

Common Council Proceedings  
City of Portage

Regular Meeting  
Council Chambers  
City Municipal Building

April 10, 2014  
7:00 p.m.

**1. Call to Order**

Mayor Tierney called the meeting to order at 7:05 p.m.

**2. Roll Call**

Present: Ald. Dodd, Ebnetter, Garetson, Hamre, Havlovic, Klapper,  
Maass, Miller, Oszman

Also Present: Mayor Tierney, City Clerk Moe, City Administrator Murphy,  
City Attorney Spankowski, Fire Chief Simonson, Manager of Parks and  
Recreation Kremer, Police Chief Manthey

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

**3. Pledge of Allegiance**

The Pledge of Allegiance was said.

**4. Approval of Agenda**

No changes.

**5. Minutes of Previous Meeting**

The email address appearing in the third paragraph of item 7 was deleted.  
Motion by Klapper, second by Oszman to approve the minutes of the  
March 27, 2014 Common Council meeting as corrected. Motion carried  
unanimously on call of roll with Maass abstaining.

**6. Consent Agenda**

Reports of Sub-Committees, Boards, and Commissions

Library Board meeting of March 11, 2014

Business Improvement District Board of Directors meeting of March 25,  
2014

Tourism Promotion Committee meeting of April 1, 2014

AdHoc Canal Committee meeting of March 25, 2014

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

License Applications

Operator application for Sandra M. Schmerling.

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

**7. Committee Reports**

Legislative and Regulatory Committee meetings of March 27, 2014 and April 2, 2014

Municipal Services and Utilities Committee meeting of April 3, 2014

Motion by Garetson, second by Miller to deny the request for a sewer credit for 302 E. Winnebago Street for January 2014. Motion carried unanimously on call of roll.

Finance/Administration Committee meeting of March 10, 2014

Motion by Dodd, second by Maass to approve claims in the amount of \$6,762,176.74. Motion carried unanimously on call of roll.

**8. Old Business**

Possible reconsideration of Resolution No. 14-014 relative to Proposing to Discontinue that Portion of Old Highway 33 Lying North of State Highway 33 and that Portion of Bronson Avenue Lying North of State Highway 33 in the City of Portage, Columbia County, Wisconsin, Pursuant to Wis. Stat. §66.1003

Mayor Tierney recognized Dave Bartelt, the petitioner for the discontinuance. Mr. Bartelt, 1701 East State Highway 33, explained his reasons for requesting the discontinuance. Because there is stop sign on the road, people think it's a public right of way and in turn use his property to park their vehicles and fish on the river. They also use his lawn furniture. By having the road discontinued, he could stop people from using his property. Mr. Bartelt has been working the past four years to get this issue resolved, spending a considerable amount of money. The property no longer belongs to the state; half belongs to him and half to the Colonial Dames. The Dames have waived their right to the road. Mr. Bartelt will maintain the road as he has in the past.

Motion by Klapper, second by Garetson to reconsider Resolution No. 14-014 relative to Proposing to Discontinue that Portion of Old Highway 33 Lying North of State Highway 33 and that Portion of Bronson Avenue Lying North of State Highway 33 in the City of Portage, Columbia County, Wisconsin, Pursuant to Wis. Stat. §66.1003. Motion carried unanimously on call of roll. Resolution No. 1014 relative to Proposing to Discontinue that Portion of Old Highway 33 Lying North of State Highway 33 and that Portion of Bronson Avenue Lying North of State Highway 33 in the City of Portage, Columbia County, Wisconsin, Pursuant to Wis. Stat. §66.1003 was read and adopted unanimously on motion by Oszman, second by Dodd and call of roll.

Discussion and possible recommendation on proposal to include skateboard park improvements to capital projects budget for 2015 – 2016  
Ald. Miller explained that he is proposing to include \$240,000.00 in the long term borrowing plan for capital expenditures so the skate park can be

bid out in 2015 with construction in 2016. The skate park would be the first priority, but a portion of those funds would be for completion of the projects at Goodyear Park, including rainwater ponds, concession stand, parking. Ald. Dodd stated that he does not support the proposal at this time, even though it would be a great addition, because of the numerous other infrastructure needs. Motion by Miller second by Oszman to include \$240,000.00 in the long term borrowing plan for capital expenditures so the skate park can be bid out in 2015 with construction scheduled for 2016. The monies are to be used toward the completion of projects in Goodyear Park, with the skate park being the first priority. The skate park will be bid out under the city's normal process. In response to the question, was this legal to commit a future council to the borrowing; City Attorney Spankowski explained that it would not be binding if approved. The funding would have to be approved during the normal budget process. Motion carried 7 to 2 with Dodd and Maass voting no.

## **9. New Business**

### Ordinances

Ordinance No. 14-010 relative to Zoning Tax Parcels 2490, 2492 and 2512.29 located east of Airport Road and north of Latton Lane and West Slifer Street, City of Portage, Columbia County, Wisconsin received its first and second readings.

Ordinance No. 14-011 relative to Licenses received its first and second readings. Sec. 14-59 (6) will be revised to include plastic bottles.

Ordinance No. 14-012 relative to Public Safety and Peace. Motion by Hamre, second by Oszman to suspend the rules and have Ordinance No. 14-012 relative to Public Safety and Peace read by title only. Motion carried 6 to 3 on call of roll with Klapper, Maass and Miller voting no. Ordinance No. 14-012 relative to Public Safety and Peace received its first and second readings by title only. City Administrator Murphy explained the proposed changes. Motion by Maass, second by Garetson to amend the time in Sec. 46-37(b)(5) from 7:00 p.m. to 9:00 p.m. Motion carried 7 to 2 on call of roll with Hamre and Oszman voting no.

### Resolutions

Resolution No. 14-018 relative to Permitted Areas for Bow Hunting and Fishing was read. Motion by Oszman, second by Miller to adopt Resolution No. 14-018 relative to Permitted Areas for Bow Hunting and Fishing. There was discussion regarding the areas proposed for bow fishing; safety concerns; enforcement. Motion failed 5 to 4 on call of roll with Dodd, Garetson, Havlovic, Klapper and Maass voting no.

### Resignations

Motion by Dodd, second by Garetson to accept the resignations of Todd Kreckman, Larry Messer and Kirk Konkol from the Park and Recreation Board. Motion carried unanimously on call of roll.

Motion by Dodd, second by Maass to accept the resignation of Douglas Varvil-Weld from the Library Board. Motion carried unanimously on call of roll.

Appointment

Motion by Dodd, second by Maass to approve the appointment of Brenda Blohm to the Library Board. Motion carried unanimously on call of roll.

Mayor's Comments

The Portage Pride group has help coordinate clean-ups in Collipp-Worden and Pauquette Parks for Earth Day on April 22nd.

Ald. Klapper informed the council that the informational signs on the Canal will be renovated.

Arbor Day is April 25th and the 8th graders will be planting trees in Sanborn and Sunset Parks.

The Business Improvement District Board and Downtown Portage, Inc. are working together. The Mercantile will soon have a new business, Artesian Foody.

Mayor Tierney was pleased to see that all aldermanic seats will be filled as a result of the election; but voiced disappointment with the voter turnout.

Reorganization of the council will be Tuesday, April 15th. Council orientation will be April 23<sup>rd</sup>.

City Administrator's Report

The city and county have been meeting monthly to discuss topics of mutual benefit. The city has also been meeting with the school district and area towns as well to increase communication and cooperation. Boundary agreements are being worked on with the surrounding towns.

The outgoing members of the council were thanked for their service.

**10. Adjournment**

Motion by Oszman, second by Hamre to adjourn. Motion carried unanimously on call of roll at 8:08 p.m.

Marie A. Moe, WCPC, MMC  
City Clerk