

CITY OF PLYMOUTH, WISCONSIN
August 11, 2009 Common Council Meeting
MINUTES

1. **Call to order and roll call:** Mayor Pohlman called the meeting to order at 9:15 PM. Present: Dobratz, Anderson, Davis, Lade, Meyer, Hansen, Sedlacek, Fernsler. Absent: None.
2. **Pledge of Allegiance.**
3. **Acceptance of minutes of the regular meeting held July 28, 2009:** Anderson/Meyer made a motion to approve as stated. Motion passed.
- 3A. The Mayor amended the agenda to add June 23rd to the Committee on Aging minutes listed in #19B.
4. **Audience:** Lee Gentine spoke in regards to the proposed parking ordinance amendment #5A. Shaun Thome addressed the Council and asked for their support for his Revolving Loan and parking requests on the agenda. Rich White spoke in regards to item #8 on the agenda and issues on grading, drainage and sidewalks. Josh Kurtz hoped the Council would sympathize with the East Towne Estates residents concerns on sidewalks. Todd Neils offered his comments in support of the Revolving Loan and parking requests from Antonio's and Antoinettes.
5. **Ordinances:**
 - A. **An Ordinance Amending Section 13-1-92 (f) of the Municipal Code of the City of Plymouth Regarding Parking Requirements and Required Stalls (No. 21) (First Reading) – City Attorney:** This was read to the Council.
 - B. **An Ordinance Creating Section 15-1-17 (b)(10) of the Municipal Code of the City of Plymouth Regarding Building Permit Fees (No. 22) (First Reading) – Building Inspector:** This was read to the Council.
6. **Resolutions:**
 - A. **A Resolution Approving and Authorizing the Execution of a Governmental Lease-Purchase Agreement and Supplements Therto and Related Documents and Certificates (No. 12) – City Clerk:** The Mayor asked the Clerk to read the Resolution and noted that the agreement is on file in the Clerk's Office. Lade/Anderson made a motion to approve as read. Lade stated that this agreement is with Wells Fargo for the snow plow approved at the last Council meeting. All voted Yes.
 - B. **A Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing (No. 13) – John MacKinnon, Utilities Manager:** Davis/Lade made a motion to approve as read. All voted Yes.
7. **Approve Contractual Agreement between the City of Plymouth and Fair Market Assessments, LLC, Green Bay, WI, for City of Plymouth Assessment Services (Recommended by the Personnel Committee July 24, 2009) – Mayor Pohlman:** The Mayor asked the Clerk to read two portions of the agreement summarizing the agreement time period and explaining the compensation, stipulating that the agreement is on file in the Clerk's Office. Anderson/Sedlacek made a motion to approve as stated and read. Dobratz does not agree with the procedural judgments that were made by the Personnel Committee. Lade would like the City Attorney to determine what the duties of the Personnel Committee actually are. On call of the roll it was Yes: Meyer, Hansen, Sedlacek, Fernsler, Anderson, Lade, Davis. No: Dobratz.
8. **Approve request not to install sidewalks in East Towne Estates Subdivision – Bill Immich, DPW:** Davis/Fernsler made a motion to table this item to have discussion with

Bill Immich on the Developers Agreement. On call of the roll it was Yes: Dobratz, Anderson, Davis, Lade, Meyer, Sedlacek, Fernsler. No: Hansen.

9. **Consider request for \$180,000.00 Revolving Loan from Triona, LLC, DBA Antoinette's & Antonio's to construct a banquet facility inside their property at 102 N. Milwaukee St and 18 W. Mill St. (Recommended by Revolving Loan Committee on July 27, 2009) – Mayor Pohlman:** Lade/Anderson made a motion to approve as stated. Hansen asked to vote on item #10 before #9. The City Attorney agreed with Hansen, and this item was table momentarily. Upon approval of #10, action returned to this item. All voted Yes.
10. **Approve request from Antoinette's & Antonio's to use parking spaces at Plymouth Utilities, 12 S. Milwaukee St, after normal business hours at the Utilities – Mayor Pohlman:** Lade/Davis made a motion to approve as long as it is coordinated with the Utilities on access of Utility vehicles for emergencies, and an agreement worked out that the City would not be liable for injuries related to the valet service. John MacKinnon stated that he has talked with the owner of the facility and is in agreement with the request. Dobratz urged support for this downtown business. All voted Yes. Council action returned to item #9.
11. **Approve Amendment to Building Inspection Contract – City Clerk:** The Clerk explained the need to include the responsibility of the Building Inspector as Plan Commission Secretary and Zoning Administrator and the reimbursement of \$300.00 per month for being Plan Commission Secretary in this contract to coincide with the recent update to the Municipal Code. Sedlacek/ Davis made a motion to approve. All voted Yes.
12. **Authorize Mayor to sign Amendment to the Vintage Neighborhood, LLC Developer's Agreement – Bill Immich, DPW:** Dobratz/Sedlacek made a motion to approve as stated. On call of the roll it was Yes: Lade, Sedlacek, Hansen, Anderson, Meyer, Dobratz, Fernsler. No: None. Abstain: Davis.
13. **Approve Certified Survey Map NE ¼ Section 23 T. 15N., R. 21E. north end of Walton Drive (Recommended by Plan Commission August 6, 2009) – Mayor Pohlman:** Hansen/Davis made a motion to approve as stated. All voted Yes.
14. **Approve Agreement between the City of Plymouth and James Pankow Jr. and Gary Edler, as trustee, of Gary Edler Living Trust, pertaining to the construction of street and utility improvements on the extension of Walton Drive – Bill Immich, DPW:** The Mayor explained that this is for the cul-de-sac in item #13 for which we previously had approved an agreement, but it was never signed. This agreement is an update with the lot size change. Anderson/Dobratz made a motion to approve as stated. All voted Yes.
15. **Award contract to install water main in Summit and Frederick Streets for \$119,326.16 (55%) as work under TIF District No. 5 and to rehab the sanitary sewers in Summit and Pleasant Streets for \$96,674.96 (45%) as non-TIF related work to PTS Contractors, Inc., Green Bay, Wisconsin, for the total contract price of \$216,001.12 – John MacKinnon, Utilities Manager:** Lade/Meyer made a motion to approve as stated. All voted Yes.
16. **Approve 2009-2010 Class "A" Beer License for Plymouth Petroleum Corporation, DBA Plymouth Clark as published by the Clerk's Office – City Clerk:** The Clerk stated that this is for new ownership of the Clark gas station. Anderson/ Meyer made a motion to approve as stated. Motion passed.
17. **Approve 2009-2010 Tavern Operator Licenses – Gohar Malik, Suzanne Schieble, Dana Zillner (approved by Chief Tauscheck) – City Clerk:** Lade/Dobratz made a motion to approve as stated. Motion passed.
18. **Approve Treasurer's Report and authorize payment of July vouchers:** Anderson/ Meyer made a motion to approve as stated. All voted Yes.

	Balance as of	Receipts	Disbursements	Balance as of
	6/30/2009			7/31/2009
Gen City	(\$10,190.88)	\$1,176,925.03	\$1,107,120.36	\$59,613.79
Ply Utilities	\$50.40	\$3,488,522.04	\$3,488,507.24	\$65.20

19. Other Business:

- A. Building Permit Report: July, 2009 - 47 permits issued with an estimated total of \$562,433.13.**
- B. June/July reports acknowledged for filing: Clerks, DPW, Fire Department, Library Director, Police Department, Senior Director.**
- C. Minutes acknowledged for filing: Committee on Aging – June 2 and June 23, Park Board – June 8, Library Board – July 6, Housing Authority – July 8, Revolving Loan Committee – July 27, City Administrator Study Committee – July 30, Plan Commission – August 6.**
- D. Announce Public Hearing at Plymouth City Hall, 128 Smith Street, at 8:00 PM on August 25, 2009 - An Ordinance Creating Section 14-1-76(g) of the Municipal Code of the City of Plymouth Regarding Subdivision Lot Grading (No. 20) (Recommended by Plan Commission August 6, 2009):** This was announced by the Mayor.
- E. Announce Public Hearing at Plymouth City Hall, 128 Smith Street, at 8:00 PM on August 25, 2009 - An Ordinance Amending Section 13-1-92 (f) of the Municipal Code of the City of Plymouth Regarding Parking Requirements and Required Stalls (No. 21) (Recommended by Plan Commission August 6, 2009):** This was announced by the Mayor.
- F. Announce Public Hearing at Plymouth City Hall, 128 Smith Street, at 8:00 PM on August 25, 2009 - Approve Certified Survey Map SW ¼, SW ¼ Section T. 15N., R.21E. corner of Hwy 57 and CTH PP containing lots not fronting on a public street (Recommended by Plan Commission August 6, 2009) – Mayor Pohlman:** This was announced by the Mayor.

- 20. Adjourn to 8:00 PM, August 25, 2009:** Meyer/Sedlacek made a motion to adjourn. Motion passed. The meeting adjourned at 9:40 PM.

Minutes stand official upon Common Council approval.

Patricia Huberty, Clerk