

**City of Portage Common Council Meeting  
Council Chambers of City Municipal Building  
115 West Pleasant Street, Portage, WI  
Regular Meeting – 7:00 p.m.  
September 24, 2015  
Agenda**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Minutes of Previous Meeting
6. Consent Agenda
  - A. Reports of Sub-Committees, Boards, and Commissions
    1. Business Improvement District Board of Directors, September 9, 2015
    2. Board of Zoning Appeals, September 14, 2015
    3. Emergency Planning Committee, September 18, 2015
  - B. License Applications
    1. Operator
    2. Taxi Cab Operator
7. Committee Reports
  - A. Park and Recreation Board, September 8, 2015
  - B. Legislative and Regulatory Committee, September 9, 2015
    1. Consideration of recommendation for approval of “Class A” Cider Only License for Kwik Trip, Inc., Nona May Hartman, agent, 2970 New Pinery Road ((Kwik Trip #683)
    2. Consideration of recommendation for approval of “Class A” Cider Only License for Kwik Trip, Inc., Jude McConville, agent, 1223 East Wisconsin Street (Kwik Trip #653)
    3. Consideration of recommendation for approval of change of agent for Portage Elks Lodge No. 675 Benevolent and Protective Order of Elks of the United States of America, Inc. Class B Combination Alcohol License to Marilyn George-Burton

C. Finance/Administration Committee, September 10, 2015, September 14, 2015

8. Unfinished Business

A. Ordinances

1. Ordinance No. 15-007 relative to Miscellaneous Offenses (Regulation of Smoking, E-Cigarettes) Tabled 05/14/15 until such time the State Legislature takes action on the proposed legislation

9. New Business

A. Ordinances

1. Ordinance No. 15-011 relative to Alcohol Licensing
2. Ordinance No. 15-012 relative to Fire Prevention & Protection

B. Resolutions

1. Resolution No. 15-038 relative to Urban Forestry Authorizing Resolution
2. Resolution No. 15-039 relative to Adopting the Columbia County All Hazards Mitigation Plan
3. Resolution No. 15-040 relative to Fee Schedule

C. Proclamation – Vietnam Veterans Month

D. Mayor's Comments

1. 2015 Walk for Hope
2. Recycling containers
3. Sign Ordinance Revision Process

E. City Administrator Report

1. Fall Clean-up

10. Adjournment

Common Council Proceedings  
City of Portage

Regular Meeting  
Council Chambers  
City Municipal Building

September 10, 2015  
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. Charles, Dodd, Hamburg, Havlovic, Klapper, Kutzke, Lynn, Maass, Montfort

Also Present: Mayor Tierney, City Clerk Moe, City Administrator Murphy, City Attorney Spankowski, Finance Director Mohr, Fire Chief Simonson, Police Chief Manthey, Municipal Court Clerk Wilcox

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

**3. Pledge of Allegiance**

In commemoration of 9-11, Fire Chief Simonson and Police Chief Manthey led the Pledge of Allegiance. Following the Pledge of Allegiance, there was a moment of silence in remembrance of 9-11.

**4. Approval of Agenda**

No changes.

**5. Minutes of Previous Meeting**

Motion by Klapper, second by Charles to approve minutes of August 27, 2015 Common Council meeting. Motion carried unanimously on call of roll.

**6. Consent Agenda**

Reports of Sub-Committees, Boards, and Commissions

Business Improvement Board of Directors meeting of August 12, 2015

Police and Fire Commission meeting of August 18, 2015

Tourism Promotion Committee meeting of September 1, 2015

Historic Preservation Commission meeting of September 2, 2015

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

### License Applications

Operator license applications for Lyndzey A. Hudzinski and Cory J. Pohlkamp.

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

## **7. Committee Reports**

### Finance/Administration Committee meetings of August 24, 2015; August 31, 2015, September 10, 2015

Motion by Dodd, second by Charles to approve claims in the amount of \$909,775.70. Motion carried unanimously on call of roll.

### Municipal Services and Utilities Committee meeting of September 3, 2015

The petition presented at the committee meeting will be included in the minutes.

## **8. Unfinished Business**

### Ordinances

Ordinance No. 15-007 relative to Miscellaneous Offenses (Regulation of Smoking, E-Cigarettes) Tabled 05/14/15 until such time the State Legislature takes action on the proposed legislation. No action taken.

## **9. New Business**

### Resolutions

Resolution No. 15-037 relative to Exemption from County Library Tax was read and adopted unanimously on motion by Dodd, second by Maass and call of roll.

### Airport petition amendment, entitlements update

Ald. Maass informed the council that the Bureau of Aeronautics (BOA) contacted the city last Friday about the need to submit paperwork by end of September to keep 2012 entitlements in place. Since the petition will be considered at the Airport Commission meeting in October, BOA decided the preferred option for submission at this time was to amend the 2001 petition to include obstruction clearing and land surveying. A signed copy of the Amendment to the Eligibility Statement for the 2001 petition has been received. The obstruction clearing and land surveying will need to be included in the new petition.

### Proclamation – Ovarian Cancer Awareness Month

The Proclamation was read.

### Mayor's Comments

A meeting and goal setting session for the Council as recommended in the GovHR report will be in January. Council members were encouraged to

review the City's Comprehensive Plan and Ady Voltedge report.

Upcoming events: Alzheimer and Dementia Walk, September 13th; Suicide Prevention Walk, September 27th; Type I Diabetes Walk, September 27th; Blau Chiropractic Kid's Day, September 19th; Color Run, September 19th.

#### Municipal Court Report

Municipal Court Clerk Wilcox gave a history of the court; along with an explanation of the operation of the court including the citation and collection process.

#### Closed Session

Motion by Dodd, second by Klapper to convene into convene into closed session pursuant to Wisconsin State Statutes 19.85(1)(b) for the reconsideration of an Operator License for Nicole K. Baumann. Motion carried unanimously on call of roll at 7:27 p.m.

Motion by Charles, second by Maass to uphold the denial of an Operator License for Nicole K. Baumann based on two (2) underage alcohol convictions within the past five (5) years. Motion carried unanimously on call of roll.

### **10. Adjournment**

Motion by Dodd, second by Maass to adjourn. Motion carried unanimously on call of roll at 7:40 p.m.

Marie A. Moe, WCPC, MMC  
City Clerk

**City of Portage**  
**Business Improvement District Board of Directors**  
**Wednesday, September 9, 2015, 7:30 a.m.**  
**City Municipal Building, 115 W Pleasant St**  
**Conference Room One**  
**Minutes**

Present: President- Peggy Joyce, Vice President- Dennis Rupers, Treasurer Shane Schmidt, Secretary Ian Dumbleton, Fred Galley & Sheila Link.

Excused: Myrna Hooper, Marlana Cavanaugh, John Krueger

Also present: Scott Davis, BID Contractor, Director of Business Development, Steve Sobiek, Mayor Tierney

**1. President Joyce called the meeting to order at 7:35 am.**

**2. Discussion and request for approval of BID Meeting minutes for August 12, 2015.**

President Joyce presented the meeting minutes for approval. Motion by Schmidt, second by Dumbleton to approve the August 12, 2015. Motion passed.

**3. Discussion Moved to Steve Sobiek's update on upcoming Signage changes.**

Steve Sobiek presented the forthcoming changes to Portage's sign ordinance. Steve stated that they have been working on a draft of the ordinance for quite a few months and they have made over 60 revisions based on feedback from outreach. Steve also gave an overview of the types of signs that would be allowed with and without permitting and variances needed. Steve stated if there are any concerns with the changes please reach out to Steve Sobiek, Sean Murphy or Mayor Tierney and they will share with the plan commission. Sobiek also encouraged BID members to go to the next plan commission meeting which is held on the third Monday of the month at City Hall.

**4. Discussion and update on Fred Galley's idea for a weekly Saturday event.**

Director Galley updated that he is working on an event calendar for 2016 and will have more to update on in the coming months.

**5. Discussion and possible action on BID Committee Chairman Reports**

**Discussion moved to Executive Committee report.**

President Joyce stated that the executive committee did not meet therefore nothing to report.

**Discussion moved to Building & Grounds Committee report.**

President Joyce asked if everyone received the BID Contractor's report from Scott Davis. All agreed that they read the report and no questions or comments were offered. Motion by Dumbleton, second by Rupers to accept the June 2015 Contractor's Report. Motion passed. Contractor's Report is included as Addendum1BIDAUG.pdf.

Treasurer Schmidt presented the Committee report stating that the City has waived the lease fee for the underground storage space.

Treasurer Schmidt was approached by Portage Pride in regards to help with seasonal decorations in downtown. Schmidt recommended that Portage Pride and the Streetscape committee get together to work on plans and coordination.

Treasurer Schmidt presented the bids he received for the construction of the underground storage, looking for approval of \$4500 for construction and up to \$750 for electrical work. Schmidt made a

motion for approval of funds for the construction of \$4500 for construction and no more than \$750 for electrical work second by Galley, motion passed.

**Discussion moved to Farmer's Market Committee report.**

Contractor Davis reported that the Farmers Market has been busy with as many as 21 vendors in recent weeks.

**Discussion moved to Grants Committee report.**

No current grant request.

**Discussion moved to Marketing Committee report.**

Nothing to report

**Discussion moved to Streetscape Committee report.**

President Joyce presented the Streetscape Committee report stating that Metal sculptures have been purchased and will be added to flow barrels next year.

**Discussion and update on involvement with Downtown Portage, Inc.**

Director Link reported that Sherry Douglas attended the legislation meeting in Madison in regards to beer/wine walks and felt they were well represented and it sound like government is working to take action on this ruling and it would be great if it was approved in time to host a fall walk to raise revenue. Link also stated that funds will be light for yuletide due to not being able to raise money from events that were cancelled due to legislation. Link also stated that they need to have a bigger focus on bringing in more people for parade events.

**6. Discussion and possible action on treasurer's report.**

Claims to pay

Treasurer Schmidt presented the Claims to Pay Voucher list for September, 2015. Schmidt presented the Claims to pay in the amount of \$4929.57. Motion by Dumbleton, second by Rupers to approve the presented Claims To Pay list in the amount of \$4929.57. Motion passed. Claims to pay list included as Addendum2BIDSEP.pdf.

Financials – July 2015

Treasurer Schmidt presented the Financials for July. Motion by Dumbleton to approve financials, second by Rupers. Motion passed.

**7. Adjournment**

Motion by Joyce, second by Rupers to adjourn the meeting at 8:31 am. Motion passed.

Respectfully Submitted by Ian Dumbleton BID Secretary.

## 2015 Monthly BID Maintenance Contractor Report 08/01/15-08/31/15

To: BID Board

From: Scott Davis

- Check all BID district trash cans empty as needed. Check all BID sidewalks and clean up trash along the curbs and cigarette butts.

Farmers Market

- The Farmers Market is going well more vendors are showing up with different products.

BID Building:

- Mowing the grass and taking care of the weeds around the building as needed. Sprayed the weeds around the BID areas may need to do more.

BID Equipment:

- The Bobcat side by side and 4 wheelers are running good.

Miscellaneous:

- The new sculptures are at the welding shop they need washers welded on them. The legs on some sculptures needed to be lengthened also. Do to the heat I have been watering the flowers more. I have been getting more complements about the flowers.

**2015  
City of Portage  
Business Improvement District**

**September Schedule of Vouchers**

#	Date	Charge Acct	Invoice #	Amount	Vendor	Description	Account #	Description
1				\$2,500.00	BKO, LLC - Scott Davis	Sept 2015 Services	241	Custodial Services
2	07/29-08/27	118698-013	118698U08272015	\$8.18	Alliant Energy	BID Building Electrical	221	Electrical & Gas
3	8/25/2015		01-37929	\$161.39	Bobcat of Madison	Oil, Filters, Hydro Fluid, Fuel Filter	352	REPAIR/MAINT SUPP-EQUIPMENT
4				\$50.00	Scott Davis	Reimbursement for Watering container	860	Small Equipment
5	9/9/2015			\$2,210.00	Schommer Construction	Storage area in Underground	821	Buildings/Grounds
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								

Total: \$4,929.57

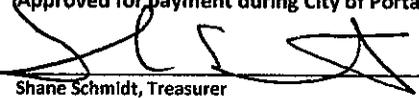
**Pre Paid Expense Account #055**

1	8/28/2015			\$39.00	Market Basket	Diesel	342	Gasoline/Oil
2	8/26/2015			\$2.95	Walgreens Balance	Monthly Fee	590	Bank Fees
3								
4								
5								
6								
7								
8								

Total: \$41.95  
Balance On Card: \$682.43

Approved for payment during City of Portage Business Improvement District Committee meeting dated

9/9/2015



Shane Schmidt, Treasurer  
BID Board of Directors

9/9/2015  
Date

**City of Portage  
Board of Zoning Appeals  
Monday, September 14, 2015  
Municipal Building, Conference Room Two  
Minutes**

Members Present: Dave Carlson; Traci Bartels; Adam Field; Jeff Wetzel; Mike Paul; Mike Mulhern

Members Absent: Ryan Jahn, alternate

Also Present: David Kurtz, American Legion; Peter Smith, property owner; Ken Jahn, Two Rivers Signs.

1. **Public hearing** – convened at 5:20pm.
2. **Call to order** – following public hearings, the determination meeting was called to order at 5:44pm by Chairman Carlson.
3. **Roll call** – roll was taken with the above members present.
4. **Approval of minutes from previous meetings** – motion by Mulhern to approve, 2nd by Wetzel. Motion passed unanimously.
5. **The application for the American Legion of Wisconsin, 2930 American Legion Drive, Portage, Wisconsin for a variance to Chapter 90, Article II, Section 90-35 (5) for exceeding the minimum street side setbacks on American Legion Drive of 20 feet. The property is zoned B-3 Interchange Business.**

**Said variance will allow a ground sign within 6 feet of the right of way on American Legion Drive, a variance of 14 feet.**

Applicant David Kurtz, from the American Legion, presented the variance request to the committee. Variance would allow the American Legion to place a sign outside their state headquarters and museum building to maximize visibility and not interfere with existing memorial and flags. Sign placement would not obstruct visibility or sightlines. Mulhern and Carlson believed there would be sufficient room on the property to place the sign in compliance with existing ordinance.

Motion made by Field to approve the variance request, 2nd by Wetzel. Failed, 2-4 (Carlson, Bartels, Mulhern, and Paul voting no). Variance not approved.

6. **The application for Peter Smith, 315 Oneida Street, Wisconsin for a variance to Chapter 90, Article II, Section 90-37 (5) for exceeding the minimum side setbacks of 20 feet. The property is zoned M-1Industrial.**

**Said variance will allow shed addition on side, a variance of 12 feet.**

Property owner Peter Smith presented the variance request to the committee. Variance would allow him to expand existing storage structure, which is non-compliant with side setback ordinance. Will not infringe closer on setback than existing structure. Other neighboring properties have been granted variances to exceed setback requirements. A question was raised on whether the building plan encompassed two separate lots or if the

two lots had been officially combined into one lot. City was unsure whether it was one lot or two side-by-side lots.

Motion by Carlson to amend the variance to make it conditional on the properties in question being combined into one lot, 2nd by Mulhern. Passed, 6-0.

Motion by Paul to approve the variance request as amended, 2nd by Wetzel. Passed, 6-0.

**7. Adjournment** – meeting adjourned at 6:08pm, motion by Paul, 2nd by Wetzel.

Respectfully submitted,

Adam R. Field  
Secretary

# PORTAGE EMERGENCY PLANNING COMMITTEE MEETING

Minutes for Friday, September 18, 2015

**MEMBERS PRESENT:** Fire Chief Simonson, Police Chief Manthey, Police Dept. Admin. Lt. Klafke, Director of Public Works Redelings, School Admin. Poches, City Attorney Spankowski, Mayor Tierney, City Administrator Murphy, County Emergency Mgmt. Dep. Beghin.

**MEMBERS ABSENT:** Railroad Train Master Bauer, Fire Captain Hudgens, and Director of EMS/EP Erdmann.

Meeting was called to order at 10:00 a.m.

## 1. **APPROVAL OF MINUTES FROM LAST MEETING**

A motion was made by County Emergency Mgmt. Dep. Beghin and seconded by Mayor Tierney to approve the minutes from the April 24, 2015 meeting. Motion passed.

## 2. **OLD BUSINESS:**

Hazmat Course Updates: Pat Beghin advised that no new courses have been scheduled. Any news courses can be found on the WEM website.

Mass Fatality Planning: Planning is almost complete. The medical examiner's office has a few things that need to be completed. Looking at scheduling a tabletop exercise in late winter/early spring. The Plan will remain in draft form until tabletop exercise is complete so that any changes/additions can be made at that time.

Functional Exercise: Crude Oil Derailment Functional Exercise is scheduled for October 6<sup>th</sup> from 5:30 to 9:30 p.m. The EOC center will be set up. Various participants from fire, police, emergency management, and county will partake in this exercise. School Administrator Poches advised that he will contact the bus company for transportation. Mayor Tierney volunteered to be the PIO (Public Information Officer).

Courthouse Training: Pat Beghin advised that training for the courthouse employees will be taking place on November 6<sup>th</sup> from 8:00 to noon.

## 3. **NEW BUSINESS:**

Tornado Shelters: Pat Beghin discussed various funding opportunities available to build a tornado shelter which could also serve as a community center. There are grants through FEMA and the State that could provide up to 87% of the costs involved. He also advised that he could bring in a specialist to go over this information with our committee.

Wisconsin River Flooding: The Corp of Engineers was recently in Blackhawk Park collecting information. There was also a tour conducted with a member of the Federal Regulation Commission and Wisconsin River Dam Operators so that they could see firsthand the issues surrounding flooding in that area.

## 4. **OTHER BUSINESS:**

S.M.A.R.T.: Police Chief Manthey advised that they recently signed an agreement with Sauk County called S.M.A.R.T., which stands for Standard Mutual Aid Response Team. This provides additional resources that are needed in emergency situations.

4. **ADJOURNMENT**

A motion was made by Mayor Tierney and seconded by Director of Public Works Redelings to adjourn the meeting at 10:37 a.m. Motion passed.

The next meeting is scheduled for Friday, October 30, 2015 at 10:00 a.m. in Conference Room #1.

Respectfully submitted,

Chris Essex  
Recording Secretary

/ce

# City of Portage

## Operator's License Applications

BRITTANY F. BYERS

PAMELA J. BYRD

ABBY R. DEGARMO

AMY L. HOLLENBERGER

# City of Portage

## Taxi Cab Operator License Applications

DANIEL S. BEDNARZ

ERIC W. INGRAM

**City of Portage  
Park and Recreation Board Meeting  
Tuesday, September 8, 2015, 6:30 p.m.  
Municipal Building, 115 W. Pleasant St.  
Conference Room One  
Minutes**

Members present: Brian Zirbes, Mike Charles, Rita Maass

Excused: Todd Kreckman, Larry Messer

Also Present: Nancy Schaper, Mary Winkler, Judy Keppert, Mark Goldsworthy, Jed Chesney, Barb Chesney, Karen Zepecki, Terry Bartels, Steven Elliott, Charles Bradley, Ken Jahn, Craig Sauer, Portage Daily Register

**1. Roll Call**

The meeting called to order at 6:30 pm by Chairperson Zirbes.

**2. Approval of minutes of August 11, 2015 meeting**

Motion was made by Maass to approve the minutes as written with a correction to item #3 in the August 11, 2015 meeting minutes. Stating the intent was to request a different color scheme for the background and water drops for the splash pad signage and seconded by Charles. A roll call vote of 3-0 was made to approve the amendment.

Motion was made by Maass to approve the minutes of the August 11, 2015 minutes with the correction to item #3 and second by Charles to add the following language "for the splash pad signage" at the end of the following sentence: "Discussion followed with recommendations for a different color scheme for the background and water drops." The motion carried 3-0.

**3. Discussion and possible action on splash pad donor signage at Goodyear Park.**

Manager Kremer displayed examples of the proposed sign construction material along with an example of the preliminary artwork design from the Portage Service Club. He explained the sign would be anchored into the mortar line and hung with a French hinge. Discussion from the board followed with recommendations for a different sign color scheme for the background and water drops. A different shape other than a water drop was also suggested. Nancy Schaper explained the color choices were chosen to match the current color scheme found at the Splash Pad and asked for suggestions to assist the committee with the requested changes. A discussion regarding the mounting of the sign followed. The placement has the best

visual access from the splash pad and is a covered, well-lit area. Motion was made by Maass to approve the location of the donor recognition sign as it appears in the displayed picture as long as the Service Club comes back with a different color pallet. Second by Charles. No further discussion. Motion carried 3-0.

**4. Discussion and possible action on Lincoln Park building and the Portage Food Pantry.**

Kremer began the discussion by stating the Portage Food Pantry is requesting the relocation of their facility to the old well building at Lincoln Park. The City currently uses this building primarily for storage. A preliminary floor plan was presented by Mark Goldsworthy, spokesperson for the Food Pantry, which outlined the desired changes if they were granted access. Discussion followed regarding the City's access to the storage area of the building and how to make it less intrusive to the Food Pantry's operations. An outside access was suggested by Maass. Concern for traffic in the neighborhood was raised. The Food Pantry is open for one hour three days a week with an average of 10 cars at any given time. Delivery trucks come once a month and another once every third month. Discussion continued with a possible future addition of an outside access bathroom to be located in the City's storage portion of the building. Motion was made by Maass to approve Lincoln Park building to be used by the Portage Food Pantry; to include adding an exterior door to the City storage area and to eliminate the two interior doors; and with possibly moving the bathroom for exterior bathroom use. Second by Charles. The motion carried 3 – 0.

**5. Discussion and Possible action on location of Canal Bridge and watercraft launch site along phase 2 of canal design.**

Manager Kremer presented an overview of the Columbia County Phase 1 plan along the canal with a more detailed map of the streets for discussion on the placement of a proposed footbridge over the canal. Hamilton Street was proposed as the most logical placement with Sunrise Park just a few blocks away. Discussion on the watercraft launch site proposed along Adam St followed, but was decided more information on that project was needed.

A motion was made by Zirbes and seconded by Charles to recommend the construction of a footbridge along Hamilton St during phase 2 of the canal design. The motion carried 3 – 0.

**6. Discussion on Alcohol in City of Portage Parks.**

Kremer began a discussion on limiting alcohol in the City parks based on citizen driven complaints to the Portage Police and the Parks and Recreation departments.

Kremer shared information on police calls for Riverside, Pauquette and Collipp-Worden Parks and how many of the calls were alcohol related at Riverside. Discussion on banning alcohol in all parks except for registered private and public events followed. After further discussion the Board discussed limiting the proposed ordinance change on drinking in City parks to Riverside and Goodyear Parks and revisit the change at a future date if needed for other locations. A draft of the ordinance change will be discussed at a future meeting.

#### **7. Discussion and possible action on Urban Forestry Grant Resolution.**

Manager Kremer offered a copy of the Urban Forestry Grant Resolution for obtaining a cost-share grant from the Wisconsin Department of Natural Resources. Kremer outlined that the authorizing resolution needed to be passed by council and accompany the application in order to be eligible. A motion was made by Charles to forward the grant resolution on for council action, seconded by Maass. Motion carried 3 – 0.

#### **8. Old Business Update**

##### **A. Silver Lake Parking Lot Retaining Wall**

Fencing is due to be put up around the wall area this week. The work will be done in segments inside the fenced area.

##### **B. Levee Trail Seal Coating**

A second coat of sealant as far as the Waste Water Treatment Plant is due to be applied by September 9<sup>th</sup> pending weather conditions.

#### **9. New Business**

No new business

#### **10. Manager's Report**

Fall swimming currently has 87 registered. Those on the wait list will be included which should boost the participation near to 100; Adult Softball is now over and the deconstruction of the fields will begin soon. A job description is now on the City website for an 8 – 12 week position while the administrative assistant is on medical leave.

#### **11. Adjournment**

Zirbes asked all in favor to adjourn say Aye. No nay's. Motion Passed. Meeting adjourned at 8:08 pm.

Respectfully submitted

Leslie Hawkinson, Park & Recreation Department

**City of Portage  
Legislative & Regulatory Committee Meeting  
Wednesday, September 9, 2015, 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, Jeffrey F. Monfort

**Absent:** Martin Havlovic

**Also present:** City Clerk Moe, Administrator Murphy, Deputy Clerk Ness, Director of Business Development Sobiek (arrived 7:19pm, left 7:37pm), Markus Revilla-Saiz from FKG Oil/Moto Mart, Sara Jesse, facilitator Prevent Suicide Columbia County

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

**1. Roll call**

The meeting was called to order by Chairperson Maass at 7:00 p.m.

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

Motion by Charles, second by Hamburg to approve minutes from August 3, 2015 meeting. Motion carried unanimously on call of roll.

**3. Discussion and possible recommendation on “Class A” Cider Only License applications**

**A. Kwik Trip, Inc., Nona May Hartman, agent, 2970 New Pinery Road (Kwik Trip #683)**

Motion to recommend to council “Class A” Cider Only license for Kwik Trip, Inc., Nona May Hartman, agent, 2970 New Pinery Road (Kwik Trip #683) by Maass, second by Hamburg. Motion carried unanimously on call of roll.

**B. Kwik Trip, Inc., Michael Jude McConville, agent, 1223 East Wisconsin Street (Kwik Trip #653)**

Motion to recommend to council “Class A” Cider Only license for Kwik Trip, Inc., Michael Jude McConville, agent, 1223 East Wisconsin Street (Kwik Trip #653) by Hamburg, second by Charles. Motion carried unanimously on call of roll.

**4. Discussion and possible recommendation on change of agent for Portage Elks Lodge No. 675 Benevolent and Protective Order of Elks of the United States of America, Inc. Class B Combination Alcohol License – Marilyn George-Burton**

Motion by Charles, second by Monfort to recommend to council change of agent for Portage Elks Lodge No. 675 Benevolent and Protective Order of Elks of the United States of America, Inc., Class B Combination Alcohol License-Marilyn George-Burton. Motion carried unanimously on call of roll.

**5. Discussion and possible recommendation to consider a change in the ordinance restriction on the number of Class A alcohol licenses; and**

**establishing guidelines for supplemental information for alcohol license applications**

Committee reviewed minutes from previous meeting of August 3 and stated the guidelines were approved. Maass stated the leakage study was reviewed with the two business owners that attended the previous meeting. Steve Sobiek met with them and the study was redone with different parameters and explained to the business owners. Maass asked that the updated study be forwarded to committee. Letter was received from Prevent Suicide Columbia County. Sara Jesse, facilitator, stated there is a health impact to increasing number of licenses including excessive alcohol use, increased crime, violence, domestic violence, drunk driving and underage drinking. Sara Jesse stated she had reviewed the guidelines and wondered if there was a supplemental application for completion by the applicant. Clerk Moe stated the guidelines are being requested of all applicants to be completed.

Charles addressed the committee and asked them to make sure each was comfortable with increasing the number of licenses to 1/500 in population. Monfort reiterated if the increase passed that didn't compel the committee to issue all the licenses, each application will be reviewed. If application is denied, reasons must be stated.

Motion by Hamburg, second by Charles to recommend to Council ordinance as presented. Motion carried unanimously on call of roll.

**6. Discussion and possible recommendation on revision to ordinances regulating outdoor heating devices**

Committee reviewed proposed changes to ordinance regarding outdoor heating devices. All outdoor solid fuel-fired heating devices not located within a building must get permit if new or have been in existence from building inspector. Revocation of the permit may be ordered by the building inspector, fire chief or his designee. Change from the current ordinance include removing the dates of operation as WI weather is unpredictable and removing the grandfather clause.

**7. Discussion and possible recommendation on revision to open burning ordinance**

Committee reviewed proposed changes to Chapter 30- Fire Prevention and Protection to allow open burning in the city limits with guidelines. Outdoor recreational fireplaces will be allowed for burning of dry wood. Motion by Charles, second by Monfort to recommend to council Chapter 30 – Fire Prevention and Protection Article III – Regulations and Standards, Division 2. Regulations as presented. Motion carried unanimously on call of roll. This includes agenda item 6, outdoor heating devices.

**8. Adjournment**

Motion by Charles, second by Hamburg to adjourn. Motion carried unanimously on call of roll at 7:56 p.m.

Rebecca C. Ness  
Deputy City Clerk

# ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning Upon application 20      ;  
 ending June 30 20 16

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

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

1. The named  INDIVIDUAL  PARTNERSHIP  LIMITED LIABILITY COMPANY  
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Kwik Trip, Inc.  
1626 Oak St., P.O. Box 2107, La Crosse, WI. 54602-2107

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

Title	Name	Home Address	Post Office & Zip Code
President/Member	President Donald P. Zietlow	[REDACTED]	[REDACTED]
Vice President/Member	[REDACTED]	[REDACTED]	[REDACTED]
Secretary/Member	Secretary Steven D. Zietlow	[REDACTED]	[REDACTED]
Treasurer/Member	[REDACTED]	[REDACTED]	[REDACTED]
Agent	Agent Nona May Hartman	327 W Conant St, Portage, WI 53901	
Directors/Managers	Donald P. Zietlow and Steven D. Zietlow		

3. Trade Name KWIK TRIP 683 Business Phone Number 608/742-6676  
 4. Address of Premises 2970 New Pinery Rd Post Office & Zip Code Portage 53901

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period?  Yes  No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?  Yes  No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No
8. (a) Corporate/limited liability company applicants only: Insert state Wisconsin and date 10/7/64 of registration.  
 (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No  
 (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Multiple Kwik Trip & Tobacco Outlet Plus stores.  Yes  No  
 (NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)
9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) One-story frame construction with storage in coolers & on sales floor
10. Legal description (omit if street address is given above):
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
 (b) If yes, under what name was license issued? KWIK TRIP 683 - Class A Beer
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].  Yes  No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs?  Yes  No

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

### SUBSCRIBED AND SWORN TO BEFORE ME

this 17th day of July 2015  
Deanna Hafner (Clerk/Notary Public)  
[Signature] Office of Corporation/Member/Manager of Limited Liability Company/Partner/Individual  
[Signature] Office of Corporation/Member/Manager of Limited Liability Company/Partner  
 My commission expires 1-9-16  
 (Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

Applicant's WI Seller's Permit No.:	FEIN Number:
<u>456-000287614-03</u>	<u>39-1036365</u>
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input checked="" type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>25.00</u>
<b>TOTAL FEE</b>	\$ <u>25.00</u>

### TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>07-24-15</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

**ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION**

Submit to municipal clerk.

For the license period beginning Upon application 20 ending June 30 20 16

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

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

1. The named  INDIVIDUAL  PARTNERSHIP  LIMITED LIABILITY COMPANY  CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Kwik Trip, Inc.  
1626 Oak St., P.O. Box 2107, La Crosse, WI 54602-2107

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

Title	Name	Home Address	Post Office & Zip Code
President/Member	President Donald P. Zietlow	[REDACTED]	[REDACTED]
Vice President/Member			
Secretary/Member	Secretary Steven D. Zietlow	[REDACTED]	[REDACTED]
Treasurer/Member			
Agent	Agent Michael Jude McConville	10019 Links Dr, Poynette, WI 53955	
Directors/Managers	Donald P. Zietlow and Steven D. Zietlow		

3. Trade Name KWIK TRIP 653 Business Phone Number 608/742-5226  
4. Address of Premises 1223 E Wisconsin St Post Office & Zip Code Portage 53901

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period?  Yes  No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?  Yes  No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No
8. (a) Corporate/limited liability company applicants only: Insert state Wisconsin and date 10/7/64 of registration.  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Multiple Kwik Trip & Tobacco Outlet Plus stores.  Yes  No  
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)
9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) One-story frame construction with storage in walk-in cooler & on sales floor.
10. Legal description (omit if street address is given above): \_\_\_\_\_
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) If yes, under what name was license issued? KWIK TRIP 653 - Class A Beer
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].  Yes  No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs?  Yes  No

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

SUBSCRIBED AND SWORN TO BEFORE ME

this 17th day of July 2015  
Deanna Haener (Clerk/Notary Public)  
[Signature] (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)  
[Signature] (Officer of Corporation/Member/Manager of Limited Liability Company/Partner)  
[Signature] (Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>07-24-15</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Applicant's WI Seller's Permit No.:	FEIN Number:
<u>456-0000287614-03</u>	<u>39-1036365</u>
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input checked="" type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>25.00</u>
TOTAL FEE	\$ <u>25.00</u>

# AT-107a: SCHEDULE FOR SUCCESSOR OF AGENT

If there is a change in agent, each club, corporation, or limited liability company who holds a retail permit to sell fermented malt beverages and/or intoxicating liquor must appoint a successor agent pursuant to sec. 125.04(6), Wis. Stats. There is a \$10 change in agent processing fee due with this form. The following questions must be answered by the Agent. The appointment must be signed by the President and Secretary or members of limited liability company. The appointment must be approved by the licensing authority.

City of Portage Wisconsin 8/26 20 15  
(Municipality) (Date)

1. Name of agent Marilyn George-Burton

- | Yes                                 | No                                  |   |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 2. Are you of legal drinking age?   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 3. Have you been a resident of Wisconsin for at least 90 continuous days prior to the date of appointment as agent? |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 4. Have you ever been convicted of a federal law violation?   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 5. Have you ever been convicted of a State law violation?   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 6. Have you ever been convicted of a Local ordinance violation?   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 7. Have you completed the required responsible beverage server program per sec. 125.04(5)(a)5, Wis. Stats.?         |

UNDER PENALTY OF LAW, I declare that all of the above information is true and correct to the best of my knowledge and belief.

Marilyn George-Burton  
(Signature of Agent)  
[REDACTED] Portage WI  
(Address)

### SUCCESSOR AGENT

The undersigned appoints Marilyn George-Burton as agent in accordance with sec. 125.04(6), Wis. Stats.

Name of Permittee PORTAGE ELKS LODGE NO. 675 BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE UNITED STATES OF AMERICA

Date 8/26 20 15

By [Signature]  
(Signature of President/Member)  
[Signature]  
(Signature of Secretary/Member)

I hereby accept appointment as agent for Portage Elks Lodge #675 and assume full responsibility or the conduct of the business relative to fermented malt beverages and intoxicating liquors.

Date 8/26/ 20 15

Marilyn George-Burton  
(Signature of Agent)

THE AGENT APPOINTED ABOVE MUST BE APPROVED BY THE LICENSING AUTHORITY TO BE EFFECTIVE. (See sec. 125.04(6), Wis. Stats.)

\_\_\_\_\_ WI \_\_\_\_\_ 20 \_\_\_\_\_  
(Municipality) (Date)  
 \_\_\_\_\_  
(Signature of Official)  
 \_\_\_\_\_  
(Title)

Rec. C1508 27-1  
 08-27-15

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
George Benton		Marilyn		Jane	
Home Address (street/route)		Post Office	City	State	Zip Code
[REDACTED]		Pontage	Pontage	WI	53901
Home Phone Number		Age	Date of Birth	Place of Birth	
[REDACTED]		[REDACTED]	[REDACTED]	Frederic du Chien	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- Agent of Pontage Elks Lodge 675 of the Benevolent and Protective Order of Elks of the United States of America which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 6 1/2 yrs
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
If yes, identify. \_\_\_\_\_  
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name <u>Divine Savior Hosp</u>	Employer's Address <u>New Pinery, Pontage</u>	Employed From <u>3-1-15</u>	To <u>Present</u>
Employer's Name <u>Max Kent</u>	Employer's Address <u>Conant St. Pontage</u>	Employed From <u>5-1-08</u>	To <u>1-31-15</u>

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 28<sup>th</sup> day of August, 2015  
Mari A. Mae  
(Clerk/Notary Public)

Marilyn George Pulda  
(Signature of Named Individual)

My commission expires term of office



Printed on Recycled Paper

**City of Portage  
Finance/Administration Committee Meeting  
Thursday, September 10, 2015 6:40 p.m.  
City Municipal Building, 115 West Pleasant Street  
Conference Room One  
Minutes**

Members: Rick Dodd, Chairperson; Mike Charles, Martin Havlovic, Doug Klapper, Richard Lynn

Also Present: Finance Director Mohr, Bill Welsh – Cable TV

**1. Roll call**

Chairperson Dodd called the meeting to order at 6:40 p.m.

**2. Approval of minutes from August 31, 2015.**

Motion by Charles, second by Klapper to approve minutes from August 31, 2015.  
Motion carried unanimously on call of roll.

**3. Discussion and possible recommendation on claims.**

Motion by Charles, second by Klapper to approve claims in the amount of \$909,775.70. Motion carried unanimously on call of roll.

**4. Adjournment.**

Motion by Havlovic, second by Charles to adjourn the meeting at 6:43 p.m. Motion carried unanimously on call of roll.

Submitted by Jean Mohr, Finance Director

**City of Portage**  
**Finance/Administration Committee Meeting**  
**Monday, September 14, 2015 6:00 p.m.**  
**City Municipal Building, 115 West Pleasant Street**  
**Conference Room One**  
**Agenda**

Members: Rick Dodd, Chairperson; Mike Charles, Martin Havlovic, Doug Klapper, Richard Lynn

Also Present: Administrator Murphy, Finance Director Mohr, Director Redelings, Bill Welsh – Cable TV, Craig Sauer – Daily Register

**1. Roll call**

Chairperson Dodd called the meeting to order at 6:00 p.m.

**2. Approval of minutes from September 10, 2015.**

Motion by Charles, second by Klapper to approve minutes from September 10, 2015 with the correction of removing Administrator Murphy from attendance. Motion carried unanimously on call of roll.

**3. Discussion and possible recommendation on 2016 budget and Public Works.**

Mohr presented a high level overview of the first six months of 2015 for the Public Works Department which is at roughly 50% of budget. The permit fee revenue and correspondingly the building inspection fees are both running above budget. The 2016 budget is looking to increase approximately \$108K; \$54K is in the Inspection area and \$32K is related to Solid Waste Disposal. In the Administration & Engineering department there is a proposed part time GIS Specialist to work on scanning along with a new scanner for a total of \$12K. Redelings indicated that the budget for gas has been reduced by \$10K while the street sign & light repair & maintenance was moved from capital to operating for a total of \$10K. He also indicated that the snow/ice supplies is increased \$5K as the price per ton is increasing from \$88 to \$92.50 per ton. The Airport Commission is looking to have the runway crack filled, seal coated, and striped next year; which will include pursuing grants. Murphy indicated the deer abatement at the airport is planned to start up again in January to early spring as allowed by State regulations. Murphy also indicated the analysis of hiring a building inspector compared to outsourcing is still under review. It was commented that the possibility of combining a position in the fire department along with a building inspector is also under review.

**4. Discussion and possible recommendation pre-disaster mitigation plan.**

Murphy explained that we are looking to recommend the adoption of the resolution endorsing the pre-disaster mitigation plan with Columbia County. He pointed out that adopting the plan does not obligate the city it makes the city eligible to receive grants as they become available.

Motion by Charles, second by Klapper to recommend the adoption of the resolution endorsing the pre-disaster mitigation plan with Columbia County. Motion carried unanimously on call of roll.

**5. Discussion and possible recommendation on fee schedule modifications for water rates.**

Murphy presented the revised fee schedule reflecting the 3% Simplified Rate Case modifications for water rates which impact the general services and monthly meter charges to be effective November 16, 2015. This was discussed earlier this year as part of the Utility Rate Study conducted by Ehlers. Murphy indicated that the hydrant rental is part of the levy as opposed to the water bill. Dodd indicated that this is something the city may want to investigate changing as to spread the cost among all users as opposed to taxable real estate owners.

Motion by Havlovic, second by Lynn to recommend the updated fee schedule with the modifications for water rates. Motion carried unanimously on call of roll.

**6. Adjournment.**

Motion by Charles, second by Klapper to adjourn the meeting at 6:57 p.m. Motion carried unanimously on call of roll.

Submitted by Jean Mohr, Finance Director

# ORDINANCE NO. 15-011

## ORDINANCE RELATIVE TO BUSINESS LICENSES

### Chapter 14, Article II Alcoholic Beverages

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

#### **Sec. 14-52. Classes of licenses.**

- (a) *Retail "Class A" intoxicating liquor license.* The number of these licenses shall be limited to one per 500 residents however, the limit shall include the number of licenses issued as described under 14-52(c) individually or in conjunction. If territory is annexed to the city, the number of these licenses shall be increased by the number of these licenses in the annexed territory.
- (b) *Retail "Class B" intoxicating liquor license.*
- (c) *Class "A" fermented malt beverage retailer's license.* There shall be a limit of one license per 500 residents licenses of this type issued however, the limit shall include the number of licenses issued as described under 14-52(a) individually or in conjunction. If territory is annexed to the city, the number of these licenses shall be increased by the number of these licenses in the annexed territory.

#### **Sec. 14-55. - Approval of application.**

- (d) No license shall be issued unless the premises conform to the sanitary, safety and health requirements of the state building code, and the regulations of the state board of health applicable to restaurants. The premises must be properly lighted and ventilated, must be equipped with separate sanitary toilet and lavatory facilities equipped with running water for each sex and must conform to all ordinances of the city. Licensed premises located outside shall have fencing, screening or other barrier pursuant to 14-59(3).
- (e) Consideration for the granting or denial of a license will be based on:
  - (1) The financial responsibility of the applicant;
  - (2) The appropriateness of the location and the premises where the licensed business is to be conducted; and
  - (3) Generally, the applicant's fitness for the trust to be reposed.
  - (4) Providing false, incomplete or inaccurate information on license application form(s).

All other sections shall remain as previously adopted. This Ordinance shall take effect upon passage and publication thereof.

Passed this \_\_\_\_\_th day of October, 2015.

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

Attest:

---

Marie A. Moe, WCPC, MMC, City Clerk

First and second readings:  
Published:

Ordinance requested by:  
Legislative and Regulatory Committee

Draft

**GUIDELINES FOR USE IN GRANTING & DENIAL OF**  
**CLASS A LIQUOR LICENSES**

1. Compliance with all statutory and ordinance requirements.
2. The character of the applicant, agent, managerial personnel, and the directors or stockholders of a corporation where disclosure of the stockholders is required, and past experience with the police, if any, of any of these individuals, all subject to sec. 111.335, Wis. Stats.
3. The experience of the applicant and manager in operating a licensed establishment and his or her capability to do so as they relate to the establishment for which the license is sought. The presence of a business plan, market analysis and other reports to demonstrate applicant's evaluation/analysis of establishing a licensed premise at this location and their ability to operate the business.
4. The applicant's and managerial personnel's level of knowledge of alcoholic beverage regulations.
5. Proximity to other licensed establishments, to residential complexes or areas, to public buildings, or those used listed under 125.68(3) Wis. Stats.
6. The availability of parking and external lighting for patrons.
7. The ease of access to the premises by public safety personnel (Police, fire & EMS), and building inspection personnel, for inspections, enforcement, and calls to request aid and the expense of providing government services to the location.
8. The impact on surrounding neighbors and other businesses involving increased traffic, noise, litter, influx of additional persons into the neighborhood, and the impact on maintenance, development, or improvement of adjacent and nearby properties.
9. The economic impact on the neighborhood and city from the new establishment (number of employees, average payroll, expected building value, participation in community organizations).
10. The level of community, neighborhood, and aldermanic support for, or opposition to the establishment.
11. If there is a previous license at this location, what, if any, changes are being proposed.

12. The existence of any associated business conducted on the premises in conjunction with the liquor license that could be potentially dangerous or not conducive to liquor dispensing.
13. Applicant's precautions to insure safe and legal operation of the business (age verification of customers, presence and type of security surveillance, including recording and storage of surveillance video, etc.)
14. Description of goods and services to be sold at this location. Estimated % of gross sales devoted to alcohol, estimated % of gross sales to other products and services sold at the location.
15. Will new business occupy formerly vacant building, new construction or replace existing business?
16. Inspection reports from Building Inspector and Fire Inspector to demonstrate level of compliance with state and city code requirements.

By design, these criteria are fairly broad and general, although each relates specifically to the operation impact of the proposed establishment. We believe that generality is to be preserved to keep the committee's and the council's exercise of discretion fairly broad. The cases do not require specificity in the determination of whether to grant a new license and continually uphold the licensing authority's exercise of broad discretion. The committee believes that we must preserve the broad authority granted to licensing agencies by the statutes and the courts, in part, to avoid the implication that if all the criteria are met, a license must automatically be issued. The committee and the council have and bear the responsibility of exercising sound judgment based on rational decisions and logic in the granting of licenses. The myriad of circumstances which can exist cannot be legitimately covered by strict and detailed guidelines.

## ORDINANCE NO. 15-012

### ORDINANCE RELATIVE TO FIRE PREVENTION AND PROTECTION

Chapter 30, Article III, Division 2. Regulations

**The following sections shall be repealed and recreated as follows:**

**Sec. 30-81. Open burning.**

(a) *Open burning prohibited.*

- (1) No person shall burn or cause to be burned any leaves, grass, wood, rubbish or other combustible material on any street, alley or sidewalk in any district within the City at any time.
- (2) No person shall burn or cause to be burned any leaves, grass, wood rubbish or other combustible material outdoors on any lot or parcel of land in any district within the City at any time without a burning permit. The provisions of this subsection, however, shall not apply to the controlled outdoor burning as set forth in paragraph (3) below.
- (3) A burning permit may be issued by the Fire Department for prescribed vegetation management purposes subject to reasonable conditions to mitigate fire hazards. The fee for a burning permit shall be as set forth in the Fee Schedule. Supervision and inspection costs shall be billed to the owner of the property upon which supervision or inspection is required. If not paid within thirty (30) days of billing, said costs shall be assessed against the property as a special charge pursuant to Wis. Stats. §66.0627. Burning permits shall apply to individual parcels or occupancies and are not transferable from person to person, parcel to parcel or occupancy to occupancy; however, burning permits may encompass multiple parcels under common ownership if part of a common vegetation management project.

(b) *Outdoor recreational fireplaces.* Dry wood may be burned in commercially manufactured outdoor recreational fireplaces that are certified by a nationally recognized listing agency, or non-commercially constructed brick fireplaces with chimneys approved by the Building Inspector or his designee according to applicable building codes, subject to the following conditions:

1. The fireplace must be an assembly that includes a bowl, pit or device for holding the wood and a method of containing embers and sparks.
2. Only dry wood, entirely contained within the device, is permitted to be burned.

3. No outdoor fireplace shall be used within fifteen (15) feet of any structure or five (5) feet of any lot line unless the fireplace is a brick fireplace and closer placements are approved by the Fire Chief.
  4. The smoke shall not create a nuisance for other properties, obstruction of vehicle travel, or health concerns of others. No fireplace shall be used on a wood deck, wood porch, or wood patio.
  5. An ABC type fire extinguisher, charged garden hose, or other method of fire control must be readily available.
  6. The fireplace must be supervised or attended at all times while in use by a responsible adult over the age of 18. The fire must be completely extinguished before the fireplace is left unsupervised.
  7. Use of the fireplace shall be discontinued when atmospheric conditions are unfavorable or make the use of the device hazardous or if a city wide ban of outdoor burning has been declared by the Fire Department. Such unfavorable atmospheric conditions include, but are not limited to, winds in excess of 8 miles per hour, excessive dry weather conditions and other conditions as declared by the Fire Department. Fireplace operators shall be responsible for checking with the Fire Department to determine whether hazardous conditions exist. No burning will be allowed if wind conditions will cause smoke, embers or other burning materials to be carried toward any building or other combustible material.
- (c) *Other open burning.* The Fire Chief or his designee may grant written authorization and impose conditions necessary for any open burning in the City that would otherwise be prohibited by this section if he/she believes the environment, public safety and welfare of the public will not be adversely affected by such authorization.
- (d) *Extinguishment.* The Fire Department may extinguish any fire ignited or maintained contrary to this section.
- (e) *Liability.* Persons utilizing and maintaining outdoor fires shall be responsible for any liability resulting from damage caused by such fires.
- (f) *Penalty.* Whoever shall violate any provision of this section shall be subject to a penalty as prescribed by Section 1-15 of this Code.

**Sec. 30-83. Outdoor Heating Devices.**

- (a) Purpose and intent. This section is intended to promote and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the city from the air pollution and fire hazards of outdoor solid fuel-fired heating units which are generally recognized to

create noxious and hazardous smoke, soot, fumes and odors. All outdoor heating devices may be continued only in strict compliance with this section and upon obtaining a permit from the Building Inspector.

- (b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Chimney* means a vertical structure or stack enclosing a flue or flues that carry off smoke or exhaust from a solid fuel-fired heating device.

*Clean wood* means natural wood which has not been painted, varnished or coated with a similar material, has not been pressure-treated with preservatives and does not contain resins or glues as in plywood or other composite wood products.

*Outdoor solid fuel-fired heating device* means a solid fuel-fired furnace, stove or boiler that is not located within a building.

- (c) *Permits for installation and operation.*

- (1) *Required.* The owner of an outdoor solid fuel-fired heating device shall obtain a permit from the Building Inspector before installation of the device. Application for the permit shall be made on the form provided by the city and shall be submitted with the appropriate permit fee in the amount(s) established by the official city fee schedule.
- (2) *Revocation.* Any permit issued for such a device may be revoked at anytime by order of the Building Inspector, Fire Chief or his designee. The Building Inspector, Fire Chief or his/her designee must give the permit holder notice, in writing, of the revocation at least 48 hours before it takes effect, unless emergency circumstances require less notice. The notice must also contain information about the violations that formed the basis for the revocation.
- (3) *Objection to revocation.* If the permit holder objects to the fire chief's order, he or she may file a written objection contesting such order with the city clerk within five days of receiving the written notice.
- (4) *Hearing on objection.* Upon timely receipt of the permit holder's written objection, the matter shall be placed on the soonest legislative and regulatory committee agenda practicable for review. The legislative and regulatory committee shall act as a quasi-judicial body allowing the permit holder an opportunity to present evidence as to why the Fire Chief's order should not be enforced. The Fire Chief's order shall be presumed to be valid, but such presumption may be overcome by the permit holder by evidence presented at the hearing.

- (5) *Determination after hearing.* After the legislative and regulatory committee has made a decision and its' report has been approved by the common council, the permit holder shall be notified of the decision in writing, by certified mail. If a decision is made that the Fire Chief's order was appropriately issued, the permit holder shall cease operation of the outdoor solid fuel-fired heating device within 24 hours.
- (g) *Setback, yard and other restrictions.* Outdoor heating devices are deemed accessory structures for purposes of zoning regulations and shall comply with additional restrictions set forth below. If the restrictions set out below are in conflict with the provisions of the zoning regulations applicable to accessory structures, the specific regulations herein shall supersede those general rules found in the zoning code:
- (1) *Placement.* Outdoor heating device may only be located in the rear yard of the premises served by the device. Such devices may not be placed less than 50 feet from any property boundary, the residence served by the device or any other flammable structure. Outdoor heating devices shall not be placed in any location that is within 100 feet of any structure not served by the device.
- (2) *Chimneys.* Chimneys for outdoor heating devices shall have a minimum height of 20 feet measured from ground level and be at least two feet higher than the roof of every residence located within 300 feet of the chimney. Chimneys for outdoor heating devices shall meet the minimum requirements of the Wisconsin Administrative Code and shall be insulated and properly braced or supported per manufacturer's recommendations and specifications. Permit applicants may seek a waiver from this regulation from the Building Inspector or Fire Chief if it can be demonstrated that a lower height chimney will not adversely affect the public safety and general welfare of the public.
- (3) *Storage of edible fuels.* If corn or other edible food stuff is to be used as fuel in an outdoor heating device, it shall be stored in a vermin-proof container.
- (4) *Locking device.* All outdoor heating devices must be equipped with a child-proof locking device on the fire door or be in an enclosure with the access door having such a locking device. Such locking device shall be in use at all times.
- (h) *Penalties.* Any person who violates, neglects or refuses to comply with any of the provisions of this section shall be subject to a penalty as provided in [chapter 1-15](#)

All other sections shall remain as previously adopted.

This Ordinance shall take effect upon passage and publication thereof.

Passed this \_\_\_\_\_th day of October, 2015.

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

Attest:

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

First reading: 09/24/15

Second reading:

Ordinance requested by:  
Legislative and Regulatory Committee

**RESOLUTION NO. 15-038**

**RESOLUTION RELATIVE TO URBAN FORESTRY AUTHORIZING RESOLUTION**

**WHEREAS**, the City of Portage is interested in obtaining a cost-share grant from the Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects or urban forestry catastrophic storm projects specified in s. 23.097(1g) and (1r), Wis. Stats.; and

**WHEREAS**, the applicant attests to the validity and veracity of the statements and representations contained in the grant application; and

**WHEREAS**, the applicant requests a grant agreement to carry out the project;

**NOW, THEREFORE, BE IT RESOLVED**, the City of Portage will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the cost-share agreement;

**BE IT FURTHER RESOLVED**, the applicant will budget a sum sufficient to fully and satisfactorily complete the project and hereby authorizes and empowers the Manager of Parks and Recreation, its employee, to act on its behalf to:

1. Sign and submit the grant application
2. Sign a grant agreement between applicant and the DNR
3. Submit interim and/or final reports to the DNR to satisfy the grant agreement
4. Submit grant reimbursement request to the DNR
5. Sign and submit other required documentation

**DATED** this 24th day of September, 2015.

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

I hereby certify that the foregoing resolution was duly adopted by The City of Portage at a meeting of the Common Council on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Attest:

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

Resolution requested by:  
Park and Recreation Board

**RESOLUTION NO. 15-039**

**ADOPTING THE COLUMBIA COUNTY ALL HAZARDS MITIGATION PLAN**

**WHEREAS**, the City of Portage recognizes the threat that natural hazards pose to people and property; and

**WHEREAS**, undertaking hazard mitigation actions before disasters occur will reduce the potential harm to people and property and save tax payer dollars; and

**WHEREAS**, an adopted all hazards mitigation plan is required by FEMA as a condition of future grant funding for mitigation projects; and

**WHEREAS**, the City of Portage participated jointly in the planning process with Columbia County and the other local units of government within the County to prepare an All Hazards Mitigation Plan, which was made available for review via a Legal Notice and a copy of which will reside permanently in the Columbia County Emergency Management Office;

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Portage adopts the Columbia County All Hazards Mitigation Plan as an official plan; and

**BE IT FURTHER RESOLVED**, that the Columbia County Emergency Management Department will submit, on behalf of the City, the adopted All Hazards Mitigation Plan to Wisconsin Emergency Management and Federal Emergency Management Agency officials for final review and approval. Minor changes been made upon advice from Wisconsin Emergency Management and Federal Emergency Management Agency will not require this resolution.

**DATED** this 24th day of September, 2015.

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

I hereby certify that the foregoing resolution was duly adopted by The City of Portage at a meeting of the Common Council on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Attest:

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

Resolution requested by:  
Columbia County Emergency Management Office

**RESOLUTION NO. 15-040**

**RESOLUTION RELATIVE TO FEE SCHEDULE**

**WHEREAS**, the City of Portage previously adopted a Fee Schedule, Resolution No. 15-028, dated May 28, 2015; and

**WHEREAS**, attached to this Resolution is a list of revisions to water utility fees prescribed by the Code of Ordinances to be effective November 16, 2015.

**NOW THEREFORE IT IS HEREBY RESOLVED** by the Common Council of the City of Portage that the attached revisions are hereby adopted and shall be incorporated into the Official Fee Schedule placed on file with the City Clerk.

**DATED** this 24th day of September, 2015.

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W.F. "Bill" Tierney, Mayor

Attest:

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Marie A. Moe, WCPC, MMC, City Clerk

Resolution requested by:  
Finance/Administration Committee

**City of Portage**  
**Fee Schedule**  
Proposed Revision 11/16/2015

**Utilities**

Private Fire Protection Service – Unmetered.....

Monthly Charges	2-inch, \$7.00
	3-inch, \$12.00
	4-inch, \$20.00
	6-inch, \$41.00
	8-inch, \$65.00
	10-inch, \$98.00
	12-inch, \$142.00
	14-inch, \$195.00

General Service – Metered – Monthly Charges...	5/8-inch meter, <del>\$5.70</del> <b>\$5.87</b>
	3/4-inch meter, <del>\$5.70</del> <b>\$5.87</b>
	1-inch meter, <del>\$9.30</del> <b>\$9.58</b>
	1-1/4-inch meter, <del>\$12.30</del> <b>\$12.67</b>
	1-1/2-inch meter, <del>\$15.45</del> <b>\$15.91</b>
	2-inch meter, <del>\$23.00</del> <b>\$23.69</b>
	3-inch meter, <del>\$40.00</del> <b>\$41.20</b>
	4-inch meter, <del>\$63.00</del> <b>\$64.89</b>
	6-inch meter, <del>\$120.00</del> <b>\$123.60</b>
	8-inch meter, <del>\$189.00</del> <b>\$194.67</b>
	10-inch meter, <del>\$279.00</del> <b>\$287.37</b>
	12-inch meter, <del>\$369.00</del> <b>\$380.07</b>

Plus Volume Charge:

First 30,000 gallons used each month -	<del>\$3.20</del> <b>\$3.30</b> per 1000 gallons
Next 70,000 gallons used each month -	<del>\$3.14</del> <b>\$3.23</b> per 1000 gallons
Next 200,000 gallons used each month -	<del>\$2.85</del> <b>\$2.94</b> per 1000 gallons
Over 300,000 gallons used each month -	<del>\$1.90</del> <b>\$1.96</b> per 1000 gallons

Reconnection Charges:

	<u>During Normal Business Hours</u>	<u>After Normal Business Hours</u>
Reinstallation of meter, including valving at curb stop .....	\$35.00	\$50.00
Valve turned on at curb stop .....	\$30.00	\$45.00
Frozen meter charge .....	\$44.00	\$87.50

Water Lateral Installation Charge ..... Actual Cost

Bulk Water..... Service Charge - \$35.00 per tank load  
Volume Charge - ~~\$3.20~~ **\$3.30** per 1,000 gallons  
\$1,000 deposit required for hydrant meter

Additional Meter Rental Charge ..... 5/8 and 3/4-inch meter - ~~\$3.50~~ **\$3.60** per month  
1-inch meter - ~~\$5.70~~ **\$5.87** per month  
1 1/4-inch meter - ~~\$7.50~~ **\$7.72** per month  
1 1/2-inch meter - ~~\$9.50~~ **\$9.78** per month

Initial meter - \$35.00 (one time charge only)

Temporary Metered Supply, Meter and Deposits:

Service charge for setting the valve and  
furnishing and setting the meter..... \$35.00

Deposit for valve and meter ..... \$1,000.00

Water usage shall be billed at actual rates.

Hydrant Charges

Service charge for setting or moving sprinkler  
valve ..... \$20.00

The minimum charge for water usage ..... Actual cost, not less than \$10.00. \$1,000 Deposit.

**Notice of Rate Increase  
Water Customer of the Portage Water Utility**

This is to give you notice that the Portage Water Utility filed an application on July 7, 2015, with the Public Service Commission of Wisconsin (PSC), for authority to increase water rates. Rates for general service will increase 3 percent. The increase is necessary to reduce the existing deficiency in present rates. The request is being made under Wis. Stat. 196.193. Rate increases granted under this statute do not require a public hearing. The effect of the increase for some selected customers is shown below. Public Fire Protection and Wholesale rates (if applicable) will also increase 3 percent.

<b>Customer Classification</b>	<b>Meter Size</b>	<b>Gallons</b>	<b>Existing Monthly Rate</b>	<b>Revised Monthly Rate</b>
Average Residential	5/8"	4,000	\$18.50	\$19.07
Large Residential	3/4"	6,000	\$24.90	\$25.67
Commercial	1"	50,000	\$168.10	\$173.18
Public Authority	1 1/2"	75,000	\$252.75	\$260.26
Industrial	2"	150,000	\$481.30	\$495.79

This rate increase will go into effect on November 16, 2015

If you have any questions about the rate increase request, call the Portage Water Utility at (608) 742-4727.

## **Proclamation in Honor of Vietnam Veterans Month**

**WHEREAS**, nine million eighty-seven thousand (9,087,000) military personnel served on active duty during the Vietnam Era (August 5, 1964 – May 7, 1975); and

**WHEREAS**, two million seven hundred nine thousand nine hundred eighteen (2,709,918) Americans served in Vietnam, representing 9.7% of their generation; and

**WHEREAS**, 97% of Vietnam Veterans were honorably discharged; and

**WHEREAS**, seven thousand four hundred eighty-four (7,484) women served as nurses in Vietnam; and

**WHEREAS**, 61% of the men killed were twenty-one (21) years of age or younger; and

**WHEREAS**, there are fifty-eight thousand two hundred seventy-two (58,272) names on the Vietnam Wall, eight (8) of those being women; and

**NOW THEREFORE**, I, W.F. "Bill" Tierney, Mayor of Portage, Wisconsin, do hereby proclaim the month of October 2015 as

### **VIETNAM VETERANS MONTH**

Given under my hand this 24th day of  
September 2015, at Portage, Wisconsin.

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W.F. "Bill" Tierney, Mayor