

**City of Portage Common Council Meeting
Council Chambers of City Municipal Building
115 West Pleasant Street, Portage, WI
Special Meeting – 6:30 p.m.
June 27, 2016
Agenda**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Minutes of Previous Meeting
6. Department Report – Fire
7. Consent Agenda
 - A. Reports of Sub-Committees, Boards, and Commissions
 1. Police and Fire Commission, May 31, 2016 and June 1, 2016
 2. Economic Development Loan Fund Committee, June 6, 2016
 3. Legislative and Regulatory Committee, June 6, 2016
 4. Tourism Promotion Committee, June 7, 2016
 5. Park and Recreation Board, June 7, 2016
 6. Business Improvement District Board of Directors, June 8, 2016
 7. Municipal Services and Utilities Committee, June 9, 2016
 8. Finance/Administration Committee, June 9, 2016 and June 13, 2016
 9. Library Board, June 14, 2016
 10. Airport Commission, June 15, 2016
 11. Plan Commission, June 20, 2016
 12. Human Resources Committee, June 22, 2016
 - B. License Applications
 1. Operator
 2. Taxi Cab Operator

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. Resolutions
 1. Resolution No. 16-035 Airport Statement of Project Intentions for Portage Municipal Airport
 2. Resolution No. 16-036 relative to Award of Contract 16-455A01 and 16-20C07, 2016 Alley and Street Improvement Project
 - B. Consideration of recommendation for alcohol license renewals
 1. Class "B" Combination Licenses
 - a. Stover Enterprises Inc., 2711 Hwy CX, Dana Lee Stover, Agent (Suzy's Steak & Seafood House)
 - b. The Ball Room LLC, 112 East Cook Street, Mike Ganz, Agent (The Ball Room)
 2. Class "B" Fermented Malt Beverage License and Class "C" Wine License
 - a. Cathay Garden LLC owned by Jing Hua Hao, 238 West Cook Street, Jing Hua Hao, Agent (Cathay Garden)
 3. "Class A" Combination License
 - a. Wal-Mart Stores East, LP, Todd O. Tollefson, agent, 2950 New Pinery Road
 - C. Consideration of recommendation for "Class A" Combination License for FKG Oil Company, Markus Revilla-Saiz, agent, 601 East Wisconsin Street
 - D. Consideration of recommendation on Operator License for Kami M. Bornick.
 - E. Consideration of recommendation for Airport Entitlement Transfer Agreement.
 - F. Consideration of recommendation for Easement Agreement and Memorandum of Understanding with ATC at Sunset Park.
 - G. Consideration of recommendation for Street Façade Improvement Loan Program Guidelines.
 - H. Consideration of Recommendation on MOU with IAFF #2775

- I. Consideration of Amendment to Intergovernmental Agreement with Columbia County and Wis. DNR (add attached IGA Amendment 062016)
 - J. Mayor's Comments
 - 1. Upcoming Events
 - K. City Administrator Report
 - 1. Update of special event permit process
10. Adjournment

The meeting location is handicap accessible. If you need reasonable accommodations due to a disability, please contact the City Clerk at 608-742-2176 no later than 48 hours prior to the meeting

Common Council Proceedings
City of Portage

Regular Meeting
Council Chambers
City Municipal Building

June 09, 2016
7:00 p.m.

1. Call to Order

Mayor Dodd called the meeting to order at 7:00 p.m.

2. Roll Call

Present: Ald. Charles, Hahn, Hamburg, Havlovic, Klapper, Kutzke,
Maass, Monfort, Nachreiner

Also Present: Mayor Dodd, City Clerk Moe, City Administrator Murphy,
City Attorney Spankowski, Director of Public Works/Utilities Manager
Jahncke, Finance Director Mohr, Police Chief Manthey

Media Present: Jonathan Stefonek from Portage Daily Register, Bill Welsh
from Cable TV

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Approval of Agenda

No changes.

5. Minutes of Previous Meeting

Motion by Klapper, second by Charles to approve minutes of the May 26,
2016 Common Council meeting. Motion carried unanimously on call of
roll.

6. Consent Agenda

A. Reports of Sub-Committees, Boards, and Commissions

AdHoc Canal Committee meeting of May 25, 2016
Police and Fire Commission meeting of May 17, 2016
Finance/Administration Committee meeting of May 26, 2016
Historic Preservation Commission meeting of June 1, 2016
Municipal Services and Utilities Committee of June 2, 2016

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

B. License Applications

Operator license applications for license year ending June 30, 2016:
Kathryn L. Haug, Ryan A. Kern.

For license year July 1, 2016 – June 30, 2016: Kristy R. Alcorn, Nicole L. Bagley, Cheryl A. Barton, Nancy A. Bigford-Root, Donna J. Boehm, William C. Boehm, Steven J. Boelter, Nathan C. Booth, Jerry J. Braun, Thomas W. Brown, Brittany F. Byers, Rodney R. Curtis, Bethany J. Czerkas, James H. Davenport Jr., Sherryl E. Douglas, Rosann G. Endres, Eric J. Erickson, David W. Eulberg, Brooke A. Fahey, Kristi L. Fehrman, Elise R. Fenne, David W. Gilchrist, Ronald M. Gorsuch, Linda L. Heiskanen, William P. Hornat Sr., Ron A. Hull, Jay S. Jackson, W. Red J. Kastner, Kristal K. Kleiman, Daniel D. Koch, Scott T. Koch, Rachel A. Krizan, Jeanne C. Lauth, Dawn Litwiller, William R. Loberg, Eric S. Madsen, Ashley M. Manyen, Timothy J. Marchand, Alexandria M. McCann, Dency O. McFaul, Pamela S. Murphy, Dawn M. Nelson, Lisa M. Nelson, James K. Petzke, Cory J. Pohlkamp, Patricia L. Pohlkamp, Holly J. Potratz, Brandon T. Raimer, Brian L. Raimer, Kevin W. Randall, Diana L. Reichhoff, Rachel D. Schmidt, Trisia D. Schmidtke, Mark A. Schroeder, Wendy L. Seely, Jamie L. Staveness, Marlene J. Steele, Chadwick D. Stensrud, Rolanda J. Tadman, Mary F. Traino.

Taxi Cab Operator license applications for license year ending June 30, 2015 Nicole M. Bower and Scottie A. Grant.

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

7. 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.

8. New Business

A. Resolutions

1. Resolution No. 16-031 relative to Wisconsin Department of Natural Resources NR 208 – Compliance Maintenance Annual Report 2015 was read and adopted unanimously on motion by Klapper, second by Charles and call of roll.
2. Resolution No. 16-032 relative to Declaring Intent Regarding the City's Preference for the Intersection at USH 51 and DeWitt Street for the USH 51 Reconstruction Project, WISDOT Project ID: 6918-01-72 was read and adopted unanimously on motion by Klapper, second by Nachreiner and call of roll.

3. Resolution No. 16-033 relative to Award of Contract 16-610W06, Water Department Maintenance Facility Project was read and adopted unanimously on motion by Charles, second by Klapper and call of roll.
 4. Resolution No. 16-034 relative to Final Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefited Property in Portage, Wisconsin (2016 Alley Reconstruction) was read and adopted unanimously on motion by Klapper, second by Maass and call of roll.
- B. Consideration of recommendation for change of agent for Kwik Trip, Inc., Kwik Trip 653, 1223 East Wisconsin Street, Class "A" Fermented Malt Beverage License and "Class A" Cider License – Sara L. Warren
 Motion by Maass, second by Charles to approve the change of agent for Kwik Trip, Inc., Kwik Trip 653, 1223 East Wisconsin Street, Class "A" Fermented Malt Beverage and "Class A" Cider License to Sara L. Warren .Motion carried unanimously on call of roll.
- C. Consideration of recommendation for Taxi Cab License for Richard Running (Running Inc. dba Portage Cab)
 Motion by Maass, second by Hamburg to approve a Taxi Cab License for Richard Running (running Inc. dba Portage Cab). Motion carried unanimously on call of roll.
- D. Consideration of recommendation for alcohol license application renewals ("Class A" Combination Licenses, Class "A" Fermented Malt Beverage Licenses, "Class A" Cider Only Licenses, "Class B" Combination Licenses, Class "B" Fermented Malt Beverage Licenses, "Class C" Wine Licenses)
 Motion by Maass, second by Charles to grant alcohol license application renewals as follows:
Class "B" Combination Licenses
 4 R Future Inc., 322 West Wisconsin Street, Jeremy Rusch, Agent (Portage Theatres)
 Bellmore & Associates LLC, 301 DeWitt Street, Mark A. Bellmore, Agent (The Corner Pocket Sports Bar & Grill)
 Portage Elks Lodge No. 675 Benevolent and Protective Order of Elks of the United States of America, Inc., 201 West Conant Street, Gary Alberts, Agent (Portage Elks Lodge #675)
 Brothers-EJ LLC, 220 West Cook Street, Errol Lynn Kleist, Agent (Brothers)
 Cactus Club Bar & Grill LLC, 102 East Cook Street, Dean Jeffery Audiss, Agent (Cactus Club)
 Cleary Krech Post 1707 of Veterans of Foreign Wars of the United

States, 215 West Collins Street, Gordon Blackburn, Agent (Cleary
Krech VFW Post 1707)
Cottonwood Bar & Grill Inc., 312 DeWitt Street, Randal Leigh Heinzl,
Agent (Cottonwood Bar & Grill Inc.)
Douglas' Big Dog Saloon LLC, 218 West Cook Street, Bradley John
Douglas, Agent (Douglas' Big Dog Saloon)
House of Booze LLC, 220 West Wisconsin Street, Kevin M. Malone,
Agent (Blarney Stone)
Jack's Tap LLC, 1207 Dunn Street, Tara L. Glendenning, Agent
(Jack's Tap)
Knights of Columbus, 918 Silver Lake Drive, Darrell Parker, Agent
(Knights of Columbus)
Krueger, Jon, 223 Oneida Street, (The Friendly Tavern)
New Pinery Enterprises LLC, 1402 West Wisconsin Street, Lyman O.
Kaiser, Agent (Sarbacker's Bar)
Noll, William N., 412 East Wisconsin Street, (Tamarack Pizza)
NY Sushi Bar, Inc., 123 East Cook Street, Wen Jian Liu, Agent
(Portage Asian Cuisine)
Pohlkamp, Bradley, 316 DeWitt St., (Pohlk's Pub)
B & B Hitching Post LLC, 2503 West Wisconsin Street, Michael S.
Bergman, Agent (B & B Hitching Post)
Riley's Bar LLC, 1314 West Wisconsin Street, Lisa Thompson, Agent
(Riley's Bar LLC)
Shutova, LLC, 2900 New Pinery Road, Beadin Mehmedi, Agent
(Dino's Restaurant & Bar)
Tall Pauls LLC, 214 West Wisconsin Street, Paul David Salzwedel,
Agent (Tall Pauls)
TRT Corporation, 125 Wauona Trail, Patricia A. Madani, Agent (Trail's
Lounge Restaurant)
Vinayaka, Inc., 2701 South CX, Dawn Schneller, Agent (Best Western
Resort Hotel & Conference Center)
Class "B" Fermented Malt Beverage Licenses
Paula's Place LLC, 100 East Cook Street, Paula M. Amend, Agent,
(Paula's Place)
Pizza Hut of Southern Wisconsin, Inc., 401 East Wisconsin Street, Jon
W. Kreklow, Agent (Pizza Hut)
Class "C" Wine Licenses
Pizza Hut of Southern Wisconsin, Inc., 401 East Wisconsin Street, Jon
W. Kreklow, Agent (Pizza Hut)
Class "A" Combination Licenses
Crawford Oil Co. Inc., 2211 West Wisconsin Street, Steven D. Madsen,
Agent (Jim's BP)
Daley, James D., 1623 New Pinery Road, (Daley's Beverage Mart)
Mathieus, Kevin Edward, 211 East Wisconsin Street (Discount Liquor)
Pierce's Supermarket Inc., 2915 New Pinery Road, Angela K Pierce,
Agent (Pierce's Marketplace)

Wilz Drug, Inc., 140 East Cook Street, Larry R Wilz, Agent (Wilz Drug & Home Health)

Express Laundry, LLC, 2725 New Pinery Road, John D. Bennett, Agent (Mobil Travel Plaza)

Class "A" Fermented Malt Beverage and Class "A" Liquor (Cider Only) Licenses

Kwik Trip, Inc., 1223 East Wisconsin Street, Sarah Lynn Warren, Agent (Kwik Trip #653)

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

Class "A" Fermented Malt Beverage Licenses

Crawford Oil Co. Inc., 1901 East Highway 33, Steven D. Madsen, Agent (Fort BP)

Pal and Simran LLC, 403 DeWitt Street, Sharam Singh, Agent, (Market Basket)

Motion by Hahn, second by Klapper to amend the motion to remove the Class "B" Combination License application for 4 R Future Inc., 322 West Wisconsin Street, Jeremy Rusch, Agent (Portage Theatres) to discuss separately for the proposed changes to the premises description. Motion carried 5 to 4 on call of roll with Havlovic, Klapper, Maass and Monfort voting no.

Ald. Hahn had concern with the change in the premises description for the Theaters which would permit alcohol in the auditoriums, and the potential accessibility by underage people to the alcohol.

Ald. Kutzke commented that he has had comments from constituents, but is aware that this is being allowed in other cities.

Jeremy Rusch, representing 4 R Future Inc., told the Council that much thought was given to the request to allow alcohol in the auditoriums and that it is permitted in other cities.

The motion, as amended, carried 8 to 1 on call of roll with Hahn voting no.

E. Consideration of recommendation for "Class B" Combination Licenses

1. LaTolteca AAC LLC, 2653 New Pinery Road, Alonso Aranda, agent
Motion by Maass, second by Charles to grant a "Class B" Combination License to LaTolteca AAC LLC, 2653 New Pinery Road, Alonso Aranda, agent. Motion carried unanimously on call of roll.

2. Jeff Bender, 817 East Wisconsin Street
Motion by Maass, second by Charles to grant a "Class B" Combination License to Jeff Bender, 817 East Wisconsin Street.

Motion carried unanimously on call of roll.

F. Consideration of recommendation for claims

Motion by Nachreiner, second by Hahn to approve claims in the amount of \$1,099,780.96. Motion carried unanimously on call of roll.

G. Department Report – Municipal Court

Municipal Court Clerk Dawn Wilcox explained the history of the court. Changes to the collection process were explained. The City began using the State Debt Collection program, which has significantly increased collections. Court Clerk Wilcox has been invited to attend a question and answer session on the State Debt Collection program at the Judge's Conference. The City is involved with a pilot program with our software provider and Department of Transportation, which will result in citations being uploaded to Department of Transportation, replacing the manual entry.

H. City Administrator Report

City Administrator Murphy provided an update on the County building project progress. They plan to have the building enclosed this fall to continue with construction throughout the winter. Plans for renovations at the Courthouse are being reviewed.

The dredging project at the Canal has begun. Due to the debris and garbage in the Canal bed, different equipment is needed. This will result in a change order, with no additional cost to the City. The dredging is scheduled to be completed in a few weeks; and encapsulation will take place following the completion of the dredging.

I. Closed Session

Motion by Charles, second by Klapper to convene into closed session pursuant to Wisconsin State Statutes 19.85(1)(b) for the reconsideration of a "Class A" Combination License for Wal-Mart Stores East, LP, Todd O. Tollefson, agent, 2950 New Pinery Road. Motion carried 7 to 2 on call of roll at 7:50 p.m. with Hahn and Hamburg voting no.

J. Reconvene to Open Session for remainder of the meeting

Motion by Klapper, second by Monfort to reconvene to open session for remainder of the meeting. Motion carried unanimously on call of roll at 9:27 p.m.

K. Consideration and possible action on "Class A" Combination License for Wal-Mart Stores East, LP, Todd O. Tollefson, agent, 2950 New Pinery Road

Motion by Charles, second by Maass to grant a "Class A" Combination License to Wal-Mart Stores East LP, Todd O. Tollefson, agent, 2950 New Pinery Road with the following conditions: no more than 600 square foot display located in the back of the store in the grocery section as described in the application with security gates for non-sale hours; check out limited to four (4) registers; and security caps on the liquor and wine bottles. Motion by Nachreiner, second by Klapper to amend the motion to include the following additional conditions: employee alcohol sales training, programmable cash registers at the front of the store, security cameras and security personnel. The amendment carried 5 to 4 on call of roll with Hahn, Hamburg, Klapper and Monfort voting no. The motion, as amended, carried 5 to 4 on call of roll with Hahn, Hamburg, Klapper and Monfort voting no.

9. Adjournment

Motion by Charles, second by Hamburg to adjourn. Motion carried unanimously on call of roll at 9:49 p.m.

Marie A. Moe, WCPC, MMC
City Clerk

Date Approved: _____

PORTAGE FIRE DEPARTMENT

COUNCIL REPORT

JUNE 27, 2016

TRAINING:

From January to June we have done the following drills: Elevator Refresher, Gear Inspection, Wildland Refresher, Search and Rescue, Fire Flow Paths, Electrical and Natural Gas Safety, Hazmat, Ice/Cold Water Rescue, Power Tools, Confine Space Rescue.

In the next 6 months, July to December, we will be doing the following training: Pumping and Driving, Search and Rescue, Dementia, Active shooter, Auto Extrication, Emergency Vehicle Operator Course, Hazmat, Confined Space, Rope rescue, Ventilation, Forcible Entry, Flow Paths.

COMMUNITY RELATIONS

School or Community Event

- I attended the Prison Disturbance and Tabletop on February 3, 2016.
- The department had a controlled burn at the old Musky Club property on May 3, 2016 and we will burn it again this fall.
- We participated in the Canal Days Parade on June 11, 2016.
- We have had three fundraising events for the Firefighter Training Facility (Chamber Golf Outing, Culver's Work day, Pizza Hut Delivery). In the next 6 months we will be doing 5 more events: Fire Truck Rides, Take your Brat to Work, Pizza Hut Delivery, Pizza Ranch Work Night, and Pancake Breakfast.
- We will be conducting tours for Fire Prevention and Hosting an Open House on October 8, 2016.
- The department will be visiting several businesses and conducting fire extinguisher training for their employees.

Fire Safety/Extinguisher Training:

- A reminder to all City of Portage and Township residents; that we have smoke detector batteries available at the fire station. We have 9 volt as well as AA batteries. We also replace batteries in smoke detectors and carbon monoxide detectors for residents who cannot change them on their own.

New Equipment:

- We purchased new hose for the department to replace hose that broke or leaked while testing.

Fire Suppression/Rescue:

- We will be doing more of our training down at the Firefighter Training Facility in the next six months as we have a couple of props being made to use.

- We will be doing training and then burning down a house in Pacific Township in September. We will do room burns the first half of the day with different departments that will be invited and then we will burn it down in the afternoon.

ADMINISTRATION

Personnel:

- We have had 5 personnel pass their Firefighter 1 certification class.
- We have had 2 personnel pass their Firefighter Entry Level class.
- We now have 29 Members on the department.

Inspections:

692 inspections have been completed within the City and the four surrounding townships.

Emergency Responses:

The department responded to 167 emergency responses during this time period (2,058.50 man-hours). 95 (57%) responses were in the city and 72 (43%) were in the townships. Of those 51 (31%) were vehicle accidents.

Training: Members spent 940.50 man-hours on training since January 2016.

Miscellaneous Activities: 271.75 man-hours were spent on miscellaneous activities.

City of Portage
Police and Fire Commission Meeting
Tuesday, May 31, 2016, 5:45 p.m.
City of Portage Municipal Building, 115 West Pleasant Street
Conference Room Two
Minutes

Members Present: Thomas Drury, President, Pat Hartley, Kay E. Miller, Charles Miller, Jeynell Boeck

1. Roll Call

President Drury called the meeting to order at 5:50 pm.

2. Election of Officers

Motion was made to nominate and reelect the current President, Tom Drury, and Secretary, Pat Hartley by K. Miller, seconded by C. Miller and passed on a unanimous vote.

3. Approval of Minutes from February 16, 2016 and May 17, 2016 meetings

A motion was made by K. Miller and seconded by J. Boeck to approve the minutes of the February 16, 2016 meeting. The motion passed by unanimous vote. A motion was made by J. Boeck and seconded by C. Miller to approve the minutes from the May 17, 2016 meeting. Motion passed by unanimous vote

4. Closed Session

Motion made by C. Miller seconded by K. Miller to go into closed section for the purpose of interviewing for police officers. Motion passed by unanimous vote 5:58 pm.

5. Adjournment

The motion was made by K. Miller, second by C. Miller to adjourn the meeting at 9:42 pm. Motion carried unanimously on call of roll.

Submitted by Pat Hartley

Date Approved: _____

City of Portage
Police and Fire Commission Meeting
Wednesday, June 1, 2016, 6:00 p.m.
City of Portage Municipal Building, 115 West Pleasant Street
Conference Room Two
Minutes

Members Present: Thomas Drury, President, Pat Hartley, Kay E. Miller, Charles Miller, Jeynell Boeck

1. Roll Call

President Drury called the meeting to order at 6:01 pm. Motion to convene by K. Miller, seconded by C. Miller, and motion passed unanimously on call of roll.

2. Move to closed session

A motion was made by K. Miller and seconded by J. Boeck at 6:02 pm to go in to closed session pursuant to Wisconsin Statutes 19.85(1)(c) to conduct interviews for Police Officer. The motion passed unanimously on call of roll.

3. Reconvene to open session

A motion was made by C. Miller and seconded by K. Miller at 10:03 pm to reconvene in open session. The motion passed unanimously on call of roll. Chief Manthey and his senior staff joined the meeting at this time.

4. Eligibility List

Following the interviews of this evening, the police and fire commission provided the following non-ranked eligibility list for Chief Manthey;

Joshua Bowers
Katelyn Kalmerton
Brandon Koziol
Aeriond Liu
Scott Nuzzo
John Pierce

7. Adjournment

A motion to adjourn was made by C. Miller and seconded by K. Miller to adjourn the meeting at 10:04 pm. The motion carried unanimously on call of roll.

Submitted by Pat Hartley

Date Approved: _____

City of Portage
Economic Development Loan Fund Committee Meeting
Monday, June 6, 2016, 5:15 p.m.
Municipal Building, Conference Rm 1

Members Present: Jean Mohr (Chair), Ken Jahn, Dave Gunderson, Bill Kutzke, Nita Bortz and Jeff Davis.

Excused: Kim Dorn

Also present: City Attorney Spankowski, Bus. Dev & Planning Director Steve Sobiek, City Administrator Murphy and C. Sauer, Portage Daily Reg.

1. Roll Call

The meeting was called to order by Mohr at 5:15 p.m.

2. Selection of Vice Chair

Motion by Gunderson, 2nd by Bortz to appoint Ken Jahn as Vice Chair. Motion carried 5-0 on a call of the roll.

3. Approval of minutes of previous meeting

Motion by Bortz, second by Gunderson to approve the minutes of the January 23, 2016 meeting. Passed 4-0 with Kutzke abstaining.

Jeff Davis arrived at 5:17pm.

4. Introduction of Members

Mohr recognized new members Kutzke and Jahn.

5. Review of program, past & current loans and funds available.

Mohr provided a brief history of the program with the overall goal of job creation to low to moderate income individuals (LMI). Providing funds to businesses seeking to startup, expand, or retain jobs. Funding for the program was initially provided through a Community Development Block Grant from the Federal Government which is now administered by the Dept of Administration who is in the process of updating the revolving loan fund guidelines. Mohr distributed a summary of the current status of current outstanding loan balances, loans in default and paid off loans (attached spreadsheet). The program fund currently has a balance of \$79,539.68.

6. Discussion and possible revision to City of Portage Economic Development Revolving Loan Fund Manual.

Mohr reported the Committee does have the ability to increase the current loan requirement of 1 new employee per \$20,000 of loan proceeds to \$35,000. Motion by Kutzke, second by Gunderson to increase the loan restriction to \$35,000 for each full time job created (Section 3.6(2)). Motion carried 6-0 on a call of the roll.

7. Discussion and Possible Action on Sta-Care loan.

Spankowski summarized current status of Sta-Care bankruptcy proceedings. Two bankruptcy filings with the 1st in Illinois in which City loan was secured by vehicles which the City did seize and sold to pay off all but \$8552.50 of the initial \$20,160 loan. The 2nd bankruptcy filing in which Travis and Lori Aldridge, principles with whom the City had secured personal guarantees filed Chap. 13 bankruptcy in November, 2013 was dismissed. This leaves the City with the option to pursue collection of the outstanding amount from Aldridge's, although a bank in Illinois has filed a claim against the Aldridge's. Spankowski recommended to pursue collection by submitting a demand notice to the Aldridge's in which the City has several legal options or recourses to pursue if the demand notice is not resolved. Motion by Jahn, second by Gunderson to accept Spankowski's recommendation and authorize the issuance of a demand letter to the Aldridge's for the outstanding loan amount. A report of any response and subsequent City options will be considered at the next meeting. Motion carried, 6-0 on a call of the roll.

8. Discussion and Possible Action on Krista's Kitchen loan.

Spankowski summarized the collection actions that occurred with respect to the 3 loans in the principal amount of \$70,000 issued to Krista's Kitchen. The loan was secured with Real Estate and a personal guarantee. The real estate was sold in foreclosure and did not satisfy 1st mortgage. The City has 2nd lien on the real estate. The owners filed personal bankruptcy which discharged their remaining obligations. Motion by Kutzke, second by Davis to designate remaining loan balance of \$43,501.43 as uncollectable. Motion carried unanimously on call of the roll.

9. Review of City of Portage Street Façade Improvement Loan Program

Mohr explained that \$30,000 from the City's America's Best Communities (ABC) grant award will be set aside for a business façade loan improvement plan. Murphy reviewed the proposed loan guidelines included in the Committee packet. Kutzke inquired about timing of 1st loan payment in relation to the loan issuance; indicating there should be flexibility as to when the recipient begins to repay the loan. Murphy indicated the loan amount is small and therefore the payments are small as is the total program fund. Repayment can occur over 3 years; further delays of up to another year to repay the loan can exhaust the fund quickly with no ability to re-issue loans. It was felt the Committee can establish the first payment date as part of the loan approval when considering timing of loan approval and necessity to access the funds within 30-45 days of loan approval. Motion by Gunderson, second by Bortz to adopt the loan guideline with a modification to Section C.4 striking the reference to repayment starting on the 5th day of the month following loan approval. Motion carried unanimously on a call of the roll.

10. Adjournment

Motion by Jahn, second by Kutzke to adjourn at 6:17 p.m. Passed 7-0 on call of the roll.

Respectfully submitted,
Shawn Murphy, City Administrator

**City of Portage
Legislative & Regulatory Committee Meeting
Monday, June 6, 2016, 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: City Clerk Moe, Administrator Murphy (arrived 7:20), Deputy Clerk Ness; Jeremy Rusch, Jim Rusch, Mary Rusch-Portage Theatre; Jim Bauer, Brian R. Tollison, Jeff Bender-J&J Fireball Lanes, LLC

Media Present: Craig Sauer from Daily Register

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 May 2, 2016 meeting. Motion carried unanimously on call of roll.

3. Discussion and possible recommendation on change of agent for Kwik Trip, Inc., Kwik Trip 653, 1223 East Wisconsin Street, Class "A" Fermented Malt Beverage and "Class A" Cider License – Sara L. Warren

Motion by Hamburg, second by Charles to recommend to council change of agent for Kwik Trip, Inc., Kwik Trip 653, 1223 East Wisconsin Street, Class "A" Fermented Malt Beverage and "Class A" Cider License – Sara L. Warren. Motion carried unanimously on call of roll.

4. Discussion and possible recommendation for Taxi Cab License renewal for Richard Running (Running Inc. dba Portage Cab)

Motion by Havlovic, second by Charles to recommend to council Taxi Cab License renewal for Richard Running (Running Inc. dba Portage Cab). Motion carried unanimously on call of roll.

5. Discussion and possible recommendation on alcohol license application renewals ("Class A" Combination Licenses, Class "A" Fermented Malt Beverage Licenses, "Class A" Cider Licenses, "Class B" Combination Licenses, Class "B" Fermented Malt Beverage Licenses, "Class C" Wine Licenses)

Clerk Moe stated that this was the first year that the supplemental form was required, and it was met with concern from license holders. The applicants stated it took too much time to complete and information was hard to get together. The supplemental form was beneficial in updating, and in some cases correcting information on licenses. The form will be evaluated for possible revisions for next year.

Noted the changes from last year applications.
4 R Future, Inc. Portage Theatre Lounge
Premise description change – entire first floor
Portage Elks
Member change – President & VP switched spots
New Agent
VFW Post 1707
Member change
New Agent
Jon Krueger The Friendly Tavern
Citation
Pohlkamp, Bradley John Pohlk's Pub
Extension for taxes filed
Kwik Trip Inc. Kwik Trip 683
Cider approved 9/15
Kwik Trip 653
Cider approved 9/15
Agent Sara Warren – May 2016
Knights of Columbus Lodge 1637
Gary Anderson – VP

Discussion ensued regarding the premise change for 4 R Future, Inc. The current premise description is the lounge with the alcohol stored in the locked office above the lounge. The new premise description would add all auditoriums and the large lobby area with records being kept in main office above the large lobby. Jeremy Rusch stated security measures would be taken including only serving alcohol in clear plastic cups, wristbands will be given to adults after their ID is checked, and alcohol will not be allowed in G or PG movies.

Clerk Moe relayed the license holder meeting was held in May and attendance was down from last year.

Correction from the list Paula's Place LLC not Paula Amend.

Clerk Moe stated three applications were not in with enough time to be on file for Council action this week. Ballroom, Stover Enterprises and Cathay Garden can be approved at this meeting and then will go to Council June 23.

Applications for Class "B" Combination Licenses have been made at the Office of the City clerk by the following:

4 R Future Inc., 322 West Wisconsin Street, Jeremy Rusch, Agent (Portage Theatres)
Bellmore & Associates LLC, 301 DeWitt Street, Mark A. Bellmore, Agent (The Corner Pocket Sports Bar & Grill)
Portage Elks Lodge No. 675 Benevolent and Protective Order of Elks of the United States of America, Inc., 201 West Conant Street, Gary Alberts, Agent
(Portage Elks Lodge #675)
Brothers-EJ LLC, 220 West Cook Street, Errol Lynn Kleist, Agent (Brothers)
Cactus Club Bar & Grill LLC, 102 East Cook Street, Dean Jeffery Audiss,
Agent (Cactus Club)

Cleary Krech Post 1707 of Veterans of Foreign Wars of the United States, 215 West Collins Street, Gordon Blackburn, Agent (Cleary Krech VFW Post 1707)
Cottonwood Bar & Grill Inc, 312 DeWitt Street, Randal Leigh Heinzl, Agent (Cottonwood Bar & Grill Inc.)
Douglas' Big Dog Saloon LLC, 218 West Cook Street, Bradley John Douglas, Agent (Douglas' Big Dog Saloon)
House of Booze LLC, 220 West Wisconsin Street, Kevin M. Malone, Agent (Blarney Stone)
Jack's Tap LLC, 1207 Dunn Street, Tara L. Glendenning, Agent (Jack's Tap)
Knights of Columbus, 918 Silver Lake Drive, Darrell Parker, Agent (Knights of Columbus)
Krueger, Jon, 223 Oneida Street, (The Friendly Tavern)
La Tolteca AAC LLC, 2653 New Pinery Rd, Alonzo Aranda Canchola, Agent (La Tolteca Mexican Restaurant)
New Pinery Enterprises LLC, 1402 West Wisconsin Street, Lyman O. Kaiser, Agent (Sarbacker's Bar)
Noll, William N., 412 East Wisconsin Street, (Tamarack Pizza)
NY Sushi Bar, Inc., 123 East Cook Street, Wen Jian Liu, Agent (Portage Asian Cuisine)
Pohlkamp, Bradley, 316 DeWitt St., (Pohlk's Pub)
B & B Hitching Post LLC, 2503 West Wisconsin Street, Michael S. Bergman, Agent (B & B Hitching Post)
Riley's Bar LLC, 1314 West Wisconsin Street, Lisa Thompson, Agent (Riley's Bar LLC)
Shutova, LLC, 2900 New Pinery Road, Beadin Mehmedi, Agent (Dino's Restaurant & Bar)
Stover Enterprises Inc., 2711 Hwy CX, Dana Lee Stover, Agent (Suzy's Steak & Seafood House)
Tall Pauls LLC, 214 West Wisconsin Street, Paul David Salzwedel, Agent (Tall Pauls)
The Ball Room LLC, 112 East Cook Street, Mike Ganz, Agent (The Ball Room)
Bender, Jeff, 817 East Wisconsin Street, (J&J Fireball Lanes LLC)
TRT Corporation, 125 Wauona Trail, Patricia A. Madani, Agent (Trail's Lounge Restaurant)
Vinayaka, Inc., 2701 South CX, Dawn Schneller, Agent (Best Western Resort Hotel & Conference Center)

Applications for Class "B" Beer Licenses have been made at the Office of the City Clerk by the following:

Amend, Paula M., 100 East Cook Street, Paula M. Amend, Agent, (Paula's Place)
Cathay Garden LLC owned by Jing Hua Hao, 238 West Cook Street, Jing Hua Hao, Agent (Cathay Garden)
Pizza Hut of Southern Wisconsin, Inc., 401 East Wisconsin Street, Jon W. Kreklow, Agent (Pizza Hut)

Applications for Class "C" Wine Licenses have been made at the Office of the City Clerk by the following:

Cathay Garden LLC owned by Jing Hua Hao, 238 West Cook Street, Jing Hua Hao, Agent (Cathay Garden)
Pizza Hut of Southern Wisconsin, Inc., 401 East Wisconsin Street, Jon W. Kreklow, Agent (Pizza Hut)

Applications for Class "A" Combination Licenses have been made at the Office of the City Clerk by the following:

Crawford Oil Co. Inc., 2211 West Wisconsin Street, Steven D. Madsen, Agent (Jim's BP)
Daley, James D., 1623 New Pinery Road, (Daley's Beverage Mart)
Mathieus, Kevin Edward, 211 East Wisconsin Street (Discount Liquor)
Pierce's Supermarket Inc., 2915 New Pinery Road, Angela K Pierce, Agent (Pierce's Marketplace)
Wilz Drug, Inc., 140 East Cook Street, Larry R Wilz, Agent (Wilz Drug & Home Health)
Express Laundry, LLC, 2725 New Pinery Road, John D. Bennett, Agent (Mobil Travel Plaza)

Applications for Class "A" Beer and Class "A" Liquor (Cider Only) Licenses have been made at the Office of the City Clerk by the following:

Kwik Trip, Inc., 1223 East Wisconsin Street, Sarah Lynn Warren, Agent

(Kwik Trip #653)

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

Applications for Class “A” Beer Licenses have been made at the Office of the City Clerk by the following:

Crawford Oil Co. Inc., 1901 East Highway 33, Steven D. Madsen, Agent (Fort BP)

Pal and Simran LLC, 403 DeWitt Street, Sharam Singh, Agent, (Market Basket)

Motion by Charles, second by Monfort to recommend to council alcohol license application renewals (“Class A” Combination Licenses, Class “A” Fermented Malt Beverage Licenses, “Class A” Cider Licenses, “Class B” Combination Licenses, Class “B” Fermented Malt Beverage Licenses, “Class C” Wine Licenses) as presented. Motion carried unanimously on call of roll.

6. Discussion and possible recommendation on “Class B” combination license applications

A. LaTolteca AAC LLC, 2653 New Pinery Road, Alonso Aranda, agent

Motion by Hamburg, second by Havlovic to recommend to council “Class B” combination license application LaTolteca AAC LLC, 2653 New Pinery Road, Alonso Aranda, Agent. Motion carried unanimously on call of roll.

B. Jeff Bender, 817 East Wisconsin Street

Motion by Charles, second by Havlovic to recommend to council “Class B” combination license application Jeff Bender, 817 East Wisconsin Street. Motion carried unanimously on call of roll.

7. Discussion and possible revision to alcohol ordinances/guidelines-requirements for premises description

Administrator Murphy presented examples from 4 municipalities of Class A liquor sales enclosure requirements. If the committee wishes to draft guidelines regarding enclosures, otherwise called liquor boxes, definitions will need to be established regarding what square footage will be the deciding factor, percentage of sales/alcohol sales is required, if what is sold in the store will be a deciding factor, etc. The committee will review the information presented and put this topic on the next agenda.

The next scheduled meeting is July 4, which is a holiday. Clerk Moe and Chair Maass will review any agenda items to determine if a meeting in July is required.

8. Adjournment

Motion by Charles, second by Hamburg to adjourn. Motion carried unanimously on call of roll at 8:26 p.m.

Rebecca C. Ness
Deputy Clerk

Date Approved: _____

City of Portage
Tourism Promotion Committee Meeting
5:30 pm on Tuesday, June 7, 2016
City Municipal Building, 115 West Pleasant Street
Conference Room Two
MEETING MINUTES

Members Present: Marty Havlovic, Marianne Hanson, Bill Kutzke

Members Absent: Carole LaVigne

Others Present: Craig Sauer

1. Roll call

The meeting was called to order at 5:30 pm by Chairperson Marty Havlovic

2. Election of Committee Chair, Vice-chair and Secretary

- A motion was made by Marianne, second by Bill to nominate Marty as the Chairperson. Marty called for other nominations and no other nominations were received. Motion carried unanimously on the roll call of 3-0.

-- A motion was made by Marty, second by Marianne to nominate Bill as the Vice-Chairperson. Marty called for other nominations and no other nominations were received. Motion carried unanimously on the roll call of 3-0.

- A motion was made by Bill, second by Marty to nominate Marianne as the Secretary. Marty called for other nominations and no other nominations were received. Motion carried unanimously on the roll call of 3-0.

3. Approval of minutes from previous meeting

Motion by Marianne, second by Bill to approve the previous minutes. Motion carried unanimously on the roll call of 3-0.

4. Discussion and action on claims submitted

A motion was made by Marianne, second by Bill to approve claims as submitted in the amount of \$24,093.25. Motion carried unanimously on the roll call of 3-0.

5. Discussion and action on meeting date and time

No meeting for July. The next meeting will be August 9th at 5:30pm. September meeting will be scheduled to invite guests to give an overview of their past activities and make new requests.

6. Update on 2016 tourism promotion activities

Marianne gave an update to the committee:

- New bike racks installed in downtown at Commerce Plaza and more will be set throughout downtown by the Business Improvement District.
- HIAH & FWSQ open for the season. FWSQ is in need of an Executive Director and docents for the season. Their hours may change now until they find help.
- We are working on new Rockford TV ads for this summer.

- Due to a Daily Herald incorrect order error, we received a free upgrade to a 1/2 page ad which gave us more space to promote upcoming summer events. Almost a \$1000 increase in value.
- We had a couple from Minnesota and Alabama stop by to learn about Portage and the Canal.
- On May 13, there were 22 cars representing the Model A Restorers Club that toured the WWII History Museum and had lunch at the Red Apple Restaurant
- We have shipped 5,000 Portage Visitor Guides to Chicago northwest suburbs through Journal & Topics Media Group.
- The downtown walking tours have started and we had 12 people attend the first one. Out of town guests were from LaCrosse and Waupaca.
- We are working on new ads for the summer print campaigns.
- Events coming up: Canal Days this weekend with Flag Day at HIAH, Concert in the Park Fireworks Celebration on July 2 and International Edsel Club Convention at the Best Western starting July 20.
- The Wisconsin Department of Tourism Specialist for our region, Patrick Reinsma has passed away.

Other discussions:

- Entrance Signs for the service clubs. One sign is proposed to be installed on the Northside of Portage which will hold 12 names on each side.
- Water tower painting – Marty mentioned that the committee should ask the Public Works Director if this will be taking place and possibly add the Portage logo.
- Rockford Travel Show – estimated costs would be \$2500-\$3000 for the show and expenses. Bring this back to the meeting when we begin the budget process for 2017.

7. Adjournment

Next meeting is August 9th at 5:30pm

8. Adjournment

The meeting was adjourned at 6:10pm with a motion by Bill, second by Marianne. Motion carried unanimously on the roll call of 3-0.

Minutes submitted by Marianne Hanson

Date Approved: _____

City of Portage Parks and Recreation Board Meeting

Tuesday, June 7, 2016

5:30p.m. Parks Tour

6:30p.m. Regular Meeting
Municipal Building Room #2

1. **Roll Call**

The meeting called to order at 6:30 pm by Chairperson Zirbes. Members present: Brian Zirbes, Chairperson, Larry Messer, Mike Charles, Todd Kreckman and Mark Hahn.

Parks and Recreation Manager Dan Kremer, City Administrator Shawn Murphy, Craig Sauer and Alderperson Kutzke.

2. **Approval of May 10 and May 17 meeting minutes.**

Motion by Charlesn to approve minutes as presented, second by Messer.

Motion passed on a 5 – 0 roll call vote.

3. **Discussion and possible recommendation on American Transmission Company Proposal and agreement for Sunset Park.**

Manager Kremer gave an overview of the payment summary and proposal documents supplied by American Transmission Company (ATC) for a total of \$40,000. Kremer highlighted the descriptions and read the viewing platform language in paragraph two of the agreement. Kremer also stated that the information related to the roadway and disposition of the shelter are not part of the easement as it does not go along with the easement language. Kremer recommended to the board that a separate agreement be included along with the easement that would outline those parameters in case faces changed upon execution.

Charles asked if the concrete where the poles sit currently would be removed. Discussion followed and it was determined the pole on the adjacent property is not the city's and would be ATC's option.

Motion by Hahn to approve the contract with ATC with an addition of including a separate agreement outlining the previous minutes regarding the pathway/roadway, shelter removal and pad removal. Second by Charles

Motion passed on a 5-0 roll call vote.

4. Discussion and possible action on giving field signs to families from softball diamonds.

Kremer informed the board that Lawton and Siegel Field signs were taken down officially the previous week. Kremer stated that a member of the Siegel family had contacted the City and there is now a contact for all three families in which the fields were named after. Kremer recommended to the board that the City consider offering those signs to the families as a remembrance and look to put a resolution forward to carry the three names forward upon construction. Maass Field sign is still standing and will be taken down a later date.

Zirbes asked what was preventing Maass sign from coming down. Kremer stated at this point nothing was being deconstructed by Maass Field so his intention was to leave it up until that field is removed. Discussion followed regarding the plans for deconstruction of Maass Field in the future.

Hahn asked if it was just one sign and if there would be an issue of who we give it to. Discussion followed regarding who would get the sign. Kremer felt it is unlikely there will be a conflict.

Motion by Charles to offer the Lawton and Siegel Field Signs to the families and to offer the Maass Sign to their family at a future date. Second by Kreckman.

Motion carried on a 5-0 roll call vote.

5. Discussion and action on prioritizing future bathroom construction in parks.

Kremer presented the board with a listing of parks that could be considered for bathrooms if money became available in the future. Kremer stated the list was not prioritized and that he just threw parks up in a random order and he was looking for the board to prioritize those they felt would be important to consider as capital budgets are put together. Zirbes stated he felt the first three were reasonable but the rest were questionable. Zirbes stated the type of park classification may play a role in to weather a bathroom should be installed or just an upgraded portable toilet.

Discussion followed regarding the list and pros and cons to individual parks that currently do not contain restrooms.

Kremer stated one option may to only prioritize three parks and leave the rest of the list for a future consideration if those three are ever built.

Motion by Hahn to adopt bathroom prioritization to list Pine Meadow Park, Riverside and Sanborn Park as the top three parks for bathroom consideration. Second by Messer

Motion carried on a 5-0 roll call vote.

6. Discussion on 2017 projects and 5 year capital improvement plan.

Kremer gave an update on 2016 projects and what was currently slated for 2017. Kremer presented an overview that the board had traditionally looked at projects in June and then prioritized and tweaked the 5 year capital improvement plan in July and send on to finance then. Kremer stated the upgrade and conversion of Veteran's Memorial Fields and the fairgrounds is a substantial portion of the capital improvement plan thus far. Kremer informed the board that the phases were going to be reviewed by City staff and by Rettler Corporation before July's meeting to get updated numbers and phasing recommendations for park board review.

Kremer asked the board to look over the list and come back in July ready to adjust and prioritize on the capital improvement plan for 2017 and beyond. Discussion followed regarding possible projects and timelines.

Zirbes asked if shade sails at the beach and money for land acquisition for property adjacent the fair grounds and if money needs to be put in the budget to remove the old wall relics from signs around town.

Messer asked if the fair is being included as the City moves forward. Kremer stated they will play a role as we get to the next phase and that they have been informed of where the plan stands currently and what is planned in the next few years.

7. Discussion and possible recommendation on reallocating \$4,800 from parkland fund to complete design of third little league field.

Kremer overviewed the contract with Rettler Corporation and the additional services that came up for wetland delineation and American Transmission Line negotiations through the design of the little league field and the soccer fields. Kremer stated the L.L. field was moved to a 2017 construction due to the cost estimates so the design work for that field was also halted to allow for complete focus on the soccer complex. Through the entire process, the additional services needed for the soccer design equated out to \$4,800. Rettler proposed an additional \$4,800 would be needed to complete the design in 2016 for the little league field. Kremer stated by completing the design in 2016, it would allow for an early 2017 bid advertisement.

Discussion followed regarding current capital project budgets and the park land fund availability.

Motion by Zirbes to allocate \$4,800 from the park land fund to complete little league field design with a stipulation that if one of the 2016 projects comes in under budget with sufficient funds the \$4,800 be reallocated from that project in lieu of the parkland fund.

Second by Charles

Motion carried in a 5-0 roll call vote.

8. Discussion on park rules signs.

Kremer presented a new rules sign to the board and stated they had been made to be displayed at the four parks where the park ordinances had been changed for alcohol and tobacco. Kremer asked the board for feedback on color and type of sign and if they felt comfortable hanging this type of sign in all parks going forward.

Hahn stated that the current park signs contain the name of the park around the sign and if it would be beneficial for the new signs to do the same. Discussion followed regarding the park name being on the rule signs.

9. Adjournment

Zirbes asked all in favor to adjourn say Aye. No nay's. Motion Passed.

Meeting adjourned at 7:18 pm.

*Minutes submitted by
Dan Kremer
Manager of Parks and Recreation*

Date Approved: _____

**City of Portage
Business Improvement District Board of Directors
Wednesday, June 8, 2016, 7:30 a.m.
City Municipal Building, 115 W Pleasant St
Conference Room One
Minutes**

Present: President – Shane Schmidt; Vice President- Ian Dumbleton, Treasurer - Dennis Rupers, Fred Galley, John Krueger, Sheila Link & Klay Vehring.

Excused: Myrna Hooper, Mila Stahl

Also present: Scott Davis, BID Contractor, Mike Ganz and Marianne Hanson.

1. President Schmidt called the meeting to order at 7:31 am.

2. Discussion and request for approval of BID Meeting minutes for May 11, 2016. President Schmidt presented the minutes from May 11, 2016 and asked for a motion to approve the minutes as presented. Motion by Vehring, second by Dumbleton. Motion passed.

3. Discussion and possible action on BID Committee Chairman Reports

Discussion moved to Executive Committee report.

Myrna Hoopers Resignation, it is decided the Exec committee will take on working with the Chamber to approve Marketing until we find another member to fill the marketing gap.

Ian was going to contact our current Web people to see where things are at with keeping that updated.

There was discussion that when there are requests for larger funds (in excess if \$5000) that the Committee's it pertains to do as much due diligence as possible to gather supporting info/facts prior to the meetings and put in their reports to present to the board for approval.

There was discussion about "Reserve" funds what the Exec board feels is an acceptable goal (\$50k) to work with regarding planning for the BID Annual Budget.

Also a discussion regarding a Salary increase for Scott Davis our BID contractor from his current salary \$30k to \$36k. The Exec board all agreed to present it to the Board for approval.

Discussion moved to Building & Grounds Committee report.

Director Vehring reported that he worked with Dan Kremer from Parks and Recreation department and they have finalized the locations for the three new bike racks. Vehring also reported that he will be working with the city on tree plantings/planters and the theme to use moving forward. There was also a report of vandalism to one of the crane sculptures in the planters.

No comments or comments were offered on the BID Contractor's Report from Scott Davis. Motion by Dumbleton, second by Krueger to accept the May 2016 Contractor's Report. Motion passed. Contractors Report is included as Addendum1BIDMay.pdf.

Discussion moved to Farmer's Market Committee report.

Director Stahl was excused, Scott Davis reported they are seeing more vendors showing up and Mila is having interest from vendors to come try our market.

Discussion moved to Grants Committee report.

Director Krueger reported that he has not received any new grants

Discussion moved to Marketing Committee report.

Marianne Hanson reported that she is waiting on a color rendering of the mural project for downtown, we discussed option of funding future mural projects after the completion of the mural. Once the board has seen the final design they will make a decision on how to proceed with funding.

Discussion moved to Streetscape Committee report.

Director Link reported that the hanging baskets and planters have been planted and look great she also thanked all of the Volunteers that took time to get them planted.

Director Link will also look for sculptures to replace the vandalized sculpture and an additional sculpture for a planter that is missing one. The board approved to spend up to \$400 for the new sculptures.

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

Director Vehring reported that the next activity for DPI is Canal Days being held on June 11 Ads have been placed in multiple print sources and flyers will be hung at all area campgrounds. There are three bands this year and the main band is well known through the Midwest and there is quite a bit of excitement and press being generated by their involvement in Canal Days.

5. Discussion and possible action on treasurer's report.

Claims to pay

Treasurer Rupers presented the Claims to Pay Voucher list for June, 2016. Rupers presented the Claims to pay in the amount of \$12,269.57. Motion by Schmidt, second by Vehring to accept Claims to Pay. Motion passed. Claims to pay list included as Addendum2BIDJUNE2016.pdf.

Financials – May 2016

Treasurer Rupers presented the financials. Motion by Krueger, second by Dumbleton to accept June's financials. Motion passed.

6. Adjournment

Motion by Krueger, second by Link to adjourn the meeting at 8:41 am. Motion passed.

Respectfully Submitted by Ian Dumbleton, BID Vice President.

Date Approved: _____

**City of Portage
Municipal Services and Utilities Committee Meeting
Thursday June 9, 2016, 6:00 p.m.
Municipal Building, 115 West Pleasant Street, Conference Room Two
Minutes**

Members Present: Doug Klapper, Chairperson; Mike Charles, Dennis Nachreiner, Jeffrey F. Monfort, and William Kutzke

Others Present: Aaron Jahncke, Public Works Director; Bill Welsh, CATV;

Excused: N/A

1. Roll Call

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

2. Approval of meeting minutes from meeting on Thursday, June 2, 2016.

Motion by Monfort second by Charles to approve the minutes from June 2, 2016 with an amendment to item #5 of the motion to read “....second by Kutzke to go forward with.....” Roll Call 4-0 with Nachreiner abstaining. Passed.

3. Election of a Vice Chairperson

Motion by Charles to elect himself second by Monfort. Roll call 5-0. Passed

4. Discussion and possible recommendation regarding bids received for 2016 Alley Improvements.

Motion by Monfort second by Kutzke to favorably endorse the resolution to award the project to DL Gasser in the amount of \$138,556.30 and forward it to Council for the June 23, 2016 meeting.

Public Works Director Jahncke reviewed the memo from the packet. Jahncke also noted that a transfer from the road budget to the alley budget of \$10,000 will be needed to construct the project as presented.

A motion by Kutzke and second by Charles to amend the previous motion to make it conditional to Finance Committee approval of the transfer of the \$10,000 from the road budget to the alley budget, prior to council approval. Call of Roll on the amendment passed 5-0.

Call of roll on the original motion with amendment. Passed 5-0

5. Adjournment

**Motion by Nachreiner second by Charles to adjourn the meeting at 6:13 p.m.
Roll Call 5-0. Passed.**

Prepared by Aaron Jahncke, Director of Public Works

Date Approved: _____

DRAFT

**City of Portage
Finance/Administration Committee Meeting
Thursday, June 9, 6:30 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room One
Minutes**

Members: Dennis Nachreiner, Chairperson; Mark Hahn, Martin Havlovic, Doug Klapper

Absent: Mary Hamburg (arrived 6:34)

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

1. Roll call

Chairperson Nachreiner called the meeting to order at 6:30 p.m.

2. Approval of minutes from May 26, 2016.

Motion by Klapper, second by Hahn to approve minutes from May 26, 2016. Motion carried 4-0 on call of roll.

3. Discussion and possible recommendation of claims.

Mohr presented claims in the amount of \$1,099,780.96 noting AMPI successfully appealed their manufacturing real estate assessed value to the State for 2014 and 2015. The claims include \$12,217.23 for 2014 that was paid to AMPI. The city will pursue charging back the various jurisdictions and work with the county for settling the 2015 adjustment.

Motion by Havlovic, second by Klapper to approve claims in the amount of \$1,099,780.96. Motion carried 4-0 on call of roll.

4. Adjournment.

Motion by Klapper, second by Hahn to adjourn the meeting at 6:33 pm. Motion carried 4-0 on call of roll.

Submitted by Jean Mohr, Finance Director

Date Approved: 06/13/2016

**City of Portage
Finance/Administration Committee Meeting
Monday, June 13, 5:30 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room One
Minutes**

Members: Dennis Nachreiner, Chairperson; Mark Hahn, Martin Havlovic, Doug Klapper
Mary Hamburg (arrived 5:34)

Also Present: Administrator Murphy, Finance Director Mohr, Mayor Rick Dodd, and Bill
Welsh – Cable TV

1. Roll call

Chairperson Nachreiner called the meeting to order at 5:30 p.m.

2. Approval of minutes from June 9, 2016.

Motion by Hahn, second by Havlovic to approve minutes from June 9, 2016. Motion
carried 4-0 on call of roll.

3. Discussion and possible recommendation on airport crack seal.

Murphy reviewed the contract for crack sealing at the airport noting that this is the
first of several projects the Bureau of Aeronautics will be bidding out on behalf of
the City. The total bid came in at \$76,307.05 which was under budget of \$100K.
The City's portion is 5% or \$3,815.35. Other portions of the project will involve
survey and a master plan.

Motion by Nachreiner to recommend approving the City's portion of \$3,815.35,
second by Hahn. Motion carried 4-0 on call of roll.

Hamburg arriving at 5:34

**4. Discussion and possible recommendation on recommendation on budget
reallocation for 2016 Alley Improvements and W. Mullet St. Improvement
Projects.**

Murphy reviewed the memo from Director Jahncke indicating that the bids for the
2016 Alley Improvements, project # 16-455A01, and the Street Improvement,
project #16-20C07 were combined. The section for the Alley's came in slightly over
budget at \$106,461.60 and the Street's came in below at \$32,094.70 for a total of
\$138,556.30. The original budget was \$100,000 for Alley's and \$60,000 for Streets.
The Street's project was reduced from its original scope as after further analysis
MacFarlane is anticipated to be a larger project to properly repair. At this point W.
Mullet will be completed in 2016.

Staff is recommending a reallocation of \$10,000 from the Street's project to the Alley project.

Motion by Nachreiner to recommend reallocating \$10,000 from the Street's project to the Alley project second by Hamburg. Motion carried 5-0 on call of roll.

5. Discussion and possible recommendation on taxi repayment.

Mohr reviewed the Taxi Program Summary which has undergone major changes in administration, both in personnel and procedures, over the past couple years. Historically the Taxi contractor, Running Inc., worked with the State in preparing the contracts, procuring the vehicles, and undergoing the audits from the State. The City's part was to review the documents, process the grant receipts and payments to the contractors. As part of the audits the adjustments would be made to the grant portion depending on the actual numbers as long as it didn't exceed the maximum 60-65% of program expenses allowed by the grant program. The actual grants ranged from 45-58% of program expenses. The City is one of few programs that runs a 24 hours 7 days a week service and historically had a 0% Local Share.

With the Federal Government tightening the funds and more participants joining the program, grants to the individual communities have shrunk. The State also had fallen years behind in performing the annual audits, typically done 1-2 years after. In 2015 the State caught up with the 2008 – 2014 audits and informed the City that the program no longer adjusts the annual amounts based on the actuals, further more each program year is considered a silo and any remaining funds from one year could not be applied to another year.

In 2011 and 2012 the Agency Fare Revenues, (fares charged for medical transportation) began to increase. As it was anticipated for this to continue, budgeted revenues for 2013 and 2014 were also increased. The State changed contractors for the medical transportation in July of 2013 and the new contractor operated differently and medical rides significantly dropped off, reducing revenue and increasing the deficit of the program. The deficit was still within the 60-65% maximum allowance so as past practice the City and the Contractor (Running, Inc.) understood this would be adjusted as part of the audit process.

The cash flow portion of the program is complicated as 10% of the State's portion of the grant is withheld until the audit is complete and the timing of the quarterly grant payments varies; the Federal's fourth quarter payment is received in the next year. This was further complicated in that the State's past practice was to reimburse at the budgeted deficit. With the Agency and Other Revenue coming in higher in 2008 – 2012 it lowered the actual deficit; the State overpaid the City for the years 2008-

2012 time frame in the amount of \$281,124. For 2013 & 2014 the actual Agency Revenue dropped significantly increasing the deficit. Based on the change in the State's administration of the program, (not allowing adjustments to the actual grant based on actual information), it has been determined that the City incurred a Local Share for 2013 and 2014 in the amount of \$113,561. \$133,000 of the 2008-2012 overpayments was paid back during 2015. \$40,675 was received in 2016 for the 10% State holdback as part of the 2013 and 2014 audits which will be paid back to the State toward the overpayments.

Based on internal projections the City could have an estimated \$40,000 share for 2015 which is unbudgeted. The City included a \$26,528 Local Share for the 2016 budget.

In 2014 the State required the City to become much more involved in the program preparing the budget information etc. As part of that requirement the program does allow the City to charge an administrative fee. In 2015 the City included \$15,000 and in 2016 it was increased to \$20,000. When the State Audits are complete for those years the amount allowed could offset a portion of the Local Share.

At this point City Administration is requesting the approval of transferring \$113,561 from the General Fund Surplus to the Taxi (Mass Transit) Fund to cover the City (Local) Share for the 2013-2014 time periods and pay back the balance owed the State.

Motion by Hahn second by Klapper to recommend transferring \$113,561 for the 2013-2014 time periods to the Taxi (Mass Transit) Fund. Motion carried 5-0 on call of roll.

6. Discussion and possible recommendation on debt limits and funding options.

Murphy indicated that with the revaluation process of the properties the City should see an increase in the assessed value which will help with the debt limit concern but something will still need to be done to fund the capital projects in the future. The current internal debt limit is set at 3% of assessed value while the State Statutes (Chap 67.03) allows 5% of equalized value.

We have reviewed a couple of other funding options in the past to pay for transportation projects. The main benefits of these options are they are spread over a wider tax base including tax exempt properties and could potentially open up some room with the State's tax levy and expenditure restraint programs.

One of the options discussed was a Transportation Facility. With this program a portion of the transportation related revenues and expenses would be transferred from the General Fund. The difference would then be billed monthly to the residents

based on a predetermined basis such as street frontage. Possible additions to the initial structure could include chip sealing, vehicle replacement, and a crewperson. The Transportation option would be a pioneering effort as it doesn't appear to be implemented by any other communities.

Chap. 66.0602(2M)(b) Wis. Stats. require levy reductions for transferring costs related to: garbage collection; fire protection; snow plowing; street sweeping; and storm water management. The costs related to these items will therefore remain in the General Fund.

Another other option on a smaller scale but similar to the Transportation Utility is a Street Light Utility. A portion of the street related revenues and expenses would be transferred from the General Fund. This would also include tax exempt properties and would be billed monthly to the residents based on a predetermined basis such as street frontage. Possible additions to the initial setup could include signs & signals, and vehicle replacement. Street Light Utilities are used in other communities and would be a way of starting on a smaller scale.

Both the Transportation Facility and Street Light Utility options would require a modification to the current billing system used in the Water/Sewer Utility which is not included in the costs presented. These options would help pay for items such as chip sealing that has a shorter life than the capital items borrowed for; along with providing funds to the Vehicle Replacement Fund (VRF) which is not fully funded, and potentially adding a person to service the community; or could be used as a way to reduce the Levy.

A third option for raising fund is available through a Wheel Tax which is administered through the State. There are approximately 12,000 vehicles registered in the City which a \$10 fee would generate roughly \$119,000 and a \$20 fee would generate approximately \$239,000 annually. The DOT would invoice and collect the fee and send monthly a payment to the City deducting a \$0.17 fee per registration.

Mohr reviewed the Debt Limit numbers in more detail pointing out that based on the 2015 assessed value of \$547,675,528; 3% would allow a maximum general obligation amount of \$16,430,266. As of 12/31/15 the City had \$14,545,000 in general obligation debt; \$1,310,000 is scheduled to be paid in 2016 and the City borrowed \$1,855,000 calculating a projected outstanding balance of \$15,090,000 at the end of 2016. This would allow for a borrowing of \$1,340,266 (\$16,430,266 - \$15,090,000) to fund 2017 capital projects.

Statutory limits allows a municipality to issue a maximum 5% of equalize value in debt or \$28,109,835 as of 2015. This would allow issuance of \$13,019,835

additional debt (\$28,109,835 - \$15,090,000). Staff does not recommend utilizing the allowable limit.

The committee acknowledges that this type of increase would not be fiscally sound for the community but in order to meet some of the infrastructure needs Council may need to consider raising the current internal limit of 3% assessed value to potentially 4%.

The committee will look at the options closer during the budget process. The committee expressed support to further investigate the streetlight utility option as well as the Wheel Tax enactment, however further evaluation of the city's Capital Improvement Plan is necessary prior to making any recommendation.

No Motion was made at this time.

7. Adjournment.

Motion by Hamburg, second by Hahn to adjourn the meeting at 7:06 p.m.
Motion carried 5-0 on call of roll.

Submitted by Jean Mohr, Finance Director

Date Approved:

Portage Public Library
253 W. Edgewater Street, Portage WI 53901
Phone: 608-742-4959
E-mail: info@portagelibrary.us
Web Site: www.portagelibrary.us

LIBRARY BOARD MEETING Minutes
June 14, 2016

Meeting called to order 12:02pm

Present: Voigt, Blohm, McLeish, Gregory, Schoenborn-Hoffmann, Simonson, Stenberg,
Vehring, Interim Director Lynn Harthorne, Staff Member Amanda Pardo

Excused: Stevenson

Visitors: Shawn Murphy - City Administrator
Noah Vernau - Portage Daily Register Newspaper

- 1) Motion to approve March 8, 2016 regular meeting minutes and May 10, 2016 regular and closed meeting minutes. (KV/NS-H)
- 2) Financial Reports:
 - a) Motion to approve May 2016 Municipal funds claims and Library restricted funds claims for payment as presented. (KV/DG)
- 3) Director's/President's Report:
 - a) President Voigt thanked Schoenborn-Hoffmann, Stenberg, Vehring, Harthorne and Pardo for participating in the interview process for the new library director.
 - b) Dave Kreklow and Kris Daughtry have been hired as circulation clerks.
 - c) Library will host Remember Our Fallen Memorial June 22-25.
- 4) Closed Session:
 - a) Motion to convene into closed session pursuant to Wisconsin State Statute 19.85 (1)(c) for discussion of employment and compensation of director, interim library director and other library staff. 12:20pm (BB/NS-H)
 - b) Motion to reconvene into open session for the remainder of the meeting. 1:02pm (NS-H/BB)
- 5) Business:
 - a) Compensation for Interim Director Harthorne was discussed.
 - b) Motion to hire Jessica Bergin as Library Director beginning July 11, 2016. (BB/NS-H)
- 6) Meeting adjourned 1:10pm. (HS/DG)

Eleanor Voigt - President
Dr. Brenda Blohm - Vice-President
Chad Stevenson - Treasurer
Eleanor McLeish - Secretary
Dr. David Gregory
Nikki Schoenborn-Hoffmann
Melissa Simonson

Heather Sternberg
Klay Vehring

Date Approved: _____

**City of Portage
Airport Commission
Wednesday, June 15, 2016, 7:00 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room One
Minutes**

Members present: Rita Maass, Chairperson; Jeffrey Monfort, Barry Erath, William Kutzke, David Tesch

Member excused: Fred Langbecker

Others present: Manager Poppy, Director Jahncke, and Bill Welsh (Cable TV)

1. Roll Call

Meeting called to order at 7:00 pm by chairperson Maass

2. Approval of minutes from May 18, 2016

Motion by Maass, second by Kutzke to approve the minutes. Motion passed 5 to 0 on the call of roll.

3. Discussion and action on the resolution relative to the Statement of Project Intentions for Portage Municipal Airport.

Kutzke: Doesn't know if the relocation of the fuel farm can wait until 2018.

Maass: Stated that we are not held to the dates and the BOA will be starting July 1st.

Kutzke: Master Plan should be pushed further out.

Monfort: CCI is pretty busy and we may have to go on our own accord.

Poppy: Read a letter that said CCI is not able to fill our request at this time.

Poppy: If we can find volunteers to cut trees and donate the wood to the sweat lodge. If CCI would allow volunteers and have them sign a hold harmless agreement with CCI.

Erath: What about Huber inmates?

Maass: Not even an option to have Huber Inmates.

Poppy: We lost our night instrument until 2018.

Erath: The ones that need to do this are from other prisons.

Maass: We have the trees as 2016/2017 and that is where it should stay.

Kutzke: We need to get anything started and seal coating will be complete this year. We need approval from the prison for tree cutting.

Maass: Survey and tree inventory needs to be completed.

Jahncke: You would need to inventory the trees for bidding purposes.

Maass: Tree inventory is to make sure the trees are on Portage property. This is what is on City property, and to have private property owner know what to cut down on private property.

Maass: Using an outside company may not get paid for by BOA.

Erath: Wood has a value to a private contractor.

Kutzke: If the city could find a zero cost alternative it wouldn't have to through the BOA and do it on our own.

Motion by Erath to approve the Statement of Project Intentions resolution to be forwarded to Council for approval with the property acquisitions date changed to 2016-2018, the airport management plan be changed to 2017-2018, and the projects be in sequential order, second by Tesch to approve the resolution. Motion passed 5 to 0 on a call of the roll.

4. Discussion and action on transferring the Portage Airport's Entitlement funds to Iowa County Airport.

Jahncke: Explained that the airport is simply deferring the 2009 entitlement transfer from 2013 to 2017.

Motion by Monfort, second by Tesch to approve the transfer. Motion passed 5 to 0 on a call of the roll.

5. Reports

a. Director Public Works' report

We are waiting to hear back from Wendy at the BOA regarding the conference call. Micro surfacing project was approved and forwarded Mike Gabor at the BOA.

b. Manager's report

Struck and Irwin will be starting around September 1st. Received a pavement report today main runway was in good condition and cross wind runway was in poor condition.

6. Discuss and set the date for the next meeting.

July 20, 2016 at 7p

7. Adjournment

Motion by Tesch and second by Maass. Motion passed. The meeting adjourned at 7:59 p.m.

Aaron J. Jahncke, Director of Public Works

Date Approved:

DRAFT

**City of Portage
Plan Commission Meeting
Public Hearings, 6:20 p.m. and 6:25 p.m.
Monday, June 20, 2016, 6:30 p.m.
City Municipal Building, 115 West Pleasant Street
City Council Chamber**

Members present: Mayor Rick Dodd, Chairperson, Mike Charles, Frank Miller, Kevin Zarecki and Brian Zirbes.

Excused: Peter Tofson and Chuck Sulick

Others present: Director Jahncke, Director Sobiek, Chief Simonson, Craig Ratz, Robert Roth, Bill Welsh, Craig Sauer, Tyson Swan, Jim Swan, Todd Cibulka, Shelly Cibulka, Joshua Kindkeppel, Justin O'Boyle, Gary Kasten, Joyce Kasten, Deb Raimer, and Irma Brockley.

Public Hearing - 6:20 p.m.

To consider issuing a zoning map amendment for Parcel #2442.L and Parcel #2442.M, 811 Hamilton Street, to rezone the subject property from B-4 General Business Zoning District to M-1 Industrial Zoning District.

Director Sobiek read the public hearing notice aloud.

Mayor Dodd asked if there was anyone present who wished to speak in favor of the petition.

Todd Cibulka, petitioner and owner of AMM, Inc, spoke in favor, indicated his intention to purchase the property and move his machining and fabrication business there from Poynette.

Mayor Dodd asked if there was anyone else present who wished to speak in favor of the petition. Hearing none, he asked if there was anyone present who wished to speak against the petition.

Deb Raimer spoke against the petition, indicating her concern with possible noise and disruption of the neighborhood. She asked if there would be a second or third shift and what type of noise and traffic would result from the new machining business moving in there.

Mayor Dodd asked a second time, if there was anyone else present who wished to speak against the petition.

Mayor Dodd asked a third time if there was anyone else present who wished to speak against the petition. Hearing none, Mayor Dodd declared the Public Hearing closed at 6:25pm.

Public Hearing - 6:25 p.m. To consider issuing a Conditional Use permit (CUP) to Fort Winnebago Masonic Lodge for Parcel #1288, 205 DeWitt Street, Portage, Columbia County, Wisconsin.

Director Sobiek read the public hearing notice aloud.

Mayor Dodd asked if there was anyone present who wished to speak in favor of the petition.

Tyson Swan, representing Fort Winnebago Masonic Lodge, asked the Commission to approve this conditional use, indicating it was a good and convenient location for the Lodge to relocate to.

Mayor Dodd asked if there was anyone else present who wished to speak in favor of the petition.

Hearing none, Mayor Dodd asked if there was anyone present who wished to speak against the petition.

Mayor Dodd asked a second time there was anyone present who wished to speak against the petition.

Hearing none, Mayor Dodd declared the Public Hearing closed at 6:30pm.

Regular Meeting - 6:30pm

1. Roll call

2. Approval of minutes from previous meeting.

Charles asked that corrections be made in the May 16, 2016 minutes including changing the motion to approve the minutes in Agenda Item 2 to reflect Charles making the motion, with the second to the motion made by Zirbes, and the motion passing with Tofson not abstaining. In addition, in Agenda Item 3, change the second to the motion to elect Charles as Vice Chair to reflect Zirbes making the second, instead of Miller.

Motion by Charles, second by Miller to approve the minutes as corrected. Motion passed 5 to 0, with Dodd, Charles, Miller, Zarecki and Zirbes voting yes on call of the roll.

3. Discussion and possible action on rezoning Parcel #2442.L and Parcel #2442.M, 811 Hamilton Street, from B-4 General Business to M-1 Industrial, City of Portage, Columbia County, Wisconsin.

Director Sobiek presented his Staff report.

Todd Cibulka indicated there would be no second or third shift, and that there has never been a noise complaint at his current manufacturing

facility. He indicated 12-15 employees would be working at the new facility once he relocated his business there.

Joshua Kindkeppel, representing the petitioner STARC Properties, LLC, urged approval of the rezoning request. He indicated the sale of the property to STARC properties is conditioned on the rezoning being approved.

Motion by Charles, second by Miller, to recommend approval of the Zoning map amendment to rezone Parcel #2442.L and Parcel#2442.M from B-4 General Business to M-1 Industrial. Motion passed 5-0, with Dodd, Miller, Charles, Zarecki and Zirbes voting yes on a call of the roll.

4. Discussion and possible action on granting a Conditional Use Permit to Fort Winnebago Masonic Lodge to operate a Masonic Lodge on Parcel #1288, 205 DeWitt Street, City of Portage, Columbia County, Wisconsin.

Motion by Charles, second by Miller, to approve the Conditional Use permit application for the Fort Winnebago Masonic Lodge, to operate a Masonic Lodge on Parcel #1288, 205 DeWitt Street. Motion passed 5-0 with Dodd, Charles, Miller, Zarecki and Zirbes voting yes on a call of the roll.

5. Discussion and possible action on Fire Department training facility at former waste water treatment plant.

Director Sobiek reported that the Portage Fire Department has submitted plans for a new Fire Department training facility at the City's former waste water treatment plant (WWTP) property at Highway 33 and Wauona Trail. This will include a two story 17 ft by 17 ft building (stick built with exterior steel construction in earth tone colors) to be built on the former WWTP concrete pads.

Submitted plans include a Master Site Plan, building elevations, building floor plans and a project narrative outlining the existing site, the various training areas proposed, description of the training building facility, landscaping, storm water, and lighting.

The existing pole barn building and the former WWTP control building will remain for storage but will be evaluated for future use.

Existing utility and gas service to the site is still serviceable. Antiquated overheads electric lines will be undergrounded by Alliant. The existing water tank (60,000 gallons) will remain for the time being and the existing well is being researched to determine whether it will meet the needs of the training facility. Alternative water service options are also being explored.

Landscaping points required include 20 points for the building foundation and 159 points for street frontage. Since this is a fire training facility on a concrete pad,

City Code allows flexibility on landscaping requirements where strict adherence is not practically possible. Since this is a concrete pad being retrofitted with a small fire training building where fire and fire fighter trampling of any foundation or close by landscaping makes traditional landscaping impractical, I believe credit should be given (in lieu of any new landscaping) for the existing 12 tall/shade deciduous trees in the front yard area. This provides 30 points per tree, for approximately 324 landscaping points.

The plan application makes a valid point that leaving the front 10+ acre front yard area in a rural meadow and tree grove condition is a suitable site specific condition that meets the intent of the landscaping requirements.

Exterior Lighting is discussed on Page 2 of the Narrative. There is only the existing dusk-to-dawn light that will be restored to use and temporary mobile lighting will be brought onsite in training scenarios. There is no new permanent exterior lighting proposed.

Storm water and drainage is briefly discussed in the Narrative on page 7. There will be no additional impervious area for the site and the only excavation will be to recover the gravel yard and drive areas. Drainage will be as previously existed, with no notable site issues upon multiple inspections to the site in various weather conditions. Consequently, no major storm water management features are proposed for this project.

Work on the site has begun, including scrub shrub and dead tree clearance and installation of the Fire Department Training Facility sign as indicated. Completion of the project, including the building, is scheduled by the end of this year's construction season.

From a Staff perspective, this project seems to be a good re-use of this property that better utilizes and cleans up the appearance of this City-owned parcel.

Director Jahncke indicated that the existing gravel yard and parking area will be restored, with weed growth removed, in the exact configuration as previously existed. Staff has discussed the change in impervious surface with the new parking area and has suggested a swale to address storm water flow here.

The site was fully developed and then allowed to return to more of a natural area. The proposed area should be considered an impervious surface with the use of small swales to improve water quality and quantity.

Motion by Miller, second by Charles, to approve the Fire Department training facility plan as submitted, with the stormwater swale and waiving of landscaping requirements as recommended. Motion passed 5 to 0 with Dodd, Charles, Miller, Zarecki and Zirbes voting yes on a call of the roll.

6. Discussion and possible action on Vacation of Skaters Way ROW, east of Haertel Street.

Director Sobiek reported that Gary and Joyce Kasten, owners of Spinning Wheels at 111 Skaters Way, have requested the street ROW vacation of Skaters Way, for the entire portion between East Haertel Street east to the dead end.

Because the building's (Spinning Wheels) very close proximity to the street (Skaters Way), the parking area along the building is actually in the street ROW. This has created difficulty for both the skating facility and the City of Refuge Church (leasing a portion of the building) to provide off street parking. In 2015, City of Refuge Church was granted a Conditional Use permit conditioned upon evaluation of a long term parking solution.

The vacation of Skaters Way would not only facilitate and provide off street parking for the Church and skating rink, but it would facilitate the expected sale, and ensuing building remodel and improvement of the property, scheduled for later this year.

The City owns the small parcel of land (parcel #2430.F2), on the opposite or south side of Skaters Way. Once the street vacation occurs, this parcel could be conveyed to the owners of the Spinning Wheel's parcel to provide future off street parking. Owners of the parcel (parcel #3807.01) to the east of the City parcel, Bill and Irma Brockley, have indicated their willingness to convey their parcel to the City, as well.

Director Sobiek reviewed the Vacation ROW exhibit of Skaters Way prepared by Grothman and Associates. He indicated Mr. Grothman recommends vacating the Skaters Way ROW to the section line, between sections 5 and 6 based on the previous surveys dating back to 1955 and 1958.

Zirbes inquired why Mr. Kasten was in favor of pursuing vacation of Skaters Way at this time, while last year he was opposed to this vacation as a solution to parking issues. Mr. Kasten responded by stating conditions had changed and he was now selling the property.

Rev. Justin O'Boyle spoke in favor of the vacation, stating that as the prospective buyer of the Spinning Wheels property, he needs the street vacation to help provide a long term parking solution to his church and the skating facility.

Mr. Kasten inquired on the timing of the City Council taking action and hopefully approving of the Skaters Way street vacation. Mr. Sobiek indicated that State Statutes require a minimum time period to occur before taking action on a street ROW vacation, and Council action to approve it would ordinarily require two readings. Final action would probably occur in August.

Motion by Zirbes, second by Miller, to recommend approval of the vacation of Skaters Way ROW to the section line between Sections 5 and 6. Motion passed on a call of the roll, with Dodd, Charles, Miller, Zarecki, and Zirbes, voting yes.

7. Discussion and possible on Discontinuance of Unimproved Adams Street ROW, north of Albert Street.

Director Sobiek reported that Bill and Irma Brockley have requested the discontinuance of the unimproved portion of the Adams Street ROW, north of E. Albert Street. This ROW adjoins their parcel (Parcel # 2430.F11) at 1411 New Pinery Road. The City will need to retain an easement for the Adams St vacation to maintain an existing storm sewer from E. Albert St to New Pinery.

The Brockleys are desirous of having this Adams Street ROW discontinued as they consider conveying their Skater's Way parcel to the owner of Spinning Wheels Skating Rink.

Irma Brockley stated that the City had agreed to a discontinuance of this undeveloped portion of the Adams Street ROW 12-15 years ago and it had not occurred.

Motion by Zirbes, second by Miller, to recommend discontinuance of the unimproved Adams Street ROW, north of E. Albert Street. Motion passed 5 to 0 on call of the roll. Dodd, Charles, Miller, Zirbes, and Zarecki voted yes.

8. Adjournment.

Motion by Charles, second by Zirbes, to adjourn the meeting. Motion passed 5 to 0 on call of the roll. Dodd, Charles, Miller, Zirbes, and Zarecki voted yes.

The meeting concluded at 7:20 p.m.

Respectfully submitted

Steven Sobiek,
Director, Business Development and Planning
Date Approved: _____

**City of Portage
Human Resources Committee Meeting
Tuesday, June 22, 2016, 6:00 p.m.
Municipal Building, Conference Room One
Minutes**

Members Present: Rick Dodd, Chairperson, Doug Klapper, Rita Maass, Jeff Monfort, & Dennis Nachreiner.

Excused: Marty Havlovic

Also Present: City Administrator Shawn Murphy
Media Present: Bill Welsh, CATV & Craig Sauer, PDR

1. Roll call

The meeting was called to order at 6:00 pm by Mayor Dodd.

2. Approval of minutes from the April 13, 2016 meeting.

Motion by Maass, second by Monfort to approve minutes from the April 13, 2016 meeting. Motion carried 4 - 0 with Nachreiner abstaining.

3. Selection of Vice Chair

Motion by Nachreiner to select Maass as Vice Chair, second by Monfort. Motion carried 5-0 on a call of the roll.

4. Convene to Closed Session pursuant to Wisconsin State Statutes 19.85(1)(c) to review & discuss proposed Memorandum of Understanding with IAFF #2775.

Motion by Nachreiner, 2nd by Maass to Convene to Closed Session pursuant to Wisconsin State Statutes 19.85(1)(c) to review & discuss proposed Memorandum of Understanding with IAFF #2775. Motion carried unanimously on call of roll at 6:03 pm.

5. Return to Open Session

Motion by Maass, 2nd by Monfort to return to open session. Motion carried unanimously on call of roll at 6:13 pm.

6. Discussion and possible recommendation on proposed MOU with IAFF #2775.

Motion by Nachreiner, 2nd by Monfort to recommend adoption of MOU with IAFF #2775, dated 5/25/16. Motion carried unanimously on call of roll.

7. Review status of filling Department position vacancies.

Murphy summarized the following:

Library Director position accepted by Jessica Bergin who will begin duties 7/11/2016. Police Department has narrowed eligible applicants for 2 officer vacancies to 4 candidates for which background checks are being conducted. Offers are expected

to be made in early July. Kim, Aaron & Shawn finished interviewing candidates for Municipal Services Crewperson to replace Brad Wilson who will retire 7/1/2016. Field of applicants was narrowed to 2 candidates for which reference checks are being made. A recommendation for appointed will be brought to the July, 2016 HR Committee meeting.

8. Review summary of Employee Merit Adjustments awarded.

Murphy distributed a summary report of employee merit adjustments awarded January through June, 2016 per the recently revised compensation ordinance.

9. Discussion and Possible recommendation on position compensation survey.

Murphy indicated Sect. 2-115(d)(5) requires a comprehensive employee compensation survey to be conducted every 3-5 years. It has been over 5 years since a comprehensive survey was completed of non-represented employees. Nachreiner asked if this included employees covered by bargaining agreements; Murphy responded that it would not. Maass how this survey differed from prior surveys conducted for individual employment offerings. Murphy indicated those were for recent hired employees in which a limited number of comparable communities provided responses. This would be a larger scale survey conducted by a consultant to provide comparable wage/salary information for all Department Heads and non-representative employees. Some discussion occurred on how the Council would implement any recommendations or findings that resulted from the survey. The Committee directed Murphy to obtain proposal costs for inclusion in the 2017 budget.

10. Adjournment

Motion by Monfort second by Klapper to adjourn the meeting at 6:37 pm. Motion carried unanimously.

Submitted by Shawn Murphy, City Administrator

Date Approved: _____

Operator's Regular (Bartender)

Gerardo Alcorta, April L. Anderson, Leavon S. Anderson, Kim M. Atkinson, Kevin R. Ballweg, Natasha M. Baron, James V. Baures, James D. Behnke, Kelly E. Bellmore, Tracy L. Beneventi, Daniel H. Bennett, John D. Bennett, Kevin S. Bennett, Dennis F. Benson, David R. Bishop, Denise J. Blau, Thomas E. Blum, Jennifer E. Bogenberger, Emily E. Bortz, Corey J. Bowman, Kerri J. Bredemann, Michael D. Briggs, Ashlee M. Brimmer, Heidi A. Brost, Daniel J. Brunt, Ashley A. Bussell, Lisa A. Carlson, David S. Carpenter, Ann R. Carter, Beverly A. Choutka, Michael R. Clark, Lisa A. Clemmons, Lisa M. Cook, Krista M. Corbett, Laura J. Daley, Deanna P. Davenport, Abby R. Degarmo, Elizabeth A. Douglas, Vanessa A. Drew, Jeremy Duffy, Thomas J. Dugan, Carl S. Epstein, Cory Erickson, Zachary H. Faul, Traci S. Gauden, Theresa R. Gibson, Diana R. Gilden, Kevin P. Gjavenis, Patricia L. Goebel, Thomas P. Gorman, Shawny L. Grande, Jakop R. Gray, Arthur J. Green, Carolyn M. Hamre, Theresa M. Hardt, Heather J. Hawley, Susan Henke, Patricia H. Hinickle, Amy L. Hollenberger, Lisa M. Holmes, Robyn E. Holmes, Kori K. Howell, Lyndzey A. Hudzinski, Ronald G. Jacob, Shawn A. Jensen, Janice M. Kapel, Kirpal Kaur, Julie L. Koch, Lynette M. Koch, Patricia A. Kottka, Donna M. Kral, Bonnie R. Kratz, Jenna M. Krenz, Nicole R. Krintz, Mike A. Krogman, Amanda L. Krueger, Michael J. Larkins, Kurt R. Lauth, Heidi R. Lloyd, Larry J. Luecht, Gregory J. Maney, Jodi M. Manthey-Homans, Michael D. Marchese, Sandra J. Mcconnell, Gerald J. MCGowan, Jacquelynne S. MCGowan, Michael R. Melms, Muriah K. Mikolajczak, Debra A. Miller, Amanda L. Mohr, Jolene M. Morris, Matthew M. Neuman, Jessica K. Okan, Lori J. Olson, Lisa A. Persack, Dedra A. Peterson, Emily A. Peterson, Jennifer J. Peterson, Michael J. Peterson, Debbie L. Pohle, Mary S. Ramsey, Nicholas I. Rich, Mary L. Rusch, Margaret A. Russell, Kara F. Sassano, Marie A. Schave, Bryce A. Schehr, Daniel D. Schelvan, Christine C. Schmidt, Becky E. Schultz, Tasha L. Schwochert, Russell A. Shaw, Wendy A. Simonson, Michael W. Sletten, Susan M. Smail, Tammy L. Smith, Kelley A. Stanley, Susan M. Stearns, Jessica D. Stevens, Shad M. Strand, Janet E. Sutfin, Diane M. Sweeney, Julie E. Sweeney, Julie A. Teuber, Christian J. Theel, Darin D. Thome, Brian R. Tollison, Roberta L. Tollison, Gwentyth A. Tracy, Trista Traut, Danniele R. Tuttle, Patricia A. Van Houten, Jamie L. Voigtlander, Dawn K. Welter, Phillis J. Werning, Kaitlin R. West, Erica A. WestenberG, Chad J. Wilcox, Ronald E. Woodard, Cody T. Zach, Richard E. Ziemke, Ashley R. Zuhlke.

Taxi Cab Operator

LORI L. ALLEN

ESTHER M. ATKINSON

PATRICK A. BARKER

DANIEL S. BEDNARZ

NICOLE M. BOWER

RANDALL R. BROWN

JOHN R. COFFMAN

SCOTTIE A. GRANT

ERIC W. INGRAM

PAUL A. KENAS

MEGAN S. LANGE

MATTHEW D. MARCHAND

LONNIE R. MARTINEZ

SHAWN M. MEYERS

KARI S. MOORE

DAVID L. MULLIKIN

LORI A. MYHRE

KRYSTLE M. POULSON

DAVID L. RADER

JOSHUA C. RAIMER

LAUREN C. ROGGE

THOMAS R. SCHNELLER

DANIEL L. SCHULTZ

MARY K. SCHULTZ

KIMBERLY A. SIKORSKI

LARRY L. SIMONSON

RONALD L. SWANSON

JILL A. TANK

BECKI L. TOMLINSON

RESOLUTION NO. 16-035

RESOLUTION RELATIVE TO STATEMENT OF PROJECT INTENTIONS FOR PORTAGE MUNICIPAL AIRPORT

RESOLVED, by the City of Portage that the attached list of proposed improvements are in the best interest of Portage Municipal Airport; and

WHEREAS, Wisconsin Statutes require a Statement of Project Intentions from the airport owners contemplating federal and/or state aid within the next six years; and

WHEREAS, this Six Year Statement of project intentions is used by the Department of Transportation, Bureau of Aeronautics for planning and budgeting purposes and is not a petition for federal and/or state aid; and

NOW, THEREFORE BE IT RESOLVED that this governing body contemplates requesting federal and/or state aid for the projects listed on the attached schedule of airport improvements.

Resolution introduced by

Rick Dodd, Mayor

CERTIFICATION

I, Marie A. Moe, Clerk of the City of Portage, Wisconsin, do hereby certify that the foregoing is a correct copy of a Resolution introduced at a City of Portage Common Council meeting on June 27, 2016, adopted by a majority vote, and recorded in the minutes of said meeting.

Marie A. Moe, WCPC, MMC, City Clerk

Resolution requested by:
Airport Commission

Statement of Project intentions for The City of Portage Municipal Airport

updated 6/16/2016

Fiscal Year	Description of Improvement	Size of Improvement	Estimated Cost (if known)	Anticipated Petition Date
2016	Certified Survey Map for the entire airport property to include boundary staking, clear zone delineation, and tree inventory in the clear zone areas.	N/A	\$40,000.00	2016
2016	Seal Coating the primary runway 35 & 17	30,000 SY	\$100,000.00	2016
2016-2018	Initial easement and property requisitions	n/a	\$500,000.00	2016
2016/2017	Obstruction Removal of Trees; scope TBD per the CSM	unknown	unknown	2016
2016/2017	Wildlife Mitigation Plan	unknown	unknown	2016
2017	Relocation and construction of the Rayovac Liftstation. The liftstation is an obstruction in the runway clear zone. Please note the cost provided is only the estimated relocation costs.	N/A	\$100,000.00	2016
2017	Survey external areas for height and possible ordinance; survey areas TBD by CSM and Airport Master Plan	unknown	unknown	2016
2017-2018	Airport Master Plan and layout plan to commence once the CSM has been finalized	N/A	\$75,000.00	2016
2018	Airport Fencing; TBD by CSM and Airport Master Plan	unknown	unknown	2016
2018	Relocation of the fuel farm and possible environmental remediation of the existing fuel farm location. TBD by Airport Master Plan	unknown	unknown	2016
2018	Renovation of the cross runway	15,000 SY	unknown	2016
2018	Runway lighting improvements	unknown	unknown	2016
2019	Hangar construction or replacements	unknown	unknown	2016
2020	Airport Terminal Replacment	unknown	unknown	2016
2021	Relocation of overhead utility lines	unknown	unknown	2016
2022	Renovation of the primary runway	30,000 SY	unknown	2020

CITY OF PORTAGE

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



"Where the North Begins"

MEMORANDUM

To: Municipal Services & Utilities Committee
From: Aaron J. Jahncke, P.E., Director of Public Works/City Engineer
Subject: 2016 Alley and Street Improvement Award Project No. 16-455A01 and 16-20C07
Date: June 3, 2016

Background:

The City opened two bids for the 2016 Alley and Street Improvement Project No. 16-455A01 and 16-20C07 on June 3, 2016. The bid prices came in slightly over the Engineer's Estimate of \$130,000. The lowest bidder was DL Gasser from Baraboo, WI.

Analysis:

The project was bid as a singular base bid that included the four alleys and the segment of W. Mullet St.

Fiscal Note:

The original budgeted amount for the entire project was \$100,070.00 in the alley fund and \$60,000.00 in the public infrastructure fund, for a total budget of \$160,070.00.

Recommendation:

It is the recommendation of the Engineering Department that the Municipal Services and Utilities Committee favorably endorse and the City Council approve resolution for the award of the project to DL Gasser for the base bid in the amount of \$138,556.30.


Aaron J. Jahncke
Director of Public Works/ City Engineer

Attachment(s)

Resolution
Bid tabs

RECEIVED
JUN 13 2016

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning JULY 1 20 16 ;
ending JUNE 30 20 17

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

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

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

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

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): **▶ FKG OIL COMPANY**
DBA PORTAGE MOTOMART

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

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>PRESIDENT TODD BADGLEY</u>	<u>505 EAST WATERS EDGE DRIVE BELLEVILLE IL</u>	<u>62221</u>
Vice President/Member	<u>VICE PRESIDENT ROBERT J FORSYTH</u>	<u>404 SHERWOOD DRIVE WEBSTER GROVES MO</u>	<u>63119</u>
Secretary/Member	<u>SECRETARY DEBORA PRICE</u>	<u>109 WEST D STREET BELLEVILLE IL</u>	<u>62220</u>
Treasurer/Member	<u>SECRETARY DEBORA PRICE</u>	<u>109 WEST D STREET BELLEVILLE IL</u>	<u>62220</u>
Agent	<u>MARKUS REFILLA-SAIZ</u>	<u>221 EAST HOWARD STREET PORTAGE WI</u>	<u>52901</u>
Directors/Managers			

3. Trade Name **▶ PORTAGE MOTOMART** Business Phone Number 608-742-8435
4. Address of Premises **▶ 601 E WISCONSIN,** Post Office & Zip Code **▶ PORTAGE 53901**

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) **Corporate/limited liability company applicants only:** Insert state MISSOURI and date 08/01/73 of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) ENTIRE CONVENIENCE STORE

10. Legal description (omit if street address is given above): ABOVE

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
(b) If yes, under what name was license issued? _____

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No

13. Does the applicant understand 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 3rd day of June, 2016
L Darlene Conner
(Clerk/Notary Public)



My commission expires June 13, 2016
Deborah Price
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>6-13-16</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

8575 5-C160609

**City of Portage Alcohol and Fermented Malt Beverage
Class A Application Supplemental Form**

1. Applicant Information:

Applicant Name: Markus Berilla-Saiz - Blank?
Trade name of business: FKG Oil / DBA Portage Moto Mart
Business address: 601 E. Wisconsin St. Portage, WI 53901
Business Telephone Number: (608) 742-8435
Business email: Portage-manager@fkgoil.com

This application is a:

- New application
 Renewal application

This application is for a:

- Class "A" (fermented malt beverage)
 "Class A" (intoxicating liquor)
 "Class A" (cider only)

2. Business Plan

Describe the business; provide copy of business plan (business plan is for office use only).

Convenience store with fuel sales

Describe your management experience.

Started out as shift leader, then moved up to Asst. Manager. My duties were to order all products for the store, maintain machines pumps etc., place work orders for repairs. As manager I over see all employees and building, also maintain the property as needed
Hours of Operation: 24 hours

Number and type of employees expected to work at establishment.

Total of 7 employees, 4 associates, 3 managers

Anticipated opening date: Open currently

3. Explain your security plan, including presence and type of security surveillance, including recording and store of surveillance video.

There is 5 cameras (inside) 4 inside store, 1 outside between buildings. All recording is run through DVR system and stored for a period of time.

4. Do you have a policy to train employees in the sale of alcohol? Yes No

If yes, how often is the policy review by the management and employees?

yearly

5. Explain your process for age verification of customers.

Ask for an I.D. and Key in that persons date of Birth

6. Who will conduct the actual sale of the alcohol? This is the transaction where the patron hands the money to the cashier after reviewing the patron's identification. The purchase of alcohol is defined when the money is exchanged, not when the merchandise is scanned at the register.

Only employees over the age of 18

Only a licensed operator on the premises

Other (please explain)

7. Attach a detailed site plan depicting the licensed premises, parking, garbage storage area, entrances/exits, liquor storage areas, coolers, external lighting, signage, etc.

8. Premises Description

Describe area where alcohol beverages are to be stored and indicate on site plan:

Cooler - In corner Door #1

Describe area where alcohol records are to be stored and indicate on site plan:

All invoices are stored in the office and shed after a month. Then every 3 months they are sent to corporate office

Describe area where alcohol beverages are to be sold and indicate on site plan:

Cooler - In corner, Indicated on floor plan. Door #1.

Describe the locations in the store where alcohol will be displayed and the type of structure that will be used for the display (for example, temporary/permanent shelving, rolling shelf, pallet, etc.)

Cooler with shelves

9. Is there currently a license at this location (new applicants only)?

Yes No

If yes, what, if any, changes are being proposed?

10. Is there any other business conducted on the premises? Yes No

If yes, please explain:

Convenience Store

11. Describe goods and services to be sold at this location, along with the estimated % of sales devoted to alcohol, food, other products and services.

Percent gross receipts from intoxicating liquor and/or fermented malt beverages

Alcohol - 4%

Intoxicating Liqueur 1%

Percent gross receipts from other (list below)

Fuel - 30%

Other 55%

Other IS - Tobacco - Cigs - Lottery, Auto, Misc.

12. Who may we contact between 8:00am and 4:30pm regarding this license?

Contact person Markus Revilla-Saiz

Email address Portage.manager@fkgoil.com

Telephone number (608) 742-8435

13. The following must be included with the application:

- Federal Identification Number
- Wisconsin Seller's Permit Registration Certificate
- Articles of Incorporation (Corporation/LLC only)
- Deed, Lease or Offer to Purchase Agreement
- Form for surrender of previous license (if applicable)
- Responsible Beverage Service Training Course Certificate

Markus Revilla-Saiz
Signature

3/29/16
Date

Lottery Machine

Front Door

BEER Cooler

Pay Area

Pack (cigarettes)

Pack
pan
snack
cigars

Counter

Cooler

Cooler

Freezer

Deli Counter

OFFICE

Bathroom

Ice Mach.

Sink

Shelf

Backroom

Cooler

Door 1

Door 2

Door 3

Door 4

Cooler
(Temp. for Beer, 1 door)

Shelf

Back Door

Wisconsin St (Hwy 51/16)

Alley

light

Billboard



Fuel Island 142

Kero Sene

Fuel Island 475



light

Main Entrance/Exit

light

Parking



Ice Merch.

1/54

Part Area

Diase

light

Brooks St.

Parking

1/54

Exit

light

Garbage Dumpster

Recycle

Storage Shed

Back Shed

**CITY OF PORTAGE
APPLICATION FOR LICENSE TO SERVE
FERMENTED MALT BEVERAGES & INTOXICATING LIQUORS**

To the Clerk of the City of Portage, WI: I hereby apply for a License to serve Fermented Malt Beverages and Intoxicating Liquors, subject to the limitations imposed by Section 125.32 (2) and 125.68 (2) of the Wisconsin Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State or Local, affecting the sale of such beverage and liquors if a license be granted to me.

For Office Use	
Receipt No.	C160526-7
Date:	5/26/16
License No.	

APPLICANT MUST BE 18 YEARS OF AGE OR OLDER TO APPLY

Application Type:

- New \$35
- Renewal** \$35
- Provisional \$15

Have you completed the Beverage Server Training Course within the past two years? (New applicants must provide a copy of the Beverage Server Training completion certificate.) Yes No

Have you held an operator's license in the past two years? Yes No
If Yes, which municipality Portage

Have you ever had an Operator or any type of Alcohol License suspended, revoked, or denied? Yes No
If YES, which municipality _____

Have you read the Parameters for Denial of an Operator License attached to this application? Yes No

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

PLEASE PRINT CLEARLY:

Name: <u>Hami Barnick</u>			
<u>Hami</u>	<u>M</u>	<u>Barnick</u>	
First	Middle Initial	Last	Maiden
Have you ever used any other name(s) or alias(es)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, please state full name(s) or alias(es) <u>Hami M. Matson</u>			
Date of Birth: <u>10/30/1989</u>	Age: <u>26</u>	<input type="checkbox"/> Male	<input checked="" type="checkbox"/> Female
Address:			
<u>122</u>	<u>Prospect Ave</u>	<u>Portage WI</u>	<u>53901</u>
Street Number	Street Name	City, State, Zip Code	
How long have you continuously resided in the State of Wisconsin as of the date of this application? <u>26</u> years			
<u>608-697-2766</u>			
Home Phone Number	Cell Phone Number	Email Address	
Driver's License Information:			
Driver's License No.		State Issued	

*Suspended per
Kami 4/3/16 phone*

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 *Kevin Bornick* Date *5/26/16*

DEPARTMENT RECOMMENDATIONS

Department	Approved/Denied	Signature	Date
City Clerk	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	<i>Marie A. Moe</i>	<i>06-07-16</i>
City Treasurer	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied	<i>WJ</i>	<i>6-13-16</i>
Police Chief	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied	<i>Ken Matty</i>	<i>6-09-16</i>

If denied, explain reason _____

MS. BORNICK WAS ARRESTED FOR OMVWI ON 5-04-14 AND WAS CONVICTED ON 6-11-14.

MS. BORNICK WAS ARRESTED FOR OMVWI (AND) ON 5-05-16 BY OUR DEPARTMENT. SHE TESTED .21 ON A P.B.T. SHE HAS A MANDATORY COURT DATE OF 9-07-16. (BLOOD ALSO CAME BACK .21X)

HAS NOT PD. ON PAYMENT PLAN SINCE APRIL 2016.

Entitlement Transfer Agreement



U.S. Department
of Transportation
Federal Aviation
Administration

AMENDMENT TO AGREEMENT FOR TRANSFER OF ENTITLEMENTS

On October 16, 2012, Portage Municipal Airport waived receipt of non-primary entitlements

<u>Amount</u>	<u>Fiscal Year</u>	<u>SBGP #</u>
\$ 150,000	2009	36 & 41
TOTAL \$ <u>150,000</u>		

On the condition that the Federal Aviation Administration made the waived amount available to:

Iowa County Airport

On September 27, 2012, Iowa County Airport waived receipt of an equal amount of non-primary entitlements to be apportioned in 2013 on the condition that the Federal Aviation Administration made the waived amount available to Portage Municipal Airport.

BY THIS AMENDMENT, Portage Municipal Airport agrees to accept Iowa County Airport 2017 in place of their 2013 entitlements.

**FOR THE STATE OF WISCONSIN
ON BEHALF OF
THE UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**

FOR CITY OF PORTAGE

(Signature)

(Signature)

David M. Greene

(Typed Name)

(Typed Name)

Director, Bureau of Aeronautics
Wisconsin Department of Transportation

(Title)

(Title)

(Date)

(Date)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____ acting as Attorney for the Sponsor do hereby certify:

That I have examined the foregoing Agreement and find that the Sponsor has been duly authorized to make such transfer and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of Wisconsin and the Act

Dated at _____ this _____ day of _____, 2016.

By _____

(Signature of Sponsor's Attorney)

Portage Municipal Airport FEDERAL ENTITLEMENT SUMMARY date 5/11/16

updated 11/04/15
Spent Not Spent

	BG	Allotted	Obligated	Programmed	Under Project	Spent	Not Spent
2003	19	\$80,000	\$80,000			\$80,000	
2004	20	\$80,000	\$80,000			\$80,000	
2005	21	\$150,000	\$150,000			\$150,000	
2006	24	\$150,000	\$150,000		AIP 02 planning for new apt	\$150,000	\$0
				\$0			\$0
2007	28	\$150,000	\$38,760		AIP 02 planning for new apt	\$38,760	\$0
		-\$111,240		\$0	AIP 02 Dir 8/11 to Richland		\$0
2008, part 1	31	\$111,240	\$16,240		AIP 02 planning for new apt	\$16,240	\$0
		-\$95,000		\$0	to Iowa		\$0
2008, part 2	35	\$38,760					
		-\$38,760			8/11 assigned to Richland		\$0
2009, part 1	36	\$48,693					
		-\$48,693		\$0	to Iowa		\$0
2009, part 2	41	\$101,307					
		-\$101,307		\$0	to Iowa		\$0
2010**	49	\$150,000	\$75,000		AIP 02 planning for new apt	\$75,000	\$0
		-\$55,000		\$0	to Iowa		\$0
		-\$20,000		\$0	to Palmyra		\$0
2011	51	\$150,000					\$0
		-\$45,000			to Iowa		
		-\$105,000			to Palmyra		
2012	54	\$150,000	\$150,000	\$0	AIP 03 survey & obst removal & seal	\$0	\$150,000
	54	\$150,000	\$150,000	\$0	from Richland. AIP 03 survey & obst removal & seal	\$0	\$150,000
			-\$150,000		to Prairie du Chien (need to Directive 2012 out of AIP 03)		
2013		\$150,000		\$150,000			\$150,000
		\$150,000		\$150,000	expected from Iowa, agreement signed 9/28/12 (deferral of this repayment to 2017 requested 6/16)		\$150,000
			-\$150,000		to Prairie du Chien		
2014		\$150,000		\$150,000			\$150,000
		\$95,000		\$95,000	expected from Iowa, agreement signed 9/28/12		\$95,000
		\$55,000		\$55,000	expected from Iowa, agreement signed 5/29/13		\$55,000

2015		\$150,000		\$150,000			\$150,000
		\$45,000		\$45,000	expected from Iowa, agreement signed 5/29/13		\$45,000
		\$125,000		\$125,000	expected from Palmyra		\$125,000
		\$1,810,000	\$590,000	\$920,000		\$590,000	\$1,220,000
				\$1,510,000	=obligated + programmed		\$1,810,000

2019 \$150,000 back from Prairie du Chien
2020 \$150,000 back from Prairie du Chien

**needs to be obligated (put under Finding) by 9/30/13 & spent by 8/15/14
Richland to reimburse Portage with 2012 entitlements

8/11/11 mayor Portage signed doc assigning 111240 07 & 38760 08 ent to Richland, 7/11/11 mayor Richl signed doc assigning 150 2012 ent to Portage, Dave signed 8/26.

To be paid back by Iowa: \$95,000 2014 & \$150,000 2013

5/29/13 Iowa assigned \$55,000 of 2014 & \$45,000 of 2015 to Iowa Co.

5/29/13 Portage assigned \$55,000 of 2010 & \$45,000 of 2011 to Iowa Co.

9/3/14 \$125,000 Palmyra's 2015 Entitle to Portage

9/3/14 \$20,000 2010 (#49) & \$105,000 2011 Portage's to Palmyra

2/16 emd Wendy--could MRJ be deferred?

5/13/16 Portage assigned 2012 & 2013 to PdC. 5/16/17 PdC assigned 2019 & 2020 to Portage.

6/16 sent draft agreements to Portage & Iowa to revise Iowa's repayment (of Portage's 2009 \$150,000) from 2013 to 2017

Document Number

**ELECTRIC TRANSMISSION LINE EASEMENT
CERTIFICATE OF COMPENSATION
NOTICE OF RIGHT OF APPEAL**

The undersigned Grantor(s) **City of Portage (hereinafter called the "Landowner")**, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey and warrant unto **American Transmission Company LLC, a Wisconsin limited liability company, and its manager ATC Management Inc., a Wisconsin Corporation (hereinafter called the "Grantee")**, the Grantees successors, assigns, licensees and manager, the perpetual right and easement to construct, install, operate, maintain, repair, replace, rebuild, remove, relocate inspect and patrol electric transmission line facilities, including but not limited to wires, poles, guy lines, anchors, and associated appurtenances for the transmission of electric current, communication facilities and signals appurtenant thereto, upon, in, over and across lands owned by the Grantor(s) **in the City of Portage , County of Columbia, State of Wisconsin, described as follows:**

A part of the Grantors land located in All of Outlot 164 of the Assessors Subdivision of Lands to the city of Portage, recorded in Book 3, in Gov. Lot 6 in Section 12, T12N-R8E. Also part of Outlot 53 of the Assessors Subdivision of Lands, recorded in Book 3, in Gov. Lot 1, Section 6, T12N-R9E, Also Part of Lot 52 of Lake View Park Addition to the City of Portage, recorded in Vol. 4, Page 3, as Doc. No. 192737, in Gov. Lot 5, Section 6, T12N-R9E all in the City of Portage, Columbia County, Wisconsin.

The perpetual easement strip granted herein is described and shown on the Exhibit "B" attached hereto and made a part hereof.

The Grantee is also granted the associated necessary rights to:

- 1) Enter upon the perpetual easement strip for the purposes of exercising the rights conferred by this perpetual easement. 2) Have reasonable ingress and egress for personnel, equipment and vehicles to and from said perpetual easement area across the Landowner's property adjacent to the perpetual easement. 3) Construct, install, maintain, operate, repair, replace, rebuild, inspect, patrol and remove the above designated facilities and other appurtenances that the Grantee(s) deem(s) necessary. 4) Trim, cut down and remove any or all brush, trees and overhanging branches now or hereafter existing on said perpetual easement strip. 5) Cut down and remove such dead, dying, diseased, decayed, leaning trees or tree parts now or hereafter existing on the property of the Landowner located outside of said Perpetual Easement Strip that in Grantee's judgment, may interfere with Grantee's full use of the Perpetual Easement Strip for the purposes stated herein or that pose a threat to the safe and reliable operation of the Electric Transmission Facilities; together with the right, permission and authority to enter in a reasonable manner upon the property of the Landowner adjacent to said Perpetual Easement Strip for such purpose.
- 2) It is understood and agreed that the Landowner shall have the right to construct and maintain a viewing platform; said platform will be constructed within the southwesterly 60 feet of said above described easement strip as shown on exhibit "A". The height of any portion of said viewing platform shall not exceed 6 feet above the highest existing grade within said 60 feet. Landowner agrees not to enlarge or improve said structure or install any antennae or other appendages on said viewing platform within said easement strip which will cause Grantee's facilities to be in violation of any applicable laws and governmental regulations, including without limitation all laws, rules and regulations such as O.S.H.A. dealing with safe work practices and the operation of equipment near electrical lines and equipment, and the provisions of the Wisconsin State Electrical Code and any amendments thereto, or perform any work on said viewing platform other than normal maintenance of said structure within said described strip of land. It is understood and agreed, however, that the Landowner has the right to repair the existing structure within its present boundaries in said strip of land, in the event of destruction, damage or deterioration.

The Grantee shall pay a reasonable sum for all damages to property, crops, fences, livestock, lawns, roads, fields and field tile (other than trees trimmed or cut down and removed), caused by the construction, maintenance, replacement or removal of said facilities.

The Grantee shall not have the right to erect any fence or building on such land other than the above designated facilities and associated appurtenances and the right is hereby expressly reserved to the Landowner(s), the heirs, successors and assigns of every use and enjoyment of said land not inconsistent with the construction, installation, maintenance, operation, repair, replacement, rebuilding, inspection and removal of such structures, wires and associated appurtenances.

Landowner, for itself, its successors and assigns, agrees that it will not locate any dwelling or mobile home intended for residential occupancy within the limits of the perpetual easement strip. Landowner, for itself, its successors and assigns, further agrees that within the limits of the

Record this document with the Register of Deeds

Name and Return Address:

**Steigerwaldt Land Services
Attn: Real Estate Department
856 N. 4th Street
Tomahawk, WI 54487**

Parcel Identification Number(s)
11271-2064 11271-2747
11271-2547

perpetual easement strip it will not construct, install or erect any structures or fixtures, including but not limited to swimming pools, construct any non-residential type buildings or store any inflammable goods or products, plant trees or shrubs, place water, sewer or drainage facilities, or change the grade more than one (1) foot without first securing the prior written consent of the Grantee.

This agreement is binding upon the heirs, successors and assigns of the parties hereto, and shall run with the lands described herein.

The parties hereto do hereby agree to the terms and conditions set forth in Exhibits "B" and "C", attached hereto and incorporated herein.

As provided by PSC 113, the landowner(s) shall have a minimum period of five days to examine materials approved or provided by the Public Service Commission of Wisconsin describing the landowner's rights and options in the easement negotiating process. The landowner(s) hereby voluntarily waives the five-day review period, or acknowledges that they have had at least five days to review such materials.

Landowner warrants and represents that Landowner has good title to the property described herein, free and clear from all liens and encumbrances, except: None

WITNESS the signature(s) of the Landowner this _____ day of _____, 2015,

Signature (SEAL) Signature (SEAL)

Printed Name Printed Name

Signature (SEAL) Signature (SEAL)

Printed Name Printed Name

ACKNOWLEDGEMENT

STATE OF WISCONSIN)
COUNTY OF) ss

Personally came before me this _____ day of _____, 2015, _____, and _____ of the above named City of Portage known to be the person(s) who executed the foregoing instrument and to me known to be such _____ and _____ of said entity, and acknowledged that they executed the foregoing instrument as such officer(s), as the deed of said entity, by its authority.

Signature of Notary

Printed Name of Notary

Notary Public, State of Wisconsin

My Commission Expires (Is) _____

This instrument drafted by Carol Ahles and reviewed by Haakon Hagemeister on behalf of American Transmission Company, PO Box 47, Waukesha, Wisconsin 53187-0047.

DRAFT

EXHIBIT "C"

CERTIFICATE OF COMPENSATION

SECTION 32.06 (2A) WISCONSIN STATS.

DATED THIS _____ DAY OF _____, 2015

Pursuant to Section 32.06(2a) notice is hereby given of the acquisition of a certain perpetual easement attached hereto and made a part hereof by this reference. The names of all persons or parties having an interest of record in the property affected by such perpetual easement immediately prior to the acquisition of the easement are the following:

Landowner(s): City of Portage

Mortgagee(s): None

Land Contract Vendor(s): None

Others: None

Such perpetual easement grants unto Grantee, its successors and assigns, licensees and manager the right, permission and authority to construct, install, operate, maintain, repair, replace, rebuild, remove, relocate, inspect and patrol electric transmission line facilities for the purpose of transmitting electric energy, communications and signals upon, in, over and across the perpetual easement strip as described on the instrument to which this exhibit is attached.

The total consideration paid for such easement was \$ _____.

NOTICE OF RIGHT OF APPEAL

In accordance with Section 32.06 (2a) Wisconsin Stats., any of the above named persons or parties shall have six (6) months from the date of the recording of this certificate to appeal the amount of compensation herein stated by filing a petition with the Judge of the Circuit Court of Columbia County, Wisconsin, who shall assign the matter to the Chairperson of the County Condemnation Commissioners for hearing under Sub. (8). Notification of such petition shall be made to all persons or parties having an interest of record in the above property, and the procedures prescribed under Subs. 9 (a) and (b), 10, 12 and Chs. 808 and 809 shall govern such appeals.

DRAFT



PAYMENT SUMMARY

ATC File Number: DHT-POR1780 Line Designation: Dam Heights to Portage Date: 6/3/2016

LANDOWNER INFORMATION:

OWNER: City of Portage

Address: 115 West Pleasant Street, Portage, WI 53901

Phone #: _____

P&P Sheet(s): Page 43, 44 of P&P Dated: 8/13/2015 Structure(s): _____

Legal Description: Part of Outlot 164 of the Assessors Subdivision of Lands of the city of Portage, recorded in Book 3, in Gov. Lot 6 in Section 12, T12N-R8E, Also part of Outlot 53 of the Assessors Subdivision of Lands, recorded in Book 3, in Gov. Lot 1, Section 6, T12N-R9E, Also part of Lot 52 of Lake View Park Addition to the City of Portage, recorded in Vol. 4, Page 3, as Doc. No. 192737, in Gov. Lot 5, Section 6, T12N-R9E, all in the City of Portage, Columbia County, Wisconsin.

Payment for Easement (Additional easement needed)	\$ <u>19,000.00</u>
Payment for Tree Removal (easement area and along Conant Street right-of-way)	\$ <u>6,000.00</u>
Payment for Loss of park shelter	\$ <u>10,000.00</u>
Payment for Loss of park use during construction	\$ <u>5,000.00</u>

Other Payments described below:

_____ \$ _____

_____ \$ _____

_____ \$ _____

Total Payments **\$ 40,000.00**

OR

Annual Payment (If Applicable) \$ N/A
(Easement Payment / 65 years)
(zoned or used for agricultural purposes and easement is for high voltage transmission line)

MEMORANDUM OF UNDERSTANDING
For Additional Services Provided by American Transmission Company in
Conjunction with Overhead Electric Transmission Line Easement Granted
By the City of Portage, WI

This Memorandum of Understanding (MOU) is made on this _____ day of June, 2016, by and between the CITY OF PORTAGE, a Wisconsin municipal corporation located in Columbia County, with its offices at 115 W. Pleasant Street, Portage, WI 53901 (the "City"); and American Transmission Company, LLC, a domestic limited liability company, with its offices located at 5303 Fen Oak Drive, Madison, WI 53718-8810("ATC"). Collectively these entities will be referred to as the "Parties".

The City and ATC shall execute an electric transmission line easement (Document No. _____, dated June _____, 2016 ("Easement") involving City owned parcels (No. 11271-2064, 11271-2547 & 11271-2747) as part of a construction project to rebuild the existing transmission line passing through Sunset Park. Specifically, the new easement will increase the current transmission line right-of-way (ROW) from 50' to 80', and the easement will also allow the city of Portage to construct a future viewing platform consistent with dimensions described in the new easement documents. Additional terms and conditions of the agreement between ATC and the city of Portage regarding this project are intended to be substantially addressed by this document. In addition to the compensation the City accepted for the easement, ATC agreed to provide several additional services that this MOU is intended to memorialize. All provisions and conditions in the easement shall remain unchanged by the execution of this MOU.

Specifically, ATC has agreed, in conjunction with their construction activities involving the installation of a replacement transmission line within the easement granted for Sunset Park (Parcel No. 11271-2064) to remove and dispose of the park shelter and concrete pad located adjacent to the easement area, remove an existing steel lattice tower structure and concrete pads and remove and dispose of the concrete pad located in the northwest corner of the park adjacent to the easement area (locations shown on Exhibit A). ATC will access the ROW during construction by using the existing gravel access road coming off Sunset Street north in to the park. At the end of that existing gravel road ATC will either construct a temporary wooden mat construction road the remainder of the way across the park to the ROW, or if the city of Portage requests ATC will extend the existing gravel road in a mutually agreeable location to connect to the ROW. If wooden mats are used, ATC will remove the mats after construction is complete and restore the area under the mats. If the gravel road is extended, ATC will leave the gravel road following construction and it will become the responsibility of the city of Portage.

Removal and disposal of the park shelter shall mean complete removals of both the steel structure and steel tower structure and proper disposal of said materials in an environmentally safe and responsible manner at ATC's sole responsibility. The concrete

pad for the steel tower structure and the concrete pad in the northwest corner shall be removed to a minimum depth of 6" and properly disposed of by ATC. Installation of access road shall mean excavation of native material and replacement with clean, crushed aggregate (excluding bituminous pavement) for a minimum depth of 8" and maximum width of 10' in a mutually agreed upon location. ATC shall be responsible for hauling and disposal of excavated material. The City, with reasonable notice and at its discretion, may accept excavated material for disposal. Any tree removal and/or trimming shall be conducted under the supervision of a certified arborist. ATC shall be responsible for restoration of all disturbed areas including replacement with topsoil and mulched grass seed upon project completion. for restoration of all disturbed areas.

This MOU shall terminate upon one of the following occurrences:

1. Upon ATC's completion of their construction and restoration activities within on City property (Parcel Nos. 11271-2064; 11271-2547 & 11271-2747);
2. On December 31, 2018 or another date of mutual acceptance.
3. By mutual agreement of both parties.

Accepted and approved this ____ day of _____, 2016

For the City:

For ATC:

Rick Dodd, Mayor

Marie A. Moe, Clerk

Jon Callaway

PROSPECT AVE

AREA 4
1,348 SQ.FT.
0.031 ACRES

AREA 3
1,493 SQ.FT.
0.034 ACRES

AREA 1
1,678 SQ.FT.
0.036 ACRES

DHT-POR1770_CITY OF PORTAGE

AREA 2
2,124 SQ.FT.
0.048 ACRES

VACATED
CARLETON STREET

PLEASANT ST

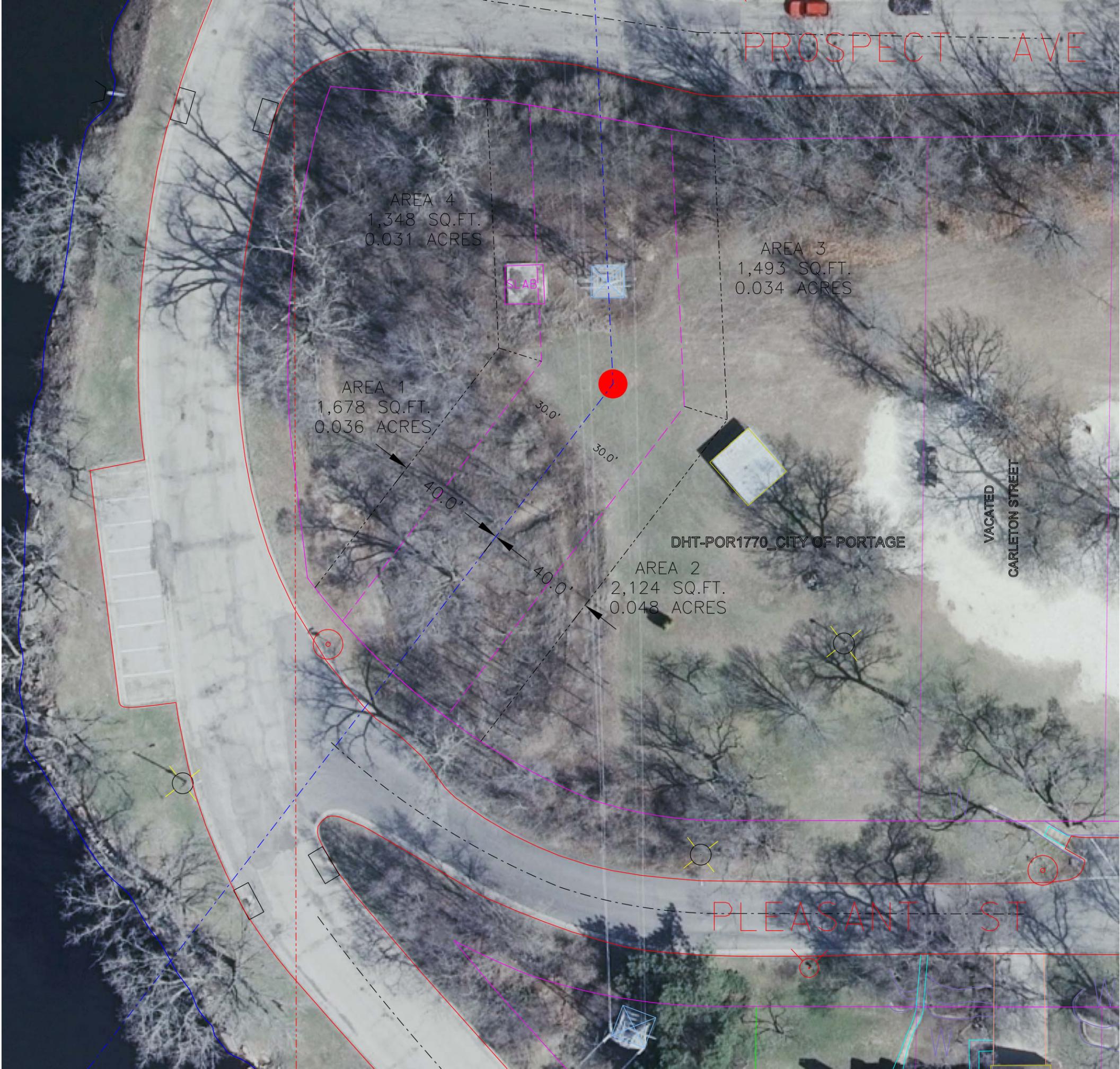
SLAB

30.0'

30.0'

40.0'

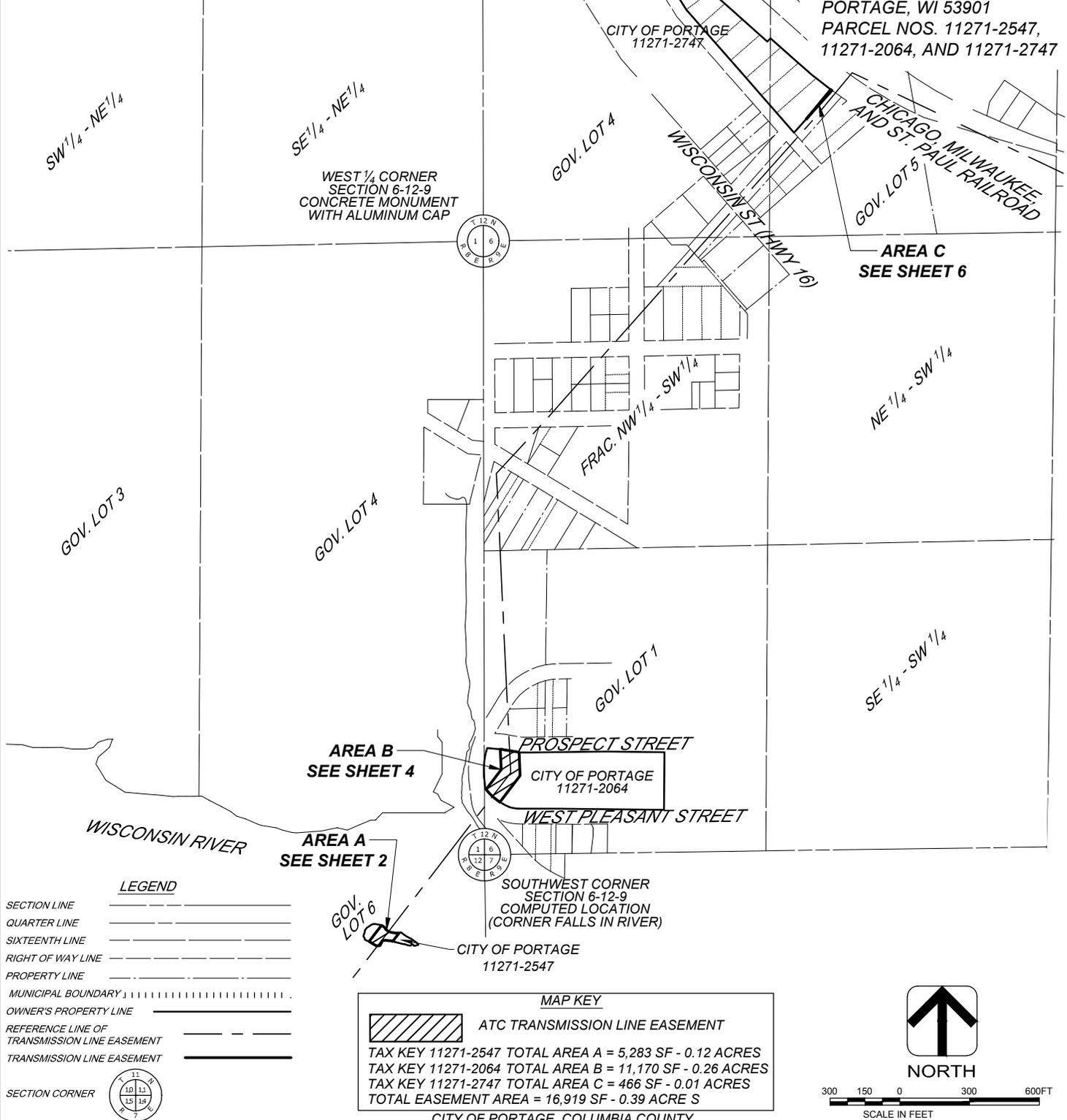
40.0'



EASEMENT DESCRIPTION MAP (EXHIBIT "B")

GRANTEE: AMERICAN TRANSMISSION COMPANY
 W234 N2000 RIDGEVIEW PARKWAY COURT
 WAUKESHA, WI 53188-1022

GRANTOR: CITY OF PORTAGE
 DHT-POR1780
 115 W PLEASANT STREET
 PORTAGE, WI 53901
 PARCEL NOS. 11271-2547,
 11271-2064, AND 11271-2747



CITY OF PORTAGE, COLUMBIA COUNTY



AYRES ASSOCIATES
 5201 EAST TERRACE DRIVE
 SUITE 200
 MADISON, WI 53718
 (608) 443-1200

NOTE: BEARINGS FOR THIS MAP ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) NAD83(2007). DISTANCES ARE GROUND.

Drawn: CRB / Ayres Associates
 Date: 10/02/2015
 Scale: 1" = 600'

THIS DOCUMENT IS FOR THE USE OF AMERICAN TRANSMISSION COMPANY. AMERICAN TRANSMISSION COMPANY DISCLAIMS ALL WARRANTIES BOTH EXPRESS AND IMPLIED. USE BY ANYONE OTHER THAN AMERICAN TRANSMISSION COMPANY IS AT THEIR OWN RISK.

REVISIONS

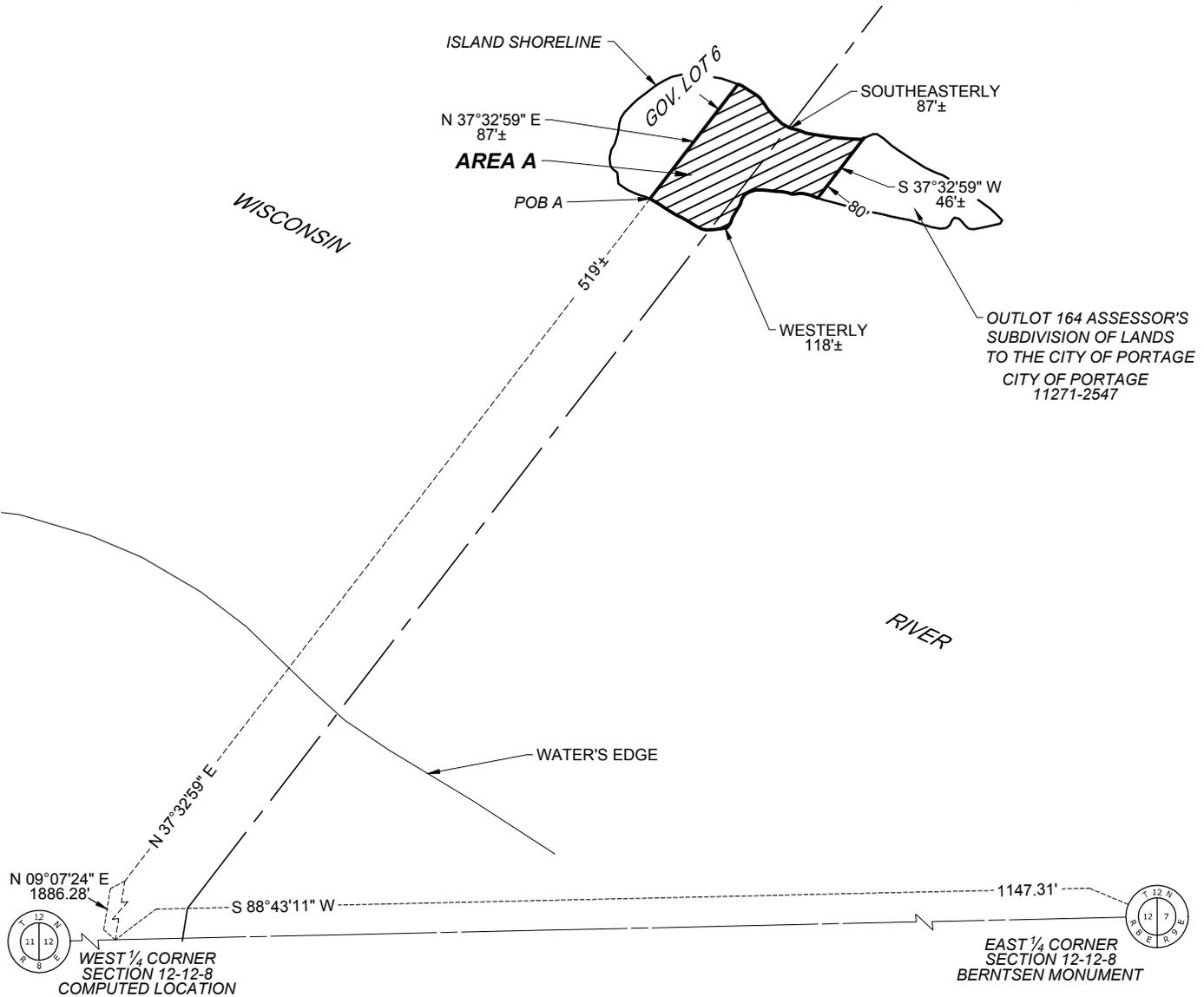
06/03/2016

SHEET NUMBER 1 OF 7

EASEMENT DESCRIPTION MAP (EXHIBIT "B")

GRANTEE: AMERICAN TRANSMISSION COMPANY
 W234 N2000 RIDGEVIEW PARKWAY COURT
 WAUKESHA, WI 53188-1022

GRANTOR: CITY OF PORTAGE
 DHT-POR1780
 115 W PLEASANT STREET
 PORTAGE, WI 53901
 PARCEL NO. 11271-2547



LEGEND

- SECTION LINE _____
- QUARTER LINE _____
- SIXTEENTH LINE _____
- RIGHT OF WAY LINE _____
- PROPERTY LINE _____
- MUNICIPAL BOUNDARY _____
- OWNER'S PROPERTY LINE _____
- REFERENCE LINE OF TRANSMISSION LINE EASEMENT _____
- TRANSMISSION LINE EASEMENT _____

MAP KEY

ATC TRANSMISSION LINE EASEMENT

TAX KEY 11271-2547 TOTAL AREA A = 5,283 SF± - 0.12 ACRES±

CITY OF PORTAGE, COLUMBIA COUNTY



NORTH



AYRES ASSOCIATES
 5201 EAST TERRACE DRIVE
 SUITE 200
 MADISON, WI 53718
 (608) 443-1200

NOTE: BEARINGS FOR THIS MAP ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) NAD83(2007). DISTANCES ARE GROUND.

Drawn: CRB / Ayres Associates
 Date: 10/02/2015
 Scale: 1" = 100'

THIS DOCUMENT IS FOR THE USE OF AMERICAN TRANSMISSION COMPANY. AMERICAN TRANSMISSION COMPANY DISCLAIMS ALL WARRANTIES BOTH EXPRESS AND IMPLIED. USE BY ANYONE OTHER THAN AMERICAN TRANSMISSION COMPANY IS AT THEIR OWN RISK.

REVISIONS

06/03/2016

SHEET NUMBER **2 OF 7**

EASEMENT DESCRIPTION MAP (EXHIBIT "B")

GRANTEE: AMERICAN TRANSMISSION COMPANY
 W234 N2000 RIDGEVIEW PARKWAY COURT
 WAUKESHA, WI 53188-1022

GRANTOR: CITY OF PORTAGE
 DHT-POR1780
 115 W PLEASANT STREET
 PORTAGE, WI 53901
 PARCEL NO. 11271-2547

TAX PARCEL 11271-2547 EASEMENT LEGAL DESCRIPTION - AREA A:

An 80 foot wide easement which crosses a part of the grantor's premises, being a part of Outlot 164 of the Assessor's Subdivision of Lands to the City of Portage, recorded in Book 3 of Miscellaneous Records on Page 32, being located in Government Lot 6 of Section 12, Township 12 North, Range 8 East, City of Portage, Columbia County, Wisconsin described as:

Commencing at the East one-quarter corner of said Section 12;
 thence, along the East-West Quarter line of said Section 12, South 88°43'11" West, 1147.31 feet;
 thence North 09°07'24" East, 1886.28 feet;
 thence North 37°32'59" East, 519 feet, more or less, to the **Point of Beginning** lying on the Southerly line of said Outlot 164, said Southerly line being the shoreline of an island in the Wisconsin River;
 thence, along the Northwesterly line of the easement herein described, North 37°32'59" East, 87 feet, more or less, to the Northerly line of said Outlot 164 and said shoreline;
 thence, along said Northerly line and shoreline, Southeasterly, 87 feet, more or less, to its intersection with a line lying 80 feet Southeasterly, as measured at right angles and parallel to said Northwesterly line;
 thence, along said parallel line, South 37°32'59" West, 46 feet, more or less, to aforesaid Southerly line and shoreline;
 thence, along said Southerly line and shoreline, in a general Westerly direction, 118 feet, more or less, to the to the **Point of Beginning**.

The described easement, as shown on Sheet 2 of 7 hereof, contains 5,283 square feet or 0.12 acres, more or less, and is subject to restrictions, reservations, rights-of-way and easements of record.

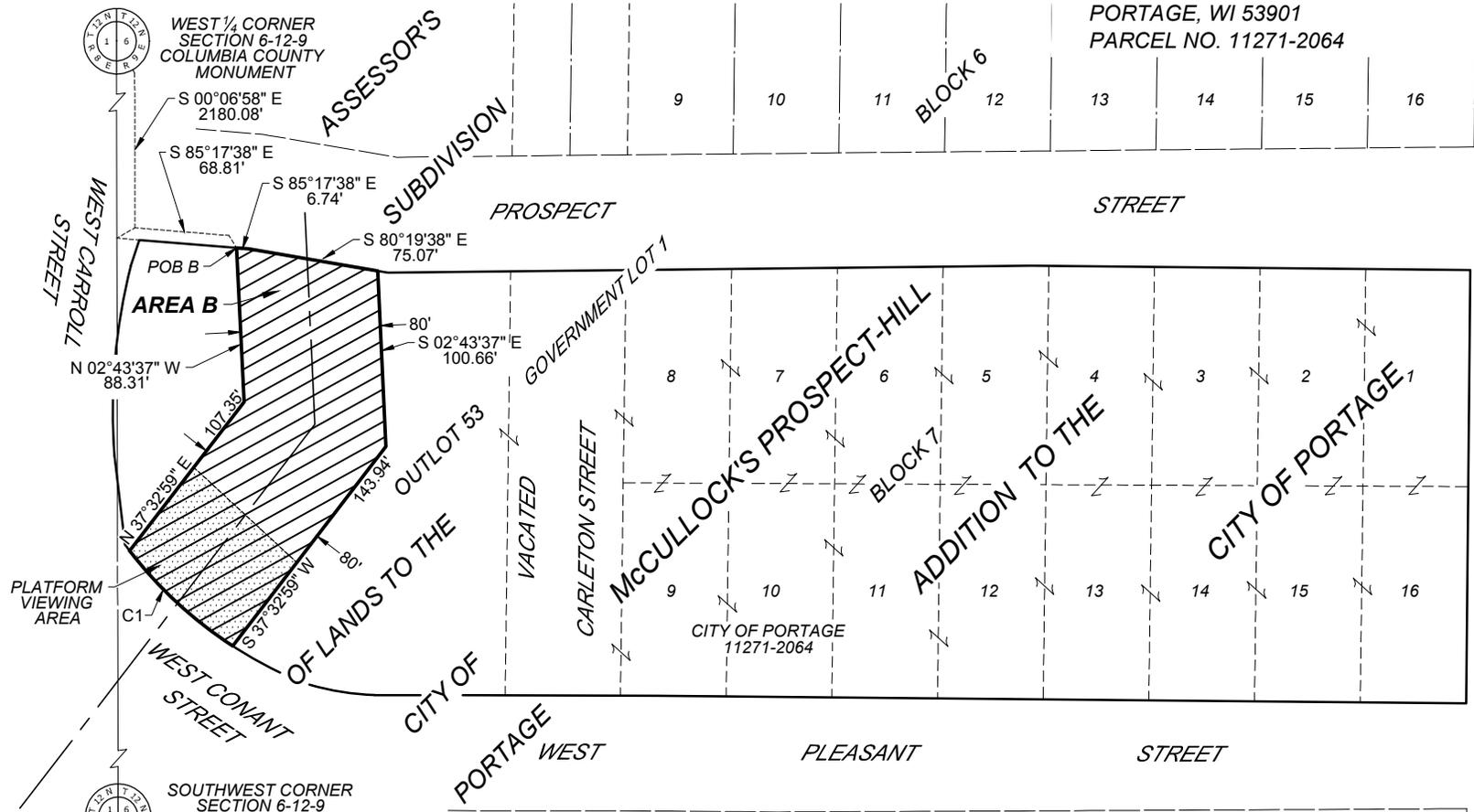
	<p>AYRES ASSOCIATES 5201 EAST TERRACE DRIVE SUITE 200 MADISON, WI 53718 (608) 443-1200</p>	<p>NOTE: BEARINGS FOR THIS MAP ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) NAD83(2007). DISTANCES ARE GROUND.</p>	Drawn: CRB / Ayres Associates
			Date: 10/02/2015
<p>THIS DOCUMENT IS FOR THE USE OF AMERICAN TRANSMISSION COMPANY. AMERICAN TRANSMISSION COMPANY DISCLAIMS ALL WARRANTIES BOTH EXPRESS AND IMPLIED. USE BY ANYONE OTHER THAN AMERICAN TRANSMISSION COMPANY IS AT THEIR OWN RISK.</p>	<p>REVISIONS</p>	06/03/2016	Scale: NA
			SHEET NUMBER 3 OF 7

EASEMENT DESCRIPTION MAP (EXHIBIT "B")

GRANTEE: AMERICAN TRANSMISSION COMPANY
 W234 N2000 RIDGEVIEW PARKWAY COURT
 WAUKESHA, WI 53188-1022

GRANTOR: CITY OF PORTAGE
 DHT-POR1780
 115 W PLEASANT STREET
 PORTAGE, WI 53901
 PARCEL NO. 11271-2064

THIS DOCUMENT IS FOR THE USE OF AMERICAN TRANSMISSION COMPANY.
 AMERICAN TRANSMISSION COMPANY DISCLAIMS ALL WARRANTIES
 BOTH EXPRESS AND IMPLIED. USE BY ANYONE OTHER THAN
 AMERICAN TRANSMISSION COMPANY IS AT THEIR OWN RISK.



LEGEND

SECTION LINE _____

QUARTER LINE _____

SIXTEENTH LINE _____

RIGHT OF WAY LINE _____

PROPERTY LINE _____

MUNICIPAL BOUNDARY _____

OWNER'S PROPERTY LINE _____

REFERENCE LINE OF TRANSMISSION LINE EASEMENT _____

TRANSMISSION LINE EASEMENT _____

SECTION CORNER

Curve Table

Name	Radius Length	Arc Length	Chord Length	Chord Bearing	Delta
C1	239.00'	80.71'	80.33'	N 47°15'58" W	19°20'52" RT

MAP KEY

PLATFORM VIEWING AREA

ATC TRANSMISSION LINE EASEMENT

TAX KEY 11271-2064 TOTAL AREA B = 17,815 SF - 0.41 ACRES

CITY OF PORTAGE, COLUMBIA COUNTY

NORTH

Scale in feet: 0, 25, 50, 100

AYRES ASSOCIATES
 5201 EAST TERRACE DRIVE
 SUITE 200
 MADISON, WI 53718
 (608) 443-1200

REVISIONS

NOTE: BEARINGS FOR THIS MAP ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) NAD83(2007). DISTANCES ARE GROUND.

06/03/2016

Drawn: CRB / Ayres Associates

Date: 10/02/2015

Scale: 1" = 100'

SHEET NUMBER 4 OF 7

EASEMENT DESCRIPTION MAP (EXHIBIT "B")

GRANTEE: AMERICAN TRANSMISSION COMPANY
 W234 N2000 RIDGEVIEW PARKWAY COURT
 WAUKESHA, WI 53188-1022

GRANTOR: CITY OF PORTAGE
 DHT-POR1780
 115 W PLEASANT STREET
 PORTAGE, WI 53901
 PARCEL NO. 11271-2064

TAX PARCEL 11271-2064 EASEMENT LEGAL DESCRIPTION - AREA B:

An 80 foot wide easement which crosses a part of the grantor's premises, being a part of Outlot 53 of the Assessor's Subdivision of Lands to the City of Portage, recorded in Book 3 of Miscellaneous Records on Page 32, being located in Government Lot 1 of Section 6, Township 12 North, Range 9 East, City of Portage, Columbia County, Wisconsin described as:

Commencing at the West one-quarter corner of said Section 6;
 thence, along the West line of said Section 6, South 00°06'58" East, 2180.08 feet to the Westerly extension of the Northerly right of way line of Prospect Street;
 thence, along said Westerly extension and Northerly right of way line, South 85°17'38" East, 68.81 feet to the **Point of Beginning**;
 thence, continuing along said right of way line, South 85°17'38" East, 6.74 feet to an angle point in said right of way line;
 thence, continuing along said right of way line, South 80°19'38" East, 75.07 feet;
 thence South 02°43'37" East, 100.66 feet;
 thence South 37°32'59" West, 143.94 feet to the Northeasterly right of way line of West Conant Street and the beginning of a non-tangent curve, being concave Northeasterly, having a radius of 239.00 feet and a chord which bears North 47°15'58" West, 80.33 feet;
 thence, along said Northeasterly right of way line, Northwesterly, 80.71 feet along the arc of said curve through a central angle of 19°20'52";
 thence North 37°32'59" East, 107.35 feet;
 thence North 02°43'37" West, 88.31 feet to the **Point of Beginning**.

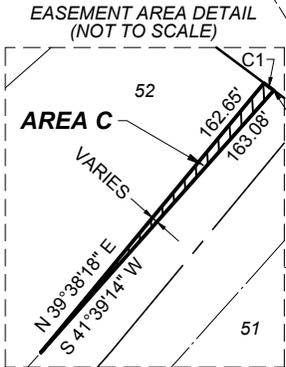
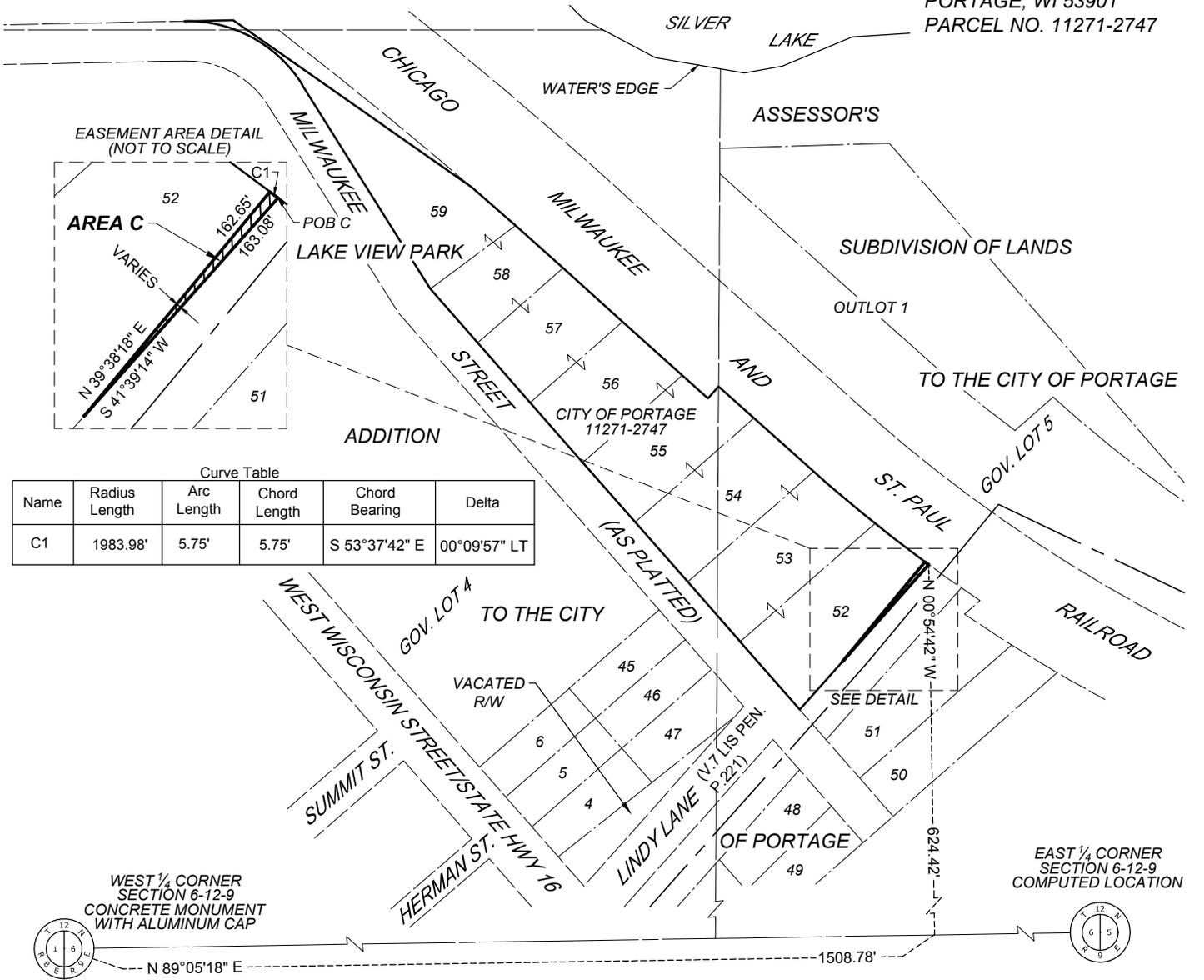
The described easement, as shown on Sheet 4 of 7 hereof, contains 17,815 square feet or 0.41 acres, more or less, and is subject to restrictions, reservations, rights-of-way and easements of record.

	<p>AYRES ASSOCIATES 5201 EAST TERRACE DRIVE SUITE 200 MADISON, WI 53718 (608) 443-1200</p>	<p>NOTE: BEARINGS FOR THIS MAP ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) NAD83(2007). DISTANCES ARE GROUND.</p>	Drawn: CRB / Ayres Associates
			Date: 10/02/2015
<p>THIS DOCUMENT IS FOR THE USE OF AMERICAN TRANSMISSION COMPANY. AMERICAN TRANSMISSION COMPANY DISCLAIMS ALL WARRANTIES BOTH EXPRESS AND IMPLIED. USE BY ANYONE OTHER THAN AMERICAN TRANSMISSION COMPANY IS AT THEIR OWN RISK.</p>	<p>REVISIONS</p>	06/03/2016	Scale: NA
			SHEET NUMBER 5 OF 7

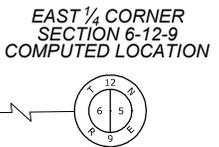
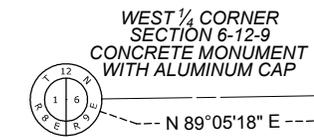
EASEMENT DESCRIPTION MAP (EXHIBIT "B")

GRANTEE: AMERICAN TRANSMISSION COMPANY
 W234 N2000 RIDGEVIEW PARKWAY COURT
 WAUKESHA, WI 53188-1022

GRANTOR: CITY OF PORTAGE
 DHT-POR1780
 115 W PLEASANT STREET
 PORTAGE, WI 53901
 PARCEL NO. 11271-2747



Curve Table					
Name	Radius Length	Arc Length	Chord Length	Chord Bearing	Delta
C1	1983.98'	5.75'	5.75'	S 53°37'42" E	00°09'57" LT



- LEGEND**
- SECTION LINE _____
 - QUARTER LINE _____
 - SIXTEENTH LINE _____
 - RIGHT OF WAY LINE _____
 - PROPERTY LINE _____
 - MUNICIPAL BOUNDARY _____
 - OWNER'S PROPERTY LINE _____
 - REFERENCE LINE OF TRANSMISSION LINE EASEMENT _____
 - TRANSMISSION LINE EASEMENT _____
- SECTION CORNER

MAP KEY

ATC TRANSMISSION LINE EASEMENT

TAX KEY 11271-2747 TOTAL AREA C = 466 SF - 0.01 ACRES

CITY OF PORTAGE, COLUMBIA COUNTY

NORTH

100 50 0 100 200FT

SCALE IN FEET

AYRES ASSOCIATES
 5201 EAST TERRACE DRIVE
 SUITE 200
 MADISON, WI 53718
 (608) 443-1200

NOTE: BEARINGS FOR THIS MAP ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) NAD83(2007). DISTANCES ARE GROUND.

Drawn: CRB / Ayres Associates
 Date: 10/02/2015
 Scale: 1" = 200'

THIS DOCUMENT IS FOR THE USE OF AMERICAN TRANSMISSION COMPANY. AMERICAN TRANSMISSION COMPANY DISCLAIMS ALL WARRANTIES BOTH EXPRESS AND IMPLIED. USE BY ANYONE OTHER THAN AMERICAN TRANSMISSION COMPANY IS AT THEIR OWN RISK.

REVISIONS

06/03/2016

SHEET NUMBER **6 OF 7**

EASEMENT DESCRIPTION MAP (EXHIBIT "B")

GRANTEE: AMERICAN TRANSMISSION COMPANY
 W234 N2000 RIDGEVIEW PARKWAY COURT
 WAUKESHA, WI 53188-1022

GRANTOR: CITY OF PORTAGE
 DHT-POR1780
 115 W PLEASANT STREET
 PORTAGE, WI 53901
 PARCEL NO. 11271-2747

TAX PARCEL 11271-2747 EASEMENT LEGAL DESCRIPTION - AREA C:

A variable width easement which crosses a part of the grantor's premises, being a part of Lot 52 of the plat of Lake View Park Addition to the City of Portage, recorded in Volume 4 of Plats on Page 3 as Document Number 192737, being located in Government Lot 5 of Section 6, Township 12 North, Range 9 East, City of Portage, Columbia County, Wisconsin described as:

Commencing at the West one-quarter corner of said Section 6;
 thence, along the East-West Quarter line of said Section 6, North 89°05'18" East, 1508.78 feet;
 thence North 00°54'42" West, 624.42 feet to the **Point of Beginning**, being the Northeasterly corner of said Lot 52 lying on the Southwesterly right of way line of the Chicago, Milwaukee, and St. Paul Railroad;
 thence, along the Southeasterly line of said Lot 52, South 41°39'14" West, 163.08 feet;
 thence North 39°38'18" East, 162.65 feet to said Southwesterly right of way line and the beginning of a non-tangent curve, being concave Northeasterly, having a radius of 1983.98 feet and a chord which bears South 53°37'42" East, 5.75 feet;
 thence, along said Southwesterly right of way line, Southeasterly, 5.75 feet along the arc of said curve through a central angle of 00°09'57" to the **Point of Beginning**.

The described easement, as shown on Sheet 6 of 7 hereof, contains 466 square feet or 0.01 acres, more or less, and is subject to restrictions, reservations, rights-of-way and easements of record.

	AYRES ASSOCIATES 5201 EAST TERRACE DRIVE SUITE 200 MADISON, WI 53718 (608) 443-1200	NOTE: BEARINGS FOR THIS MAP ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) NAD83(2007). DISTANCES ARE GROUND.		Drawn: CRB / Ayres Associates
				Date: 10/02/2015
				Scale: NA
THIS DOCUMENT IS FOR THE USE OF AMERICAN TRANSMISSION COMPANY. AMERICAN TRANSMISSION COMPANY DISCLAIMS ALL WARRANTIES BOTH EXPRESS AND IMPLIED. USE BY ANYONE OTHER THAN AMERICAN TRANSMISSION COMPANY IS AT THEIR OWN RISK.		REVISIONS	06/03/2016	SHEET NUMBER 7 OF 7

**CITY of PORTAGE
STREET FACADE IMPROVEMENT
LOAN PROGRAM GUIDELINES**

Street Facade Improvement Loan Fund Goals
Statement

To provide matching funding for the purposes of upgrading and improving the exterior front, side and rear facades of existing privately owned businesses for the purpose of creating attractive commercial business districts while enhancing the image of Portage. The funding for this program was made possible through the City of Portage and Chamber of Commerce's grant award in the America's Best Communities program, sponsored by Frontier Communications.

Purpose of the Loan Program

The Street Façade Improvement Loan Program is established to stimulate exterior building improvements that are completed in a timely manner within the context of. The intent of the program is to produce visible changes to the front, side or rear building facades, if visible from the public right-of-way. The Loan Program is intended to facilitate the completion of all exterior improvement projects possible, however, because of the limited matching loan funds, monies will be awarded only to projects that will be completed within one year of grant award. Loan program is reimbursable and funds cannot be used for projects already completed or started before loan award. Residential buildings are not eligible to receive funding from this program.

A. Matching Loan Fund Uses

1. Loans provided by this program are to be used for exterior rehabilitation to existing commercial buildings within B1, B2, B3 & B4 Business Zoning Districts, Portage Chamber of Commerce members located within City limits, and non-profit organizations operating a commercial enterprise in compliance with City requirements.
2. All improvements are to be approved by the Plan Commission or in cases of buildings on the Municipal Register, by the Historic Preservation Commission.
3. Eligible activities may include, but are not limited to exterior improvements, such as: painting, masonry/brick cleaning, awnings, materials, labor, entrance rehabilitations, window replacements, masonry rehabilitation/replacement, architectural assistance, exterior restoration and signs.
4. Ineligible activities include, but are not limited to: interior repairs/remodeling, additions, roof repairs, unpermitted repairs or non-code compliant activities.
5. Total matching loan amounts shall not exceed \$5,000.00. Minimum total eligible project cost must be \$3,000.00. All loans require a 20% matching cash contribution

from the property owner.

6. Only one application may be submitted for each façade. Property owners with multiple buildings are eligible for a maximum of 2 loans within a 3 year period. Either the property owner or the business tenant may apply. For buildings with multiple tenants, each tenant is eligible to apply. Property owner's written approval necessary for tenant application.
7. A building or façade need not be occupied at the time the application is submitted. Due to limited funds, priority consideration will be granted to occupied buildings.

B. Loan Application Process

1. Applications and Guidelines for the program are available at the Municipal Building and the Chamber of Commerce.
2. Completed facade improvement applications, design plans, cost estimates and construction schedules will be submitted to the City Hall for review by the Economic Development Revolving Loan Fund Committee. Applications shall include a business plan, proof of property insurance and credit report of business and/or owner(s).
3. The Plan Commission shall approve the design plans and construction estimates. Upon approval by the Plan Commission, the applicant shall enter into a re-payment agreement with the City for the matching funds received and secure the loan with a UCC Lien and personal guarantee on business property.
4. Any design applications and/or loan applications that are denied will receive a letter of explanation and may re-apply upon revising or amending the application.
5. Applicants must be property owners of buildings located within the B1, B2, B3 or B4 Zoning Districts (see attached map). Applicants will be approved on a first-come, first served basis to the extent that funds are available and shall sign an agreement pledging repayment of the loan.
6. Prior to receiving any matching loan funds, applicants shall be current on all financial obligations to the City of Portage, including, utility bills (sewer and water), real estate and personal property taxes, and any fees and fines that are outstanding.
7. All loan recipients shall comply with the loan guidelines. Any changes in the facade improvement subsequent to approval of plans must be resubmitted to the Plan Commission for approval. Changes not requiring approval shall include, modification of construction sequence or completion date by less than 60 days, change in construction/repair technique, changes in materials that will not result in appreciable difference in appearance or durability from original material.

8. Unapproved changes or deviations may result in forfeit and immediate repayment of loan.

C. Requirements for Obtaining and Repayment of Matching Fund Loans

1. Eligible project cost must be a minimum of \$3,000, with a 20% matching cash requirement. Maximum loan amount is \$5,000. Projects applicants must enter into a repayment agreement for all funds received and obtain proper permits prior to commencing work.
2. All loans shall have an interest rate of 2.0% and require monthly payments. Upon successful repayment of loan in compliance with all conditions, 50% of interest paid shall be refunded.
3. Payment terms and schedule of loans in the amount of \$5000 or less shall be based on the applicant's ability to pay and vary in term up to a maximum of 3 years with a minimum monthly payment of \$50.00 and the establishment of a UCC Lien to secure the loan.
4. All approved loan funds shall be disbursed by the City of Portage, subject to late payment fees as established by the City. All loan payments will be made to the, City via automatic debit/transfer. Payment due date will be determined by the Economic Development Revolving Loan Fund Committee.
6. Approved loan funds shall be disbursed on the following basis: 50% at time of loan approval and 50% upon completion of project. Projects must be completed within one year of obtaining building permit. Loan recipient shall repay all funds disbursed by the City if project is not completed in the 12 month period. Upon project completion, the property owner shall present the City valid lien waivers from all persons providing materials and/or performing work on property from which loan was sought.
7. Upon full re-payment of loan, 50% of accrued interest paid will be refunded to loan recipient. This interest refund will only apply to loan recipients who have fully repaid loan, on time, within the terms of the note agreement or to recipients who have paid off loan in advance of payment schedule. Anticipated refund cannot be used as any loan payment.
8. Only projects and expenses listed under Section D, "Eligible Improvement Expenditures", are eligible for matching loan funds. Businesses are eligible for a maximum of 1 loan every 3 years.
9. Outstanding balance of any loan issued shall be immediately paid in full upon sale or closure of business at current location or if loan is more than 60 days past due.

D. Eligible Improvement Expenditures

Facade Improvements: Painting, staining (including the surface preparation), exterior cleaning, exterior lighting, masonry/brick/stone repair or replacement, repair or replacement of cornices or other architectural detail, repair or replacement of windows, installation or replacement of trim, siding on front, side or rear of buildings that face public streets or parks, renovation of entrances.

Awnings: Removal and replacement of existing awnings, addition of new awnings.
Code Enforcement: Any work required to specifically meet City or State building or zoning code requirements.

Professional Design or Architectural Service: Any design or assistance provided by professional consultant for exterior facade improvements.

Signs: Replacement, repair or renovation of storefront signs in compliance with City Sign Code.

E. Ineligible Improvement Expenditures

The following expenditures are not eligible for use by funds received through the "Street Facade Improvement Loan Program".

Additions: Building additions, other than exterior finish materials, are ineligible projects for the loan program.

In-Kind Labor Costs: Any wages, salaries, and associated benefit costs of property owners, business owners/managers, their employees, agents, or relatives.

Interior Remodeling/Renovations: Any interior remodeling work, even if related to exterior improvements.

Roof Repairs: Any roof repair or replacements are ineligible except in cases where a new roof style is included with a facade restoration or replacement project.

Unapproved Facade Improvements: Any improvements which have not been reviewed or approved by the Plan Commission or Historic Preservation Commission.

Matching Funds for or Repayment of Other Loan/Grant Programs: Funds received from the Street Façade Improvement Loan Program may not be used to satisfy required matching funds for other loans and/or grants; nor may they be used to repay other loans and/or grants.

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF PORTAGE
AND
LOCAL 2775 OF THE INTERNATIONAL
ASSOCIATION OF FIREFIGHTERS, AFL-CIO
(5/25/2016)

1. Mike Hudgens ("Hudgens") is a full-time firefighter employed by the City of Portage ("City") and is a member of the Local 2775 IAFF bargaining unit ("the union"). Hudgens has scheduled and the City has approved Hudgens request for Family Medical Leave. Hudgens is currently scheduled to miss work from June 22, 2016 through November 22, 2016. Hudgens works a twenty-four hour shift scheduled "one day on/two days" off under Article VIII, Section 1 of the current collective bargaining agreement between the City and the union.
2. Craig Ratz ("Ratz") is a full-time firefighter employed by the City of Portage ("City") and is a member of the union. He currently works a forty hour per week Monday through Friday schedule pursuant to Article VIII, Section 1 of the current collective bargaining agreement between the City and the union.
3. In Hudgens absence, the City will move Ratz to Hudgens work schedule for the time that Hudgens is absent for work. During that time, Ratz will be paid the Engineer's rate of \$18.36 per hour pursuant to Article VI, §1 when he is working Hudgens shift. When Ratz is working hours other than Hudgens shift, he will be paid at time and one-half (1.5) the Inspector/Engineer's rate of \$25.66 per hour pursuant to Article VI, §1.
4. In order to transition Ratz from the forty hour work schedule to Hudgens work schedule, Ratz will work June 20 and 21, 2016 on regular 8 hour schedule. Beginning June 22, 2016 Ratz will switch over to 24 hour shift and overtime will be calculated as set forth in Article VIII, Section 2 of the current labor agreement between the City and the union.
5. Ratz will resume his forty hour work shift and normal pay period beginning November 21, 2016 or a mutually agreed upon date in which Hudgens returns to duty.
6. During his work on Hudgens' shifts, Ratz will accrue sick leave under Article IV at the rate of ten (10) hours per month earned sick leave while working 24 hour shifts, if no sick leave is taken by Ratz during this period. All unused sick leave shall remain in Ratz's sick leave accrual account. If Ratz uses sick leave during the period he is working for Hudgens, the City will recognize the accrual of twelve (12) hours per month for each shift in which sick leave is used, to a maximum of the number of months Ratz works for Hudgens.
7. As of June 22, 2016 Ratz's unused, accrued vacation balance will be converted to the equivalent of a 24 hour shift employee or 24 hours x 15 shifts less vacation leave used as of June 22, 2016 at the rate of 24 hours for each 8 hours used. During the period Ratz works Hudgens shift schedule, any vacation Ratz uses will be paid at the Engineer's rate for a 24

hour shift. Upon Ratz's return to his 40 hour work week, his unused, accrued vacation balance will be converted back to the equivalent of 8 hours x 25 days less vacation leave used at the rate of 8 hours for each day or shift used since anniversary date of hire. .

9. During the period Ratz is working Hudgens 24 hour shifts, Ratz shall receive Work Reduction Days per Article VIII, Section 2 at the rate of 14 hours for each month of shift work. All accrued Work Reduction Days shall be expended by 12/31/2016. During the same period that Ratz is working Hudgens 24 hour shifts; Hudgens will not accrue Work Reduction Day at the rate of 14 hours for each month of leave. Hudgens shall reimburse the City for all Work Reduction Days expended but not accrued per Article VIII, Section 2.
10. During the period of time that Ratz is working Hudgens shift, Ratz will receive holiday pay for any hours that he actually works on the recognized holiday under Article VII, Section at the Engineer rate of pay.
11. Should Hudgens absence be extended, the parties agree to meet to discuss the effects of such extension on Ratz's schedule and accrual of overtime and benefits.
12. This MOU shall be non-precedential with respect to interpretation or application of the current collective bargaining agreement or to establish a binding past practice on the part of either party.

This MOU shall be effective once signed by both parties and will remain in effect until Ratz returns to work in his regular forty hour per week shift or until modified by mutual agreement of both parties.

City of Portage
by

IAFF Local 2775
by

Shawn Murphy, Administrator

Date: _____

Date: _____

AMENDMENT TO INTERGOVERNMENTAL AGREEMENT

Pursuant to Paragraph VII "Subsequent Amendment" of the Intergovernmental Agreement between the City of Portage, Columbia County, and the Wisconsin Department of Natural Resources, executed on April 5, 2016, attached hereto as Exhibit "A" and incorporated herein verbatim by reference, the parties to this Intergovernmental Agreement hereby agree to amend said Intergovernmental Agreement by amending the following paragraphs; the new paragraphs are shown in bold text and the amended section reference is denoted by a lower case "a":

IN THE MATTER OF:

City of Portage, Columbia County, and Wisconsin Department of Natural Resources agreement pursuant to Wis. Stat. §66.0301(1)(a), for the purpose of remediating contaminated sediment in the Portage Canal authorized under Wis. Stat. § 281.83.

II. OBLIGATIONS OF THE PARTIES

A. The DNR

1. Agrees to reimburse the COUNTY and or CITY for remedial activities at the site based on the attached opinion of probable cost, an amount not to exceed \$568,073 or 65% of total project cost, whichever is less. In the event that bid costs exceed the opinion of probable cost by 5% (which is included in the not to exceed amount), an amendment to this Agreement will be necessary and follow Section VII. Once bids have been received and contractor(s) selected for dredging, a new post-dredging bid project total will be calculated. Changes to the post-dredging bid project total will follow Section IV.

II.A.1a. The DNR agrees to reimburse the COUNTY and or CITY for remedial activities at the site, an amount not to exceed \$568,073 or 65% of total project cost (which includes the design and oversight contract with Ramboll), whichever is less using the bonding authority under Wis. Stat. § 281.83. In addition, should disposing of the dredged sediment at a licensed solid waste disposal facility cause the City or County to exceed costs over the original estimate, as opposed to utilizing the area under the COUNTY parking lots as originally planned, DNR shall be the sole bearer of these costs up to \$100,000.

This Amendment to the Intergovernmental Agreement is consistent with the Modification of Work Section IV that requires an amendment when costs exceed the bid amount greater than \$60,000. The Amendment reauthorizes the original not to exceed amount for the bonding authority under Wis. Stat. § 281.83 and authorizes the environmental repair fund, should it be necessary, for additional costs due to landfill disposal. Debris removal is the cause of the change greater than \$60,000 and was time-critical to remove a significant amount of unforeseen volumes of cobbles greater than 6 to 12-inches. Debris removal is necessary in order to complete the remediation prior to interference to the County development project and avoid standby charges. Debris was expected based on site investigations, but the volume and prevalence was unknown.

II. OBLIGATIONS OF THE PARTIES

E. The DNR, CITY, and the COUNTY agree that the reimbursement process will operate as follows:

1. By the 1st of each month, the CITY and the COUNTY or the lead consultant for the Site will provide to the DNR Project Manager identified in section III, a request for payment for the previous month's site-eligible activities.

II.E.1.a. At the preconstruction site meeting on May 24, 2016, the parties agreed to a single reimbursement at the end of the project versus monthly billing.

II.E.3 The DNR Project Manager shall review the submittal within ten (10) working days, and either approve the submittal, deny the submittal, or request additional information.

II.E.3.a The DNR Project Manager shall review submittals from the City and County within ten (10) working days. However, the DNR project manager shall coordinate a project closeout meeting upon receipt of final project invoices. At the project closeout meeting DNR project manager shall provide an updated tabulation of all costs that are based on actual quantities, time, and materials and approve or deny the submittals or request additional information.

The reason for this Amendment to the Intergovernmental Agreement is because project costs are based on actual quantities for many items and there are several contractors working on the project. It may take some time to sort through all of the costs incurred and a project closeout meeting was thought to be an efficient way to resolve any discrepancies in billings.

IV. MODIFICATION OF WORK

D. In the event that the CITY, COUNTY, or the DNR determines that a significant modification to planned work is necessary, to accomplish the objectives of this Agreement, an amendment to this Agreement is required (even if the project total is less than the not to exceed amount set in Section II for the DNR). A significant modification is greater than \$60,000 for any party and is cumulative to the overall project cost irrespective of the number of modifications that are made.

IV.D.a. The CITY, COUNTY, and DNR agree that a significant modification is necessary to complete sediment removal as a result of large debris. The DNR agrees to reauthorize the not-to-exceed amount, as described in Amendment II.A.1a, as well as additional funds through the environmental repair fund.

The reason for this Amendment to the Intergovernmental Agreement is the same as described for Amendment II.A.1a.

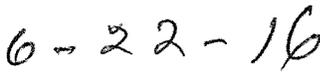
The parties, whose signature appears below, or on separate signature pages, hereby agree to the terms of this Amendment to the Intergovernmental Agreement dated April 5, 2016, as amended. Each person signing this Amendment to the Intergovernmental Agreement represents and warrants that he or she has been duly authorized by the WDNR or the City, as the case may be, to execute and legally bind the respective parties to the terms of this Amendment to the Intergovernmental Agreement.

**Intergovernmental Agreement Amendment 1: City of Portage; Columbia County;
and Wisconsin Department of Natural Resources.**

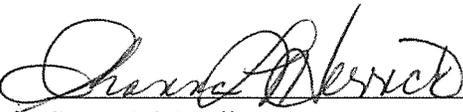
Columbia County



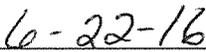
Vern E. Gove, Chairperson
County Board



Date



For: Susan M. Moll
County Clerk



Date

**Intergovernmental Agreement Amendment 1: City of Portage; Columbia County;
and Wisconsin Department of Natural Resources.**

City of Portage

Rick Dodd, Mayor

Date

Marie A. Moe, City Clerk

Date

Intergovernmental Agreement Amendment 1: City of Portage; Columbia County; and Wisconsin Department of Natural Resources.

Wisconsin Department of Natural Resources

Cathy Stepp, Secretary

Date

Effective Date of Amended Agreement

Exhibit A – April 5, 2016 Intergovernmental Agreement