

**City of Portage**  
**Legislative & Regulatory Committee Meeting**  
**Monday, November 10, 2014, 7:00 p.m.**  
**City Municipal Building, 115 West Pleasant Street**  
**Conference Room One**  
**Agenda**

Members: Rita A. Maass, Chairperson; Mike Charles, Mary E. Hamburg, Martin Havlovic, Jeffrey F. Monfort

1. Roll call
2. Approval of minutes from previous meeting
3. Discussion and possible recommendation for ordinance revision relative to commercial, industrial and residential driveway regulations
4. Discussion and possible recommendation for ordinance relative to municipal court service fees
5. Discussion and possible recommendation on operator license application for Carissa M. Longo
6. Adjournment

Rita A. Maass, Chairperson

**City of Portage  
Legislative & Regulatory Committee Meeting  
Monday, October 6, 2014, 7:00 p.m.  
City Municipal Building, 115 West Pleasant Street  
Conference Room One  
Minutes**

**Members Present:** Rita A. Maass, Chairperson; Mike Charles, Mary E. Hamburg, Martin Havlovic, Jeffrey F. Monfort

**Also present:** Administrator Murphy, Deputy Clerk Ness, Attorney Spankowski, Guadalupe Gomez, Claudia Soto, and Mr. Estrada from Le Croissant

**Media Present:** Bill Welsh from CATV, Craig Sauer from Daily Register

**1. Roll call**

The meeting was called to order by Chairperson Maass at 7:05pm.

**2. Approval of minutes from previous meeting**

Motion by Hamburg, second by Charles to approve minutes from the August 4, 2014 meeting. Motion carried unanimously on call of roll.

**3. Discussion and possible recommendation on operator license application for Megan C. Nedza.**

Motion by Charles, second by Hamburg to deny operator license for Megan C. Nedza based on two convictions alcohol related within the last five years not listed on the application as noted by Chief Manthey. Motion carried unanimously on call of roll.

**4. Discussion and possible recommendation on Class B combination alcohol license application for Le Croissant, LLC; Antonio Estrada Lozada, agent**

Motion by Hamburg, second by Monfort to recommend approval of Class B combination alcohol license application for Le Croissant, LLC; Antonio Estrada Lozada, agent. Motion carried unanimously on call of roll.

**5. Discussion and possible recommendation for ordinance relative to municipal court service fees**

Attorney Spankowski explained this is in addition to the current Municipal Court ordinance. With this additional ordinance the amount recouped for serving warrants is closer to the actual cost whereas without it we have to follow state statute and the amount allowed for recoup is under the actual cost. Currently the city is waiting to hear from Endeavor as their court is handled here and if they pass a similar ordinance this will impact the

wording of our ordinance. Decision was made to wait until next month to see if Endeavor forwards their decision.

**6. Discussion and possible recommendation for ordinance revision relative to commercial, industrial and residential driveway regulations**

Committee reviewed the current driveway related ordinances. The committee discussed that driveways should be part of a site plan submittal, which is reviewed and approved by the Plan Commission. Suggestion to review other communities for width requirement both residential and commercial/industrial and review at next meeting.

**7. Discussion and possible recommendation for ordinance revision relative to Manager of Parks and Recreation designation**

Proposed ordinance will update references to Manager of Parks, Recreation and Forestry to read Manager of Park and Recreation as well as Street Superintendent to read Public Works Superintendent. Parks and Recreation Board will be a standing committee so the duties are updated as needed.

Motion by Havlovic, second by Charles to recommend ordinance revision relative to Manager of Parks and Recreation designation as presented. Motion carried unanimously on call of roll.

**8. Adjournment**

Motion by Charles, second by Monfort to adjourn the meeting at 7:38 pm. Motion carried unanimously on call of roll.

Submitted by Rebecca C. Ness, Deputy Clerk

## City of Baraboo

### 8.09 DRIVEWAYS.

#### (3) SPECIFICATIONS FOR DRIVEWAY CONSTRUCTION.

- (a) Width. No driveway shall exceed **20 feet** in width at the street edge of the sidewalk in Residential districts and **32 feet** in commercial and industrial districts unless approved by the Public Safety Committee. All driveways shall be constructed in accordance with specifications established by the Public Safety Committee.
- (d) Number of Driveways Limited. No more than **one** driveway shall be constructed for Any Residential lot or premises without the approval of the Public Safety Committee.

- (4) APPEAL. Any person aggrieved by a determination of the City Engineer or the Public Safety Committee may appeal, in writing, to the Council within 10 days of such determination. Upon making a determination that public interest and safety are not adversely affected, the Council may grant the driveway permit.

## City of Beaver Dam

### Sec. 54-11. - Requirements for driveways.

- (a) *Minimum requirements for all driveways.*
- (1) No driveway shall be located closer than 25 feet from a right-of-way line of an intersection of two streets.
  - (3) Construction of shared driveways shall be avoided to the greatest extent practicable. Should construction of a shared driveway be requested, construction of same shall be subject to approval of the Operations Committee, or its designee.
  - (4) Except for permitted shared driveways, the outside edge of the driveway shall be at least three feet from the side property line.
- (b) *Additional requirements for residential driveways.*
- (1) There shall be no more than **one driveway per lot** or two driveways per multifamily residential lot per street frontage. One additional driveway may be permitted per street frontage when that frontage exceeds 200 feet.
  - (2) Driveways shall not exceed **24 feet** in width except if the building has a three-car garage. If a building has a three-car garage, the driveway width may be increased an additional **12 feet** for a total width **not to exceed 36 feet.**
  - (3) Driveway aprons shall not exceed **24 feet** in width measured at the front of existing or future sidewalk.
- (c) *Additional requirements for commercial and industrial driveways.*
- (1) There shall be no more than **two** driveways per commercial or industrial lot per street frontage. Driveways on each street frontage shall meet the requirements for each street frontage separately. Driveways may be prohibited or restricted in size, number, or direction of traffic flow, if in the opinion of the Director of Facilities; the proposed access will present a hazard to the safety and general welfare of the public.

- (2) Driveways aprons for commercial or industrial lots shall not be wider than **28 feet** in width measured at the front of existing or future sidewalk.

(d) *Exceptions to requirements.*

- (1) The operations committee, or its designee, may waive the requirements for residential driveways where, in its opinion, the waiving of the requirements will not have a detrimental effect on the safety of the general public.
- (2) The operations committee, or its designee, may waive the requirements for commercial and industrial driveways if the applicant submits an engineered alternative plan that will effectively permit ingress and egress with a minimum of hazard or congestion to pedestrian, bicycle and vehicle traffic both on and off the street.

### Village of Waunakee

- **Sec. 82-246. - General requirements.** The location, design and construction of driveways shall be in accordance with the following:

- (2) Number. The number of driveways to serve an individual property fronting on a street shall be **one**, except where deemed necessary and feasible by the director of public works for reasonable and adequate service to the property, considering the safety, convenience and utility of the street.
- (10) Variances. Any of the requirements of this section may be varied by the board of appeals when the peculiar nature of the property or the design of the street may make the rigid adherence to the requirements impossible or impractical.

- **Sec. 82-247. - Special requirements for commercial and industrial driveways.** The following are applicable to driveways serving commercial or industrial establishments:

- (1) *Width of drive.* No part of a private driveway located within the dedicated area of a public street shall, except as provided in this section, have a width greater than **30 feet** measured at right angles to the centerline of the driveway, except as increased by permissible radii. When the nature of the commercial or industrial activity or the physical characteristics of the land would require a driveway of greater width than specified in this subsection, the plan commission in its discretion may permit a driveway of additional width.

- **Sec. 82-248. - Special requirements for residential driveways.**

The following are applicable to driveways serving residential property:

- (1) *Width of driveways.* Openings for vehicular ingress and egress shall be at least **ten feet** wide at the property line for residential properties, but shall **not exceed three feet** wider than the garage door opening or **24 feet**, whichever is greater, at the property line, with a maximum **additional six feet** at the curb opening.

## City of Portage

### **Sec. 10-305. General requirements.**

The location, design and construction of driveways shall be in accordance with the following:

(2) *Number.* The number of driveways to serve an individual property fronting on a street shall be one, except where deemed necessary and feasible by the ~~common council, or committee thereof~~ **City Engineer**, for reasonable and adequate service to the property, considering the safety, convenience and utility of the street.

(10) *Variances.* Any of the above requirements may be ~~waived or modified~~**varied** by the **Plan Commission**~~common council~~ in such instances where the peculiar nature of the property or the design of the street may make the rigid adherence to the above requirements impossible or impractical.

### **Sec. 10-306. Special requirements for commercial and industrial driveways.**

The following regulations are applicable to driveways serving commercial or industrial establishments:

(1) *Width of drive.* No part of a private driveway located within the dedicated area of a public street shall, except as hereinafter provided, have a width greater than 30 feet measured at right angles to the centerline of said driveway, except as increased by permissible radii. In instances where the nature of the commercial or industrial activity or the physical characteristics of the land would require a driveway of greater width than herein specified, the **Plan Commission** ~~common council~~ in its discretion may permit a driveway of additional width **during site plan consideration upon recommendation by the City Engineer.**

### **Sec. 10-307. Special requirements for residential driveways.**

The following regulations are applicable to driveways serving residential property:

(1) *General requirements.* Unless **approved by the City Engineers**~~special permission is first received from the common council, or committee thereof~~, a residential ~~single-type~~ driveway shall be no greater than ~~30~~**18** feet wide at the curblineline and ~~24~~**15** feet wide at the **property line.** ~~outer or street edge of the sidewalk~~; residential double-type driveways shall be no greater than 24 feet wide at the curblineline and 18 feet wide at the outer or street edge of the sidewalk.

**ORDINANCE NO. 14-**

**ORDINANCE RELATIVE TO MUNICIPAL COURT SERVICE FEES**

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

**Section 42-9** is hereby repealed and re-enacted in its entirety as:

**Section 42-10**

**Section 42-10. Abolition.**

The Municipal Court hereby established shall not be abolished while the Wis Stat. §755.01(4) agreement is in effect.

The following Section is hereby created to read as follows:

**Section 42-9**

**Section 42-9. Service fees.**

- (a) *Service Fees.* Pursuant to Wis. Stat. §§ 814.70, 814.705 and 814.71 the City of Portage Police Department shall charge a service fee of \$30 when the City Police serve a warrant or commitment order upon a person. The person served with the warrant or commitment order shall be responsible for the payment of the warrant or commitment order service fee. The service fee may be collected as a court cost through the court.
- (b) *Multiple Warrants.* The City of Portage Police Department shall charge a separate fee for each warrant or commitment order served on a person.
- (c) *Disposition of Fees.* Upon collection by the court, all warrant or commitment order service fees shall be forwarded by the court to the City of Portage Treasurer.
- (d) *Severability.* It is the legislative intent that should any provision of this Ordinance be declared invalid, illegal, unenforceable, or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance. Furthermore, the relevant court of competent jurisdiction is authorized to substitute for the provision at

issue a valid and enforceable provision as similar as possible to the provision at issue.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
W.F. Bill Tierney, Mayor

Attest:

\_\_\_\_\_  
Marie A. Moe, City Clerk

Ordinance requested by:  
City Attorney

Applicant Name: Longo Carissa m  
Last First Middle Initial Maiden

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

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

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

Violation: \_\_\_\_\_ Conviction Date: \_\_\_\_\_  
Jurisdiction where convicted: \_\_\_\_\_

3. Have you ever been arrested or convicted of violating any other laws of the United States, State, County, City, Village or Town, relating to the use or abuse (either as an adult or juvenile) of alcohol or controlled substances within the past 5 years?  Yes  No

If YES, describe the circumstances and give conviction date and jurisdiction where convicted.

Description: \_\_\_\_\_  
Conviction Date: \_\_\_\_\_ Jurisdiction where convicted: \_\_\_\_\_

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

Description: \_\_\_\_\_  
Conviction Date: \_\_\_\_\_ Jurisdiction where convicted: \_\_\_\_\_

5. Have you completed the Beverage Servers Training Course in the past two years?  Yes  No

6. Have you held an Operator License in the past two years?  Yes  No

If yes  
Municipality License issued by: June 2013 Date Issued: City of Portage

**New applicants must provide a copy of the Beverage Server Training completion certificate.**

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

If YES, explain when and why \_\_\_\_\_  
\_\_\_\_\_

8. Name of the licensed establishment(s) where you will be working. Tamarack Pizza

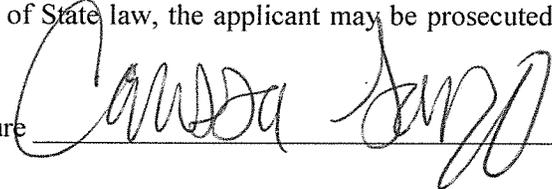
**READ CAREFULLY BEFORE SIGNING**

The undersigned affirms that he/she is the person named in the foregoing application, that the applicant has read and made a complete answer to each question, and the answers in each instance are true and correct.

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

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

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

Applicant Signature  Date 10-14-14

**DEPARTMENT RECOMMENDATIONS**

Department	Approved	Denied	Signature/Date
City Clerk			
City Treasurer			
Police Chief		X	Ken Mantley 10-14-14

If denied, explain reason FALSE INFORMATION + ACTIVE WARRANT FOR DRUGS

WHEN RUNNING A CHECK ON CARISSA M. LONGO, D.O.B. 11-05-89, IT WAS  
LEARNED THAT WASHINGTON COUNTY SHERIFF'S OFFICE OF PENNSYLVANIA HAS AN  
ACTIVE WARRANT FOR HER ARREST. SHE FAILED TO APPEAR ON A CHARGE OF  
" DANGEROUS DRUGS ". I CONTACTED HER + SHE VERIFIED IT WAS HER. SHE WAS DATING  
A MAN WHO WAS WORKING THERE. SHE SAID SHE COULDN'T RETURN AT THE TIME BECAUSE  
SHE HAD A HIGH-RISK PREGNANCY. SHE TRIED TO TAKE CARE OF IT OVER THE PHONE  
BUT THEY TOLD HER SHE HAD TO APPEAR IN PERSON. I TOLD HER THAT SHE HAD TO  
TAKE CARE OF THIS + I WAS GOING TO DENY IT.

SHE THEREFORE DID NOT GIVE A TRUTHFUL ANSWER ON HER APPLICATION WHEN  
SHE SAID SHE HAD NO CHARGES PENDING AGAINST HER.