

CITY OF PLYMOUTH, WISCONSIN
July 28, 2009 Common Council Meeting
MINUTES

1. **Call to order and roll call:** Mayor Pohlman called the meeting to order at 8:30 PM. Present: Fernsler, Dobratz, Meyer, Anderson, Hansen, Davis, Sedlacek, Lade. Absent: None.
2. **Pledge of Allegiance.**
3. **Acceptance of minutes of the regular meeting held July 14, 2009:** Anderson/Meyer made a motion to approve as stated. Motion passed.
- 3A. The Mayor amended the agenda to include Melissa Neidfeldt to #14, add 8B – Authorize the City’s labor and employment attorneys to make a final offer of settlement to Lt Klister with respect to her pending appeal, add to #12 – and approximately \$250.00 for wiring, add 7B – Discussion on banquet facility and parking issues at Antoinette’s and Antonio’s, and delete #5F.
4. **Audience:** Jerry Thompson commented on railroad quiet zones and suggested sidewalks on both sides of the streets in that area. Bill Immich announced he and the Chamber of Commerce are holding a public information meeting regarding flood plain issues on August 3rd at 5:30 PM in Room 305 at City Hall. Dan Drohman spoke against the mailbox ordinance up for consideration at the meeting. Dr. Jan Cecka, Chairman of the Downtown Revitalization Committee, asked for a 4’ X 65’ area of the city parking lot on the corner of Mill and Smith to be left unpaved so that plantings could be done to enhance the mural. The Mayor amended the agenda to include this request as #8C. Joe Daggett spoke on behalf of the residents of East Towne Estates with a request to not require sidewalk installation. Donna Hahn asked for the communities support for the Mill Street Live Series and Jazz Crawl.
5. **Ordinances:**
 - A. **An Ordinance Amending Section 15-1-17 of the Municipal Code of the City of Plymouth Regarding Building Permit Fees (No. 15)(Second Reading)(Tabled at July 14th Council Meeting) – City Attorney:** Hansen/Sedlacek made a motion to waive the second reading and approve as stated with a note that the ordinance is on file in the Clerk’s Office. Yes: Sedlacek, Davis, Hansen, Anderson, Meyer, Dobratz, Fernsler. No: Lade. Motion failed as waiving a reading requires a unanimous vote. After the reading of the Ordinance, Sedlacek/Meyer made a motion to approve. Yes: Davis, Meyer, Hansen, Dobratz, Sedlacek, Anderson, Fernsler. No: Lade.
 - B. **An Ordinance Amending Section 11-2-8(a)(5) of the Municipal Code of the City of Plymouth Regarding Trespass of Property (No. 16)(Second Reading) – City Attorney:** Anderson/Dobratz made a motion to approve as read. All voted Yes.
 - C. **An Ordinance Creating Section 2-3-7(e)(9) of the Municipal Code of the City of Plymouth Regarding the Duties of the Director of Public Works as Sediment Manager (No. 17) (Second Reading) – City Attorney:** Hansen/Meyer made a motion to approve as read. Lade made a motion to forward to the Personnel Committee. There was no second. Motion failed. On call of the roll for the first motion, all voted Yes.

- D. An Ordinance Creating Section 6-2-17 of the Municipal Code of the City of Plymouth Regarding Placement of Mail Boxes in Public Right of Way (No. 18) (Second Reading) – Bill Immich, DPW:** This item failed for lack of a motion.
 - E. An Ordinance Amending Section 8-4-6(k) and Adopting Section 8-4-6(m) of the Municipal Code of the City of Plymouth Regarding Gravesites (No. 19) (Second Reading) – Bill Immich, DPW:** Meyer/Davis made a motion to approve as read. Meyer/Davis agreed to delete parenthesis in Section 8-4-6(m). All voted Yes.
 - F. An Ordinance Creating Section 14-1-76(g) of the Municipal Code of the City of Plymouth Regarding Subdivision Lot Grading (No. 20) (Second Reading) – Bill Immich, DPW:** This item deleted from the agenda until reviewed by the Plan Commission.
- 6. Approve payment of Contract Building Inspection fees for shortages from old and new fee schedules, and for inspections performed on permits issued before June 10, 2009 – Mayor Pohlman:** Lade/Anderson made a motion to approve as stated. The fees for shortages will disappear when the new fee ordinance is implemented, and the fees for inspections on permits issued prior to June 10, 2009 will be billed at \$25.00 through August 31, 2009, and then also disappear. All voted Yes.
- 7A. Consider request for Revolving Loan funds in the amount of \$180,000.00 from Triona, LLC DBA Antoinette’s & Antonio’s to construct a banquet facility in their property located at 102 N. Milwaukee St. and 18 W. Mill St (Being considered at the Revolving Loan Committee on July 27, 2009. Minutes will be provided at Council meeting) – Mayor Pohlman:** Attorney Mel Blanke reviewed the recent Revolving Loan Committee meeting and their recommendation for approval of the stated request. The Committee does not review parking requirements and suggests that the Plan Commission review the plans before the Council takes action. Dobratz/Lade made a motion to table to the August 11th Council meeting. All voted Yes.
- 7B. Discussion on banquet facility and parking issues at Antoinette’s and Antonio’s – Mayor Pohlman:** Attorney Damp sited areas of the building code addressing parking lots and feels that the change in the parking should be addressed by the Plan Commission. The Mayor referred this item to the Plan Commission.
- 8A. Consider purchasing plow truck from Truck Country, Oak Creek, WI, for \$129,325.00 and radio for \$2,000.00 (Tabled at July 14th meeting) – Bill Immich, DPW:** Immich presented four options for consideration – one from Truck Country and three options from Wells Fargo. Lade/Davis made a motion to approve the purchase with a three year financing plan from Wells Fargo. All voted Yes. Anderson/Hansen made a motion to approve the purchase of the radio from the Street Machinery reserve account. All voted Yes.
- 8B. Authorize the City’s labor and employment attorneys to make a final offer of settlement to Lt Klister with respect to her pending appeal – Mayor Pohlman:** Anderson/Dobratz made a motion to approve as stated. All voted Yes except for Davis who abstained.
- 8C. Approve a 4’ X 65’ planting area next to mural on the Sara’s Garden building – Mayor Pohlman:** Dobratz/Davis made a motion to approve as stated. Immich clarified that the area will be a 4’ privately owned strip plus an additional 4’ request

by Dr. Cecka and asked the Council to allow him to determine the correct width, up to 8' wide, so that no parking spaces are lost. The Downtown Committee will maintain the plantings. All voted Yes.

9. **Approve the Identity Theft Prevention Program for Plymouth Utilities – John MacKinnon:** Anderson/Lade made a motion to approve as stated. Motion passed.
10. **Approve the proposal for Plymouth Utilities to update its CAD mapping software, purchase handheld mapping equipment and provide the necessary training on such from TerraSpatial Technologies, Hood River, Oregon, for the cost of \$37,550 – John MacKinnon:** Hansen/Sedlacek made a motion to approve as stated. All voted Yes.
11. **Approve use of PropertyRoom.Com for disposal of abandoned items and unneeded city property – Chief Tauscheck:** Sedlacek/Lade made a motion to approve as stated. Motion passed.
12. **Approve purchase of two phones from O & W Communications, Sheboygan in the amount of \$255.00 each, one for the municipal court judge's office and one for conference calling abilities in Rooms 305 and 210 plus \$250.00 maximum for wiring – Mayor Pohlman:** Meyer/Davis made a motion to approve as stated. All voted Yes.
13. **Approve Application for Temporary Class “B” Fermented Malt Beverage License for Plymouth Arts Center at 520 E Mill Street on August 7, 21, 22, 28 and 29, 2009 from 6 PM to 11 PM for Mill Street Live Show – “Summer Series” - City Clerk:** Lade/Anderson made a motion to approve as stated. Motion passed.
14. **Approve 2009-2010 Tavern Operator Licenses – Kristine Daehnert, Jeremy Eggebrecht, Kanwar Ghuman, Richard Halverson, Tracey Konz, Jody Norling, Tina Schmidt-Lammers, Melissa Neidfeldt (approved by Chief Tauscheck) – City Clerk:** Anderson/Sedlacek made a motion approve as listed. Motion passed.
15. **Utility Reports:**
 - A. **Manager's – July, 2009.**
 - B. **List of Vouchers – June, 2009:** Dobratz/Hansen made a motion to authorize payment of June vouchers. All voted Yes.
 - C. **Income and Balance Sheets – June, 2009.**
 - D. **Collection Statement – June, 2009.**
 - E. **Uncollectible Accounts – July, 2009 - \$4,113.75:** Anderson/Sedlacek made a motion to approve as stated. All voted Yes.
16. **Other Business:**
 - A. **Minutes acknowledged for filing: Community Television – June 15, Downtown Revitalization – July 2.**
17. **Adjourn to 8:00 PM, August 11, 2009:** Anderson/Lade made a motion to adjourn. Motion passed. The meeting adjourned at 9:50 PM.

Minutes stand official upon Common Council approval.

Patricia Huberty, Clerk