

**CITY OF PLYMOUTH, WISCONSIN**  
**Tuesday, February 12, 2019 Common Council Meeting**  
**8:00 PM, Room 302, City Hall, 128 Smith Street**

**AGENDA**

1. **Call to order and roll call:**
2. **Pledge of Allegiance.**
3. **Approval of the Consent Agenda (Alderspersons may request removal of item(s), or part thereof without debate or vote:**
  - A. **Approve minutes of the Special Meeting held February 5, 2019:**
  - B. **Approve January Treasurer’s Report and payment of City vouchers dated 1/7/19 to 2/6/19:**

Checking Acct	Balance as of 12/31/2018	Receipts	Disbursements	Balance as of 1/31/2019
Gen City	\$1,432,881.75	\$8,258,746.26	\$9,517,375.35	\$174,252.66
Ply Utilities	\$2,654,102.88	\$2,290,757.00	\$2,149,473.44	\$2,795,386.44

- C. **Approve 2018-2019 Bartender Licenses for Debra Beltran (R-Store), Donald Pohlman (Generations), and Halden Steensen (Minit Mart) - approved by Clerk’s Office and Police Department:**
  - D. **Building Report for January 2019 - 22 permits estimated at \$2,408,608.00:**
  - E. **February 12<sup>th</sup> Management Report acknowledged for filing**
  - F. **Minutes acknowledged for filing – Community Television – Jan. 14<sup>th</sup>, Finance & Personnel Committee – Feb. 5<sup>th</sup>, and Housing Authority – Feb. 6<sup>th</sup>:**
4. **Audience Comments: Citizen comments must be recognized by the Mayor or presiding officer and are limited to three minutes per person from those signed in on the registration sheet at the back of the Council Chambers prior to the start of the meeting:**
5. **Items removed from Consent Agenda:**
6. **Ordinances:**
  - A. **No. 2 – An Ordinance Amending Section 10-1-56 of the Code of Ordinances, City of Plymouth, Wisconsin, related to City Parking Lots and Ramps – Director Austin:**
  - B. **No. 4 – An Ordinance Repealing Section 2-3-9 and 2-3-10 of the Code of Ordinances, City of Plymouth, Wisconsin, Related to the Superintendent of Parks and Superintendent of Cemeteries – City Administrator/Utilities Manager Yerges/Director Austin:**
7. **Resolutions:**
  - A. **No. 3 – A Resolution of the Common Council of the City of Plymouth Amending the Effective Date of Resolution No. 23 of 2018 regarding Amending Plymouth Utilities Sewer Utility Rates and Regulations to Establish**

**a Reconnection Hook-Up Fee for Sanitary Sewer Service Laterals – City Administrator/Utilities Manager Yerges:**

**8. Committee Reports and Actions:**

- A. Public Safety Committee recommendation from meeting of Jan. 15<sup>th</sup> – Approve changes to the 10 hour parking for Stayer Park and the Stafford Street parking lot – Director Austin/Chief Tauscheck:**
- B. Finance & Personnel Committee recommendation from meeting of Feb. 12<sup>th</sup> – Authorize an Other Post Employment Benefit (OPEB) study by Key Benefits Consultants not to exceed \$4,500 to come from the Self-Health Insurance Fund – City Administrator/Utilities Manager Yerges:**
- C. Plan Commission recommendation from meeting of Feb. 7<sup>th</sup> – approve Extraterritorial CSM for Jeff Goelzer for lot south of Tumbler Ridge Subdivision:**

**9. New Business:**

- A. Approve the purchase of a 2019 Ford F150 from Mike Burkart Ford in the amount of \$26,136.50 for Plymouth Utilities Electric Division with funds to come from the 2019 Utilities Capital Improvement Budget:**
  - B. Approve payment of \$553.42 for 2018 rescinded taxes for tax parcel #59271818656 to the Sheboygan County Treasurer – Clerk Huberty:**
  - C. Announce Public Hearing to be held before the Common Council on Tuesday, February 26, 2019 at 8:00 PM in Room 302 at City Hall, 128 Smith Street, Plymouth, Wisconsin regarding Ordinance No. 3 of 2019 Repealing Chapter 6 of Title 15 and Creating Chapter 1 of Title 16 regarding Construction Site Erosion, and Repealing Chapter 7 of Title 15 and Creating Chapter 2 of Title 16 regarding Post-Construction Stormwater Management of the Municipal Code of the City of Plymouth:**
- 10. Entertain a motion to go into closed session pursuant to Wis. Stat. 19.85 (1) (c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility regarding filling IT position:**
- 11. Entertain a motion to go into open session:**
- 12. Discussion and possible action on filling IT position:**
- 13. Adjourn to 8:00 PM on Tuesday, February 26, 2019:**

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Patricia Huberty, Clerk, at 128 Smith Street, Plymouth, WI or call 920-893-1271.

**CITY OF PLYMOUTH**  
**Ordinance No. 2 of 2019**

**AN ORDINANCE AMENDING SECTION 10-1-56 OF THE CODE OF ORDINANCES,  
CITY OF PLYMOUTH, WISCONSIN RELATED TO  
CITY PARKING LOTS AND RAMPS**

**WHEREAS**, the City of Plymouth redeveloped the Stayer Junior Park area; and

**WHEREAS**, the project included a redesign of public parking areas; and

**WHEREAS**, the Public Safety Committee recommended that the ordinance be amended to allow for an additional six overnight parking stalls;

**NOW, THEREFORE**, the Common Council of the City of Plymouth, Wisconsin, does hereby ordain as follows:

**Section 1. Amending Code.** Section 10-1-56 of the City of Plymouth Code of Ordinances related to City Parking Lots and Ramps is hereby amended as follows (deletions shown by strikeout, additions shown by underscore):

**Sec. 10-1-56 CITY PARKING LOTS AND RAMPS.**

- (c) All Night Parking. From December 1<sup>st</sup> to March 15<sup>th</sup> inclusive of each year, no person shall park or permit to be parked any vehicle upon any parking lot or portion thereof as below listed between the hours of 2:00 a.m. and 6:00 a.m. inclusive.
- (1) The Municipal Parking Lot north of the Mullet River between Stafford Street and Division Street extended south, excepting however that overnight parking shall be permitted ~~in the first row of parking spaces immediately adjacent to Stafford Street~~ **for the first five (5) spaces in the northern first row and the first five (5) spaces in the second northern row closest to Stafford Street.**
- (8) The Municipal Parking Lot located south of the Municipal Parking Ramp, ~~excepting that overnight parking shall be permitted.~~ **The Municipal Parking lot east of Division Street to the ramp, excepting that overnight parking shall be permitted for the first six (6) stalls directly next to the ramp.**

**Section 2. Severability.** Should any portion of this Ordinance or the affected Municipal Code Section be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

**Section 3. Effective Date.** This Ordinance shall take effect the day after publication.

Enacted on February 12, 2019.

**CITY OF PLYMOUTH**

Dated: \_\_\_\_\_

\_\_\_\_\_  
**DONALD O. POHLMAN**, Mayor

**CLERK'S CERTIFICATE OF ENACTMENT**

I hereby certify that the foregoing Ordinance was duly enacted by the City of Plymouth Common Council and approved by the Mayor on the dates indicated above.

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
**PATRICIA HUBERTY**, Clerk

# CITY OF PLYMOUTH, WISCONSIN

Ordinance No. 4 of 2019

## AN ORDINANCE REPEALING SECTION 2-3-9 AND 2-3-10 OF THE CODE OF ORDINANCES, CITY OF PLYMOUTH, WISCONSIN RELATED TO THE SUPERINTENDENT OF PARKS AND SUPERINTENDENT OF CEMETERIES

**WHEREAS**, the duties of the Superintendent of Parks are inherently part of the duties of the Director of Public Works/City Engineer; and

**WHEREAS**, the duties of the Superintendent of Cemeteries are currently part of the Management Assistant duties with the Director of Public Works/City Engineer serving in an oversight and back-up role;

**WHEREAS**, the Common Council has determined that it is unnecessary to have ordinance sections related to these roles based on the current organizational structure;

**NOW, THEREFORE**, the Common Council of the City of Plymouth, Wisconsin, does hereby ordain as follows:

**Section 1. Repealing Code.** Section 2-3-9 and 2-3-10 of the Municipal Code of the City of Plymouth are hereby repealed.

### **SEC. 2-3-9 SUPERINTENDENT OF PARKS. (REPEALED)**

- ~~(a) Position Created. The office of Superintendent of Parks is hereby established.~~
- ~~(b) Appointment. The Superintendent of Parks shall be appointed by the Mayor, subject to confirmation by the Common Council. Compensation shall be established from time to time by the Common Council. The Superintendent of Parks shall engage in no other remunerative employment without the consent of the Common Council. Initial appointment shall be for a six (6) month probationary period.~~
- ~~(c) Evaluation. An annual performance evaluation shall be conducted by the Common Council, or its designee, in March of each year.~~
- ~~(d) Removal. The Superintendent of Parks may be removed from office without cause by a three fourths (3/4) vote of the Common Council.~~
- ~~(e) Duties. The Superintendent of Parks shall have general supervision, management, and control over all matters relating to Parks, playgrounds, and the athletic field, and shall be directly responsible to the Park Commission. He shall obtain such assistance as is needed from the Street Superintendent, and shall enjoy the cooperation of the Street Superintendent and the Director of Public Works, as required in the performance of his duties. He shall perform such duties as may be assigned to him from time to time by the Parks Commission and Common Council.~~

### **SEC. 2-3-10 SUPERINTENDENT OF CEMETERIES. (REPEALED)**

- ~~(a) Position Created. The office of Superintendent of Cemeteries is hereby established.~~
- ~~(b) Appointment. The Superintendent of Cemeteries shall be appointed by the Mayor, subject to confirmation by the Common Council. Compensation shall be established~~

- ~~from time to time by the Common Council. The Superintendent of Cemeteries shall engage in no other remunerative employment without the consent of the Common Council. Initial appointment shall be for a six (6) month probationary period.~~
- ~~(c) Evaluation. An annual performance evaluation shall be conducted by the Common Council or its designee, in March of each year.~~
- ~~(d) Removal. The Superintendent of Cemeteries may be removed from office without cause by a three fourths (3/4) vote of the Common Council pursuant to state law.~~
- ~~(e) Duties. The Superintendent of Cemeteries shall have general supervision and charge of cemetery grounds, and the laying out of cemetery lots, the sale thereof, and the recording of ownership of all lots. He shall keep all necessary records of all burials and of all burial permits and of the transfer of ownership of lots, and shall be directly responsible to the Common Council, and shall abide by such rules and regulations as may be promulgated from time to time by such committee.~~

**Section 2. Severability.** Should any portion of this Ordinance or the affected Municipal Code Section be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

**Section 3. Effective Date.** This Ordinance shall take effect the day after publication.

Enacted on February 12, 2019.

**CITY OF PLYMOUTH**

\_\_\_\_\_  
**Donald O. Pohlman, Mayor**

\_\_\_\_\_  
**Patricia Huberty, Clerk**

**CLERK'S CERTIFICATE OF ENACTMENT**

I hereby certify that the foregoing Ordinance was duly enacted by the City of Plymouth Common Council and approved by the Mayor on the dates indicated above.

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
**PATRICIA HUBERTY, Clerk**



**CITY OF PLYMOUTH  
RESOLUTION NO. 3 OF 2019**

**A Resolution of the Common Council of the City of Plymouth Amending the Effective Date of Resolution No. 23 of 2018 regarding Amending Plymouth Utilities Sewer Utility Rates and Regulations to Establish a Reconnection Hook-Up Fee for Sanitary Sewer Service Laterals**

**WHEREAS**, whenever the Common Council declares its intention to improve any street in which sanitary sewer service laterals have been previously laid, or are to be laid, the Council may require that all sanitary sewer service laterals be laid, replaced, and reconstructed from the sewer main in the street to the right-of-way line, on either or both sides thereof, at such intervals as the Council shall direct, before street construction is commenced pursuant to Wis. Stat. §§ 62.16(2)(a) and 66.0911; and

**WHEREAS**, such work may be done by contract, or by the City directly, under the direction of the City Administrator/Utilities Manager, Public Works and Utilities Committee or other designated officials, agents, or authorized representatives; and

**WHEREAS**, the Common Council hereby determines, pursuant to Wis. Stat. § 66.0821, that the cost to replace and reconnect sanitary sewer service laterals described herein shall be paid by a sanitary sewer service lateral reconnection charge issued to adjacent property owners for each sanitary sewer service lateral replaced and reconnected to the sanitary sewer collector system.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Plymouth that the Hook-up Fee Schedule of the Plymouth Utilities Sewer Utility Rates & Regulations is hereby amended to establish and create a Reconnection Hook-Up fee to read as follows:

**Reconnection Hook-Up Fee Schedule**

"For replaced and reconnected sanitary sewer service laterals a reconnection hook-up fee in the sum of \$750.00 is charged for each sanitary sewer service lateral installed and reconnected."

Adopted: August 28, 2018.

**Effective Date: Resolution No. 3 of 2019 amends Resolution No. 23 of 2018 by making the effective date January 1, 2020.**

Adopted: January 29, 2019.

**CITY OF PLYMOUTH**

By: \_\_\_\_\_  
**Donald O. Pohlman, Mayor**

**CERTIFICATION**

I hereby certify that the foregoing Resolution was duly adopted by the Common Council of the City of Plymouth on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
**Patricia Huberty, Clerk/Treasurer**