

Common Council Proceedings  
City of Portage

Regular Meeting  
Council Chambers  
City Municipal Building

June 11, 2015  
7:00 p.m.

**1. Call to Order**

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

**2. Roll Call**

Present: Ald. Charles, Hamburg, Klapper, Kutzke, Lynn, Maass, Montfort

Excused: Ald. Dodd and Havlovic

Also Present: Mayor Tierney, City Clerk Moe, City Administrator Murphy, City Attorney Spankowski, Police Chief Manthey, Director of Business Development and Planning Sobiek

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 from the May 28, 2015 meeting. Ald. Maass ~~explained that~~ **questioned or asked if** there was an error on the motion for the noise waiver for the Relay for Life Event. According to Maass, the waiver should have been to 11:00 p.m. on June 26, 2015, not 11:00 a.m. on June 27, 2015. There is a typo under the MATC lease agreement motion; the word "rill" should be "roll" in the sentence "Motion failed 5 to 2 on call..." Motion with the above listed changes carried unanimously on call of roll.

**6. Representative Considine – legislative issues, and questions and answers**

Representative Considine was present and updated the council on the status of the State budget. Financing the Milwaukee Bucks arena and funding transportation remain unresolved. Representative Considine told the council that he will continue to work to get funding for remediation for the Canal; re-introduce storm water utility legislation and legislation to allow wine walks.

**7. Administration of Oath to K-9**

Chaplain Goldsworthy addressed the council and audience prior to the swearing-in of the K-9, as did Police Chief Manthey. City Clerk Moe administered the Oath of Office to Ares with handler, Police Officer Neumann.

**8. Consent Agenda**

Reports of Sub-Committees, Boards, and Commissions

Business Improvement Board of Directors meeting of May 13, 2015

Airport Commission meeting of May 20, 2015

Board of Zoning Appeals meeting of June 1, 2015

Tourism Promotion Committee meeting of June 2, 2015

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

License Applications

Operator license applications for April L. Anderson, Melinda D. Anderson, Alonso Aranda, Jessica R. Asch, Matthew L. Asch, Kim M. Atkinson, Kevin R. Ballweg, Mackenzie L. Barney, Cheryl A. Barton, James D. Behnke, Kelly E. Bellmore, Daniel H. Bennett, John D. Bennett, Nancy A. Bigford, Thomas E. Blum, William C. Boehm, Steven J. Boelter, Nathan C. Booth, Jerry J. Braun, Michael D. Briggs, Thomas W. Brown, Eric A. Carpenter, Michael R. Clark, Rodney R. Curtis, Erin E. Daley, Laura J. Daley, John M. Dekeyrel, Elizabeth A. Douglas, Sherryl E. Douglas, Matthew D. Duvall, Pamela A. Eastman, Cory Erickson, Eric J. Erickson, David W. Eulberg, Brooke A. Fahey, Kristi L. Fehrman, Curtis J. Fennewald, Daniel P. Foss, Traci S. Gauden, Mary E. Gawronski, Tara L. Glendenning, Ronald M. Gorsuch, Jakop R. Gray, David C. Green, Carolyn M. Hamre, Theresa M. Hardt, Lydia Harvestine, Heather J. Hawley, Linda L. Heiskanen, Susan Henke, William P. Hornat, Sr, Kori K. Howell, Ron A. Hull, Jay S. Jackson, Shawn A. Jensen, Jenifer A. Johnson, Vickie L. Jones, W. Red J. Kastner, Kirpal Kaur, Kristal K. Kleiman, Sandra D. Knight Howley, Julie L. Koch, Scott T. Koch, Donna M. Kral, Nicole R. Krintz, Amanda L. Krueger, Theodore J. Kuse, Jeanne C. Lauth, Deidre C. Laverenz, Keana J. Lentz, Tiffany C. Lythjohan, Manoucher Madani, Eric S. Madsen, Gregory J. Maney, Jodi M. Manthey, Dency O. Mcfaul, Shawn M. Meyers, Lori A. Michalski, Amanda L. Mohr, Julianne D. Mootz, Pamela S. Murphy, Lisa M. Nelson, Harley P. O'briion, Jessica K. Okan, Lori J. Olson, Mark R. Otto, Merell W. Paske, Amber M. Pederson, James K. Petzke, Thomas S. Pinion, Brandon T. Raimer, Brian L. Raimer, Diana L. Reichhoff, Barbara E. Rogers, Mary L. Rusch, Margaret A. Russell, Aaron M. Schaefer, Daniel D. Schelvan, Christine C. Schmidt, Rachel D. Schmidt, Trisia D. Schmidtke, Mark A. Schroeder,

Wendy L. Seely, Russell A. Shaw, Wendy A. Simonson, Michael W. Sletten, Eric P. Smith, Tammy L. Smith, Kelley A. Stanley, Jamie L. Staveness, Marlene J. Steele, Laura A. Stekelberg, Chadwick D. Stensrud, Shad M. Strand, Janet E. Sutfin, Joanne P. Sweeney, Joseph F. Sweeney, Julie E. Sweeney, Rolanda J. Tadmán, Emelia L. Tollison, Roberta L. Tollison, Mary F. Traino, Danniele R. Tuttle, Gordon L. Ulferts, Patricia A. Van Houten, Teresa H. Vitale, Jamie L. Voigtlander, Victoria A. Voiss, Kaitlin R. West, Chad J. Wilcox, Karen M. Williams, Richard E. Ziemke.

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

Taxi Cab Operator license applications for Tammy S. Albright, Lori L. Allen, Esther M. Atkinson, Patrick A. Barker, John R. Coffman, Keith L. Elliot, Richard N. Ferguson, Robert J. Finzel, Shelly J. Greene, Cynthia M. Kenas, Paul A. Kenas, Matthew D. Marchand, Lonnie R. Martinez, Kari S. Moore, Lori A. Myhre, Adele M. Ohlin, David L. Rader, Shelvy J. Ritter, Lauren C. Rogge, Thomas R. Schneller, Daniel L. Schultz, Mary K. Schultz, Kimberly A. Sikorski, Larry L. Simonson, Ronald L. Swanson, Rocco J. Sylvester, Jill A. Tank, Becki L. Tomlinson, James A. Yonkie.

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

## **9. Committee Reports**

### Legislative and Regulatory Committee meeting of June 1, 2015

Motion by Maass, second by Monfort to approve a taxi cab license for Richard Running (Running Inc. dba Portage Cab). Motion carried unanimously on call of roll.

Motion by Maass, second by Hamburg to approve alcohol license application renewals as follows:

#### Class B Combination Licenses

205 Vino LLC, 205 DeWitt Street, Jessica Asch, Agent (205 Vino)  
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, Myron T.  
Shannon Jr, 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, Jeremy Duffy, Agent (Cleary Krech VFW Post  
1707)  
Cottonwood Bar & Grill Inc, 312 DeWitt Street, Randal Leigh Heinzl,  
Agent (Cottonwood Bar & Grill Inc.)  
Dewitt's End LLC, 1101 DeWitt Street, Ronald Spangler, Agent (Dewitt's  
End)  
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)  
Knights of Columbus, 918 Silver Lake Drive, Darrell Parker, Agent  
(Knights of Columbus)  
La Tolteca Fuentes, Inc., 2653 New Pinery Rd, Reyes Aranda, Agent (La  
Tolteca)  
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)  
The Ball Room LLC, 112 East Cook Street, Mike Ganz, Agent (The Ball  
Room)  
Threadz Fashion LLC, 214 West Wisconsin Street, Jake Stolte, Agent  
(Liquid)  
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  
Golden Cup 2 Cafe, LLC, 2812 New Pinery Road, Arif Topalovski, Agent  
(Golden Cup 2 Cafe)  
Amend, Paula M., 100 East Cook Street, Amend, Paula M., (Paula's  
Place)  
Peng, Huan Qing, 238 West Cook Street, (Cathay Garden)  
Pizza Hut of Southern Wisconsin, Inc., 401 East Wisconsin Street, Jon W.

Kreklow, Agent (Pizza Hut)  
PR Partners LLC, 2905 New Pinery Road, Sheryl L. Firari, Agent (Pizza Ranch)

Class C Wine Licenses

Golden Cup 2 Cafe, LLC, 2812 New Pinery Road, Arif Topalovski, Agent (Golden Cup 2 Cafe)

Peng, Huan Qing, 238 West Cook Street, (Cathay Garden)

Pizza Hut of Southern Wisconsin, Inc., 401 East Wisconsin Street, Jon W. Kreklow, Agent (Pizza Hut)

PR Partners LLC, 2905 New Pinery Road, Sheryl L. Firari, Agent (Pizza Ranch)

Class A Combination Licenses

Crawford Oil Co. Inc., 2211 West Wisconsin Street, Steven Douglas 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 Care)

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

Class A Fermented Malt Beverage Licenses

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

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

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

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

Motion carried unanimously on call of roll.

Motion by Maass, second by Monfort to approve a Class B Combination License for Jon Krueger, 223 Oneida Street (The Friendly Tavern).

Motion carried unanimously on call of roll.

Motion by Maass, second by Hamburg to deny an operator license for Garret D. Thiede based on a current warrant for his arrest for contempt of court/failure to appear for child support. It was Ald. Lynn's opinion that by not granting the license it adds to Mr. Thiede's inability to pay off his child support. Ald. Hamburg commented that Mr. Thiede failed to appear in court and to respond to the telephone message from Police Chief Manthey. Ald. Maass commented that Mr. Thiede has not taken the initiative to resolve the issue. Motion carried unanimously on call of roll.

Municipal Services and Utilities Committee meeting of June 4, 2015

Motion by Klapper, second by Lynn to approve an agreement with General Engineering Company for the East Haertel Street Environmental Monitoring in an amount not to exceed \$3,400.00. Motion carried unanimously on call of roll.

Motion by Klapper, second by Hamburg to award the contract for the 2015 Sidewalk Improvement Project to Van's Construction, Inc. in the amount of \$66,566.00. Motion carried unanimously on call of roll.

There was discussion regarding ATC relocating poles and eliminating a tower on an island in the Wisconsin River near Sunset Point. The tower has lead contamination, which ATC would be responsible for when they removed the tower. The osprey nest on the tower would be relocated to the bank of the river. Ald. Kutzke requested that alternatives be considered to maintain the nest. According to Ald. Klapper, this will be reviewed.

Finance/Administration Committee meeting of June 11, 2015

Motion by Charles, second by Monfort to approve claims in the amount of \$1,307,769.26. Motion carried unanimously on call of roll.

**10. Old Business**

Consideration of Revised East Haertel Street Right of Way Plat

Motion by Klapper, second by Charles to approve the Revised East Haertel Street Right of Way Plat. Motion carried unanimously on call of roll.

**11. New Business**

Request from Mila Stahl (The Artisan Foodie) to consider opening Class A Combination alcohol license

The request was reviewed. Ald. Maass relinquished her time to Mila Stahl who explained her business and future expansion plans. Ald. Lynn wished to see the restriction on Class A licenses lifted in its entirety. Ald. Kutzke felt this specialty store is an asset for the city. This issue was referred to the Legislative Committee.

Mayor's Comments

World Elder Abuse Awareness Day is June 17th.

Flag Day ceremonies will take place at the Elks, Indian Agency House and perhaps Surgeons' Quarters.

Ald. Maass commented on rummage sale sales that were removed at the corner of East Slifer Street and New Pinery Road. According to Ald. Maass, signs were not removed at other corners, and that enforcement

should be uniform. Mayor Tierney informed the council that the Plan Commission will be holding a Public Informational Meeting regarding proposed changes to the sign ordinance this coming Monday at 6:30 p.m.

Department Report – Finance

Finance Director Mohr reported that the 2014 preliminary audit is being reviewed and finalized; with the final report being reviewed by the Finance Committee in July. 2015 first quarter is on track with the budget. Work is beginning on the 2016 budget. Sewer rates have been increased and a simplified water rate case is being processed. Taxi program: Three new taxis have been delivered, with three going out of service and auctioned off; RFP process for 2016 – 2021 taxi service beginning; Federal audits back to 2008 being completed. Housing grant reporting is increasing.

**12. Adjournment**

Motion by Maass, second by Charles to adjourn. Motion carried unanimously on call of roll at 8:20 p.m.

Marie A. Moe, WCPC, MMC  
City Clerk

\*Denotes change to minutes approved at June 25, 2015 Council meeting.  
The change is in red.