

Common Council Proceedings  
City of Portage

Regular Meeting  
Council Chambers  
City Municipal Building

May 24, 2012  
7:00 PM

1. **Call to Order**  
Mayor Jahn called the meeting to order at 7:00 p.m.
  
2. **Roll Call**  
Present: Ald. Dodd, Garetson, Hamre, Havlovic, Klapper, Maass, Miller, Oszman  
  
Excused: Ald. Ebnetter  
  
Also Present: Mayor Jahn, Clerk Moe, Administrator Plaster, Attorney Spankowski  
  
Media Present: Craig Sauer from Portage Daily Register, Bill Welsh from Cable TV
  
3. **Pledge of Allegiance**  
The Pledge of Allegiance was said.
  
4. **Approval of Agenda**  
Deletions: Library Board Task Force Committee, Class B Combination License application for Zachary Ziegler, 316 DeWitt Street (Whiskey Business Bar & Grill) was withdrawn, Plan Commission
  
5. **Minutes of Previous Meetings**  
Motion by Klapper, second by Oszman to approve the minutes of the May 10, 2012 Common Council meeting. Motion carried unanimously on call of roll.
  
6. **Consent Agenda**  
Reports of Sub-Committees, Boards, and Commissions  
Police and Fire Commission meeting of May 2, 2012  
Library Board meeting of May 8, 2012  
Business Improvement District Board of Directors meeting of May 10, 2012  
Tourism Promotion Committee meeting of May 10, 2012  
Historic Preservation Commission meeting of May 15, 2012  
Park and Recreation Board meeting of May 15, 2012  
Airport Commission meeting of May 16, 2012

License Applications

Operator License application for period ending June 30, 2012 for Ronnie G. Wendt.

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

**7. Committee Reports**

Municipal Services and Utilities Committee meeting of May 3, 2012

Motion by Garetson, second by Klapper to approve the in-kind services request from Portage Area Chamber of Commerce for MDA Freedom Ride and Canal Days Encampment. Motion carried unanimously on call of roll.

Human Resources Committee meeting of May 7, 2012

Human Resources Committee meeting of May 9, 2012

Finance/Administration Committee meeting of May 7, 2012

Motion by Dodd, second by Klapper to approve the 2012 Federal Section 5311 Transit Capital Assistance contract. Motion carried 7 to 1 on call of roll with Maass abstaining.

Motion by Dodd, second by Klapper to approve the Amended 2009 Section 5311 Transit Capital Assistance contract. Motion carried 7 to 1 on call of roll with Maass abstaining.

Motion by Dodd, second by Klapper to approve the Kep Safe agreement. Motion carried unanimously on call of roll.

Motion by Dodd, second by Klapper to award Contract No. 12-004 Vbox Spreader Truck and Snow Plow to Lakeside in the amount of \$76,974.00. Motion carried 7 to 1 on call of roll with Maass abstaining.

Finance/Administration Committee meeting of May 14, 2012

Doug Wagner from Ehlers & Associates was present to explain the borrowing, which was structured to provide as much flexibility as possible. Existing debt will be refinanced.

Legislative and Regulatory Committee meeting of May 17, 2012

**8. Old Business**

Ordinance

Ordinance No. 12-003 relative to Snow Removal From Sidewalks. Motion by Oszman, second by Dodd to suspend the rules and have the third

reading of Ordinance No. 12-003 relative to Snow Removal From Sidewalks and have it read by title only. Motion carried 7 to 1 on call of roll with Maass voting no. Ordinance No. 12-003 relative to Snow Removal From Sidewalks received its third reading by title only and was passed unanimously on motion by Oszman, second by Maass and call of roll.

Discussion and possible action on the Portage Canal project and financing

Ald. Dodd stated that as Finance Chairperson, he wanted to know if the council wished to go ahead with the project. It was Ald. Maass' opinion that the canal is not the city's sole responsibility to clean up, but the state's as well. She was not in favor of continuing the canal project at this time, but instead work on other infrastructure projects that need to be done.

Ald. Oszman was in agreement that no further money should be put into the project until the DNR steps forward. He instead supports road and stormwater infrastructure projects,

Ald. Klapper was in support of continuing the project; and would like the council to listen to a presentation on the Fox Wisconsin Parkway on the canal being part of a national heritage area. He referenced the federal grant dollars that the city has received that would need to be returned if the project did not go forward. It was also Ald. Klapper's opinion that there is not a good understanding of what the costs of the project are.

Mayor Jahn agreed and stated that it was his opinion that the engineering needed to be done to know what the costs are. He stated that the canal is an important part of the city's stormwater system; but it was his opinion that the project was a want not a need; and that other road and infrastructure projects were needs that need to be addressed.

It was Ald. Hamre's opinion that basic services including roads need to be fixed, and this is not the time with the economy the way it is to put money into the canal.

Ald. Miller stated that when he went door-to-door, he questioned residents regarding the project and the feedback he received was not to support the project. It was his opinion that roads and stormwater projects were much more important at this time; and that someday he hope the canal project could take place.

**9. New Business**

Resolutions

Resolution No. 12-018 relative to Preliminary Resolution Declaring Intent to Exercise Special Assessment Powers Under Section 66.0703 of the Wisconsin Statutes (2012 Watermain and Sanitary Sewer Project) was

read and adopted unanimously on motion by Maass, second by Dodd and call of roll.

Resolution No. 12-019 relative to Preliminary Resolution Declaring Intent to Exercise Special Assessment Powers Under Section 66.0703 of the Wisconsin Statutes (Village Road Sidewalk Improvement Project) was read and adopted unanimously on motion by Klapper , second by Maass and call of roll.

Resolution No. 12-020 relative to Initial Resolution Authorizing \$500,000 General Obligation Bonds for Sewerage System Projects was read and adopted unanimously on motion by Miller, second by Dodd and call of roll.

Resolution No. 12-021 relative to Initial Resolution Authorizing \$1,400,000 General Obligation Bonds for Street Improvement Projects was read and adopted unanimously on motion by Maass, second by Dodd and call of roll.

Resolution No. 12-022 relative to Initial Resolution Authorizing \$815,000 General Obligation Bonds for Community Development Projects in Tax Incremental District No. 4 was read and adopted unanimously on motion by Maass, second by Dodd and call of roll.

Resolution No. 12-023 Initial Resolution Authorizing \$5,290,000 General Obligation Refunding Bonds was read and adopted unanimously on motion by Oszman, second by Dodd and call of roll.

Resolution No. 12-024 relative to Resolution Directing Publication of Notice to Electors was read and adopted unanimously on motion by Oszman, second by Dodd and call of roll.

Resolution No. 12-025 relative to Resolution Providing for the Sale of \$2,005,000 General Obligation Promissory Notes was read and adopted unanimously on motion by Dodd, second by Oszman and call of roll.

Resolution No. 12-026 relative to Resolution Providing for the Sale of \$5,680,000 General Obligation Corporate Purpose Bonds was read and adopted unanimously on motion by Maass, second by Dodd and call of roll.

Resolution No. 12-027 relative to Resolution Providing for the Sale of \$2,325,000 Taxable General Obligation Corporate Purpose Bonds was read and adopted unanimously on motion by Oszman, second by Maass and call of roll.

Resolution No. 12-028 relative to Part Time Police Officer Job Description was read and adopted 7 to 1 on motion by Oszman, second by Dodd and call of roll with Maass voting no.

Discussion and possible action on land transfer agreement with Portage School District for property for splash pad

Attorney Spankowski discussed the proposed Memorandum of Understanding received from the school. Revisions included to limit the term of the Memorandum to what was in the agreement with the parking lot at DeWitt and East Marion Streets, eliminate item 5 permitting school personnel to park in the parking lot at all times when school is in session, and a reversionary clause. Motion by Maass, second by Dodd to approve the Memorandum as revised. Motion carried unanimously on call of roll.

Discussion and possible action request from BPOE Portage Elks Lodge #675 for waiver of fencing requirement for Class B Temporary License for Daniel Thompson Memorial Tournament, June 1 – 3, 2012

Motion by Maass, second by Ozman to waive the requirement for a double fence. Motion carried 7 to 1 on call of roll with Dodd voting no.

Discussion and possible action on in-kind service request from BPOE Portage Elks for Daniel Thompson Memorial Tournament June 1 – 3, 2012

Motion by Maass, second by Oszman to approve use of city fencing and if needed, assist in installing the fence and to waive the fee for the use of the grounds. Motion carried unanimously on call of roll.

Discussion and possible action on request from Main Street Portage for waiver of fencing requirement for Class B Temporary License for Class B Temporary License for Canal Days, June 1 – 2, 2012 and waiver of noise ordinance to 11:00 p.m. June 1 – 2, 2012, and waiver of parade permit fee for Canal Days Parade

Motion by Maass, second by Havlovic to waive the requirement for a double fence, waive the noise ordinance and waive the parade permit fee as requested. Motion carried 6 to 2 on call of roll with Dodd and Oszman voting no.

Discussion and possible action on request from The Corner Pocket for a street use permit and barricades for 301 – 303 DeWitt Street, June 2, 2012

Motion by Oszman, second by Klapper to approve the street use permit and barricades for the parking stalls located on 301 and 303 DeWitt Street as requested. Motion carried 7 to 1 on call of roll with Maass voting no.

Closed Session

Motion by Oszman, second by Klapper to go into closed session pursuant to Wisconsin State Statutes 19.85(1)(e) regarding consideration and negotiating the sale of public property. Motion carried unanimously on call of roll at 9:27 p.m.

**10. Adjournment**

Motion by Dodd, second by Oszman to adjourn. Motion carried unanimously on call of roll at 9:45 p.m.

Marie A. Moe, WCPC, MMC  
City Clerk