

CITY OF PLYMOUTH, WISCONSIN
February 26, 2019 Common Council Meeting
Room 302, City Hall, 128 Smith Street

UNOFFICIAL MEETING MINUTES

1. **Call to order and roll call:** Mayor Pohlman called the meeting to order at 8:00 PM. On call of the roll, the following Alderpersons were present: Greg Hildebrand, John Nelson, Jack Fernsler, Bob Gonzalez, Diane Gilson, Jim Sedlacek, and Charles Hansen. Absent: Jim Wilson. Also present were City Administrator/Utilities Manager Brian Yerges, City Attorney Crystal Fieber, Chief Denis Fellows, Chief Jeff Tauscheck, Inspector Pete Scheuerman, and Deputy Clerk-Treasurer Sabrina Dittman.
2. **Pledge of Allegiance.**
3. **Approval of the Consent Agenda:** Motion made by Hildebrand/Sedlacek to approve all items as listed. On call of the roll, all voted Aye. Motion passes.
 - A. **Approve minutes of the regular meeting held Tuesday, February 12, 2019:**
 - B. **Approve Utility Reports:**
 - i. **List of vouchers dated 1/19/19 to 2/20/19:**
 - ii. **Uncollectible Accounts – February - \$3,908.78**
 - C. **Approve 6 Temporary Class “B” Beer licenses for St. John the Baptist Congregation, 115 Plymouth Street, for Fish Fry’s to be held in their Church Hall on March 8, 15, 22, 29, April 5 & 12, 2019 from 4:00 pm to 7:30 pm. Underage persons are requested to be allowed on the premise and proof of insurance has been provided – Clerk Huberty:**
 - D. **Approve 2018-2019 Bartender Licenses for Kathy Halloran and Joel Pierce (SJB Catholic Church) – approved by Clerk’s Office and Police Department:**
 - E. **Approve early occupation for Lone Oak Park rental on June 1, 2019 to begin at 1:00 AM to accommodate Fleck’s Catering to start a pig roasting process for a graduation party – Clerk Huberty:**
 - F. **Approve Parade Request & Street Use Permit from 52 Stafford for the annual St. Patrick’s Day Parade on Sunday, March 17th from 10:30 to 11:30 AM, beginning at Family Video, proceeding west on Eastern Ave. to Mill St. and south on Stafford St., with request to close Mill St. from the Plymouth Arts Center to Stafford St. and Stafford St. from Mill St. to 52 Stafford – Approved by Director Austin and Chief Tauscheck – City Clerk:**
 - G. **Approve IT Manager and Deputy Clerk/Treasurer Job Descriptions – HR Specialist Federwisch:**
 - H. **Minutes acknowledged for filing – Library Board – Jan. 7th, Redevelopment Authority – Feb. 7th, Plan Commission – Feb. 7th, and Public Works & Utilities Committee – Feb. 12th:**
4. **Audience Comments:** Richard York spoke of his concerns regarding agenda item 10A and the sanitary sewer service laterals replacement project for Hein Avenue. He asked the council to work to insure all laterals are taken care of to the curb to avoid future street tear up. Council President Hansen recognized Clerk Huberty and thanked her for her years of service to the city.
5. **Public Hearing followed by Council discussion and action:**
 - A. **Ordinance No. 3 – An Ordinance 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 – City Administrator/Utilities Manager Yerges:** The Mayor declared the Public Hearing open. Yerges reviewed council action from 2017 authorizing submission of a grant application to the Wisconsin DNR for Stormwater management

planning. The city was awarded a grant up to \$62,932, and the 2018 and 2019 budgets authorized a grant match requirement up to \$76,918. McMahon & Associates was the selected consultant to assist with stormwater grant activities. Part of the grant application included funds to update our erosion control ordinance and post-construction stormwater ordinance as well as to develop a new stormwater utility ordinance. Ordinance No. 3 and No. 5 address these issues. There being no further comments, the Mayor declared the Public Hearing closed. Motion made by Nelson/Sedlacek to approve as stated. On call of the roll, all voted Aye. Motion passes.

6. **Ordinances:**

A. **No. 5 – An Ordinance Repealing and Recreating Title 9 of the Municipal Code of the City of Plymouth, Wisconsin regarding Public Utilities – City Administrator/Utilities Manager Yerges:** This ordinance includes the development of a stormwater utility which is being created for the following reasons; revenue diversification, anticipation of being regulated by the DNR for Stormwater in the future, and potential Stormwater activities that may generate phosphorous credits or reductions for our wastewater treatment plant. Motion made by Sedlacek/Hildebrand to approve as stated. On call of the roll, all voted Aye. Motion passes.

7. **Resolutions:**

A. **No. 6 – A Resolution Authorizing a combined Local Government Investment Pool (LGIP) account for the City and Utilities and to transfer funds from the current Utilities LGIP account to the combined account – Clerk Huberty:** Motion made by Sedlacek/Gonzalez to approve as stated noting that there will be a separate sub-account set up for the utility funds. On call of the roll, all voted Aye. Motion passes.

B. **No. 4 – A Resolution of Commendation for City Clerk-Treasurer Patricia Huberty:** Motion made by Hansen/Sedlacek to approve as read. Motion carries. The Mayor presented the resolution to Huberty along with a plaque denoting her 19 years of service to the city.

8. **Items removed from Consent Agenda:** None.

9. **Committee Reports and Actions:**

A. **Public Works & Utilities Committee recommendation from February 12, 2019 meeting – Approve Resolution No. 2 of 2019 Amending Sewage Utility Rates for Holding Tank and Septic Tank Waste and incorporating such rates into the Official Sewage Rate Schedule for Plymouth Utilities - City Administrator/Utilities Manager Yerges:** Rates were originally established in 2015 based on a per truck/tank load basis and then changed to a per gallon charge in 2017. Staff is proposing to adjust rates in 2019 to be closer to our neighboring communities to make sure our rates are consistent with other Wastewater Treatment Plant rates, and to ensure our plant does not become a dumping ground for undesirable waste from haulers in the region. The requested increased rates are \$45 per 1,000 gallons for septic tank waste, and \$10 per 1,000 gallons for holding tank waste. Motion made by Sedlacek/Nelson to approve as stated. On call of the roll, all voted Aye. Motion passes.

10. **Old Business:**

A. **Resolution 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 – Resolution passed by Council February 12, 2019 followed by Mayoral Veto dated February 14, 2019 – Per Sec. 2-2-3 (c) a 2/3 vote of all members of the Council shall be necessary to make the act effective – Clerk Huberty:** Huberty presented the Resolution for re-consideration as required by law following a mayoral veto. Fieber explained how six votes are needed to override the veto. Hansen reviewed information he had obtained from other communities and also a listing of recent city street projects and how replacement of lines and laterals were handled. Sedlacek feels that mindsets

may have changed since the 2018 resolution was passed. Nelson stated the comparison to the recent Reed Street project was difficult as conditions were different. Motion made by Sedlacek/Nelson to override the Mayors veto of the Resolution. On call of the roll, it was Aye: Gonzalez, Sedlacek, Hildebrand, Fernsler, and Nelson. No: Gilson. Abstain: Hansen. The Mayors veto stands.

- B. Approve writing off the balance of \$2,997.00 from the Wisconsin & Southern Railroad invoice dated February 27, 2018 – Clerk Huberty:** Motion made by Nelson/Hansen to approve as stated. On call of the roll, all voted Aye. Motion passes.
- 11. New Business:**
- A. Approve Original Application for a Class “B” Beer License for The Hub Studio Café, LLC, Susan R. Radke, Agent – Approved by Clerk’s Office and Police Department:** Motion made by Hildebrand/Sedlacek to approve as stated. Motion carries.
- B. Approve the issuance of credit cards for the Police Chief, Deputy Police Chief, City Clerk-Treasurer, and Fire Chief - City Administrator/Utilities Manager Yerges:** This will eliminate the cost of manual paperwork to reimburse employees for city business expenses and allow procurement flexibility. The program is already in use by Utilities staff and has proven to work well. Motion made by Gilson/Gonzalez to approve as stated. On call of the roll, all voted Aye. Motion carries.
- C. Approve Vacation Schedules for New Hires – City Administrator/Utilities Manager Yerges:** The Finance & Personnel Committee recommended this change at their February 5th meeting. This would allow employees hired before July 1st to receive one week of vacation in the hire year and two weeks the following year. If hired after July 1st, employees would receive two weeks the following January. This will be beneficial for hiring processes going forward. Motion made by Nelson/Sedlacek to approve as stated. On call of the roll, all voted Aye. Motion passes.
- D. Approve electric transmission line easement with American Transmission Company, LLC (ATC) for the Substation #2 project - City Administrator/Utilities Manager Yerges:** ATC would provide transmission service through a new line tap that will interconnect with our substation just south of CTH PP, at the entrance to the Wastewater Treatment Plant, with an existing line nearby on city property. Motion made by Sedlacek/Hansen to approve as stated. On call of the roll, all voted Aye. Motion passes.
- E. Approve appointment of Sabrina Dittman as Clerk-Treasurer effective March 1, 2019:** Motion made by Nelson/Hansen to approve as stated. Motion carries.
- 12. Entertain a motion to go into closed session pursuant to Wis. Stat. 19.85 (1) (g) conferring with legal counsel for the government body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved regarding claim from Miller & Boeldt, Inc:** Motion made by Nelson/Sedlacek to go into closed session as stated. On call of the roll, all voted Aye. Motion passes.
- 13. Entertain a motion to go into open session:** Motion made by Hansen/Hildebrand to go into open session. On call of the roll, all voted Aye. Motion passes.
- 14. Discussion and possible action on closed session item:** Motion made by Sedlacek/Hansen to authorize payment in the amount of \$2,749.50 to Miller & Boeldt, Inc. for a claim against the city. On call of the roll, all voted Aye. Motion passes.
- 15. Adjourn to 8:00 PM, Tuesday, March 12, 2019:** Motion made by Hildebrand/Gonzalez to adjourn. Motion carries. The meeting adjourned at 9:13 PM.