.F. "Bill" Tierney, Mayor

Attest:

Marie A. Moe, WCPC, MMC, City Clerk

Resolution requested by:
Human Resources Committee