

**CITY OF PLYMOUTH, WISCONSIN
TUESDAY, JULY 30, 2024 COMMON COUNCIL MEETING
7:00 PM COUNCIL CHAMBERS, ROOM 302
128 SMITH ST. PLYMOUTH, WI 53073**

OFFICIAL MINUTES

1. **Call to order and roll call:** Mayor Pohlman called the meeting to order. On the call of the roll the following were present: Dave Herrmann, Diane Gilson, Greg Hildebrand, Mike Penkwitz, John Binder, and John Nelson. Also present were: City Administrator/Utilities Manager Tim Blakeslee, HR Specialist Leah Federwisch, Electrical Operation Manager Ryan Roehrborn, Assistant Electrical Operation Manager / Electrical Engineer Nick Whipple, Police Chief Ken Ruggles, Director of Public Works Cathy Austin, Finance Director Chris Russo, and City Clerk Anna Voigt.
2. **Pledge of Allegiance.**
3. **Approval of the Consent Agenda (Alderspersons may request removal of item(s), or part thereof without debate or vote):** Motion was made by Binder/Penkwitz to approve the consent agenda. Upon the call of the roll, all voted aye. Motion carried.
 - A. **Approve minutes of the meeting held Tuesday, July 9, 2024**
 - B. **Approve City and Utility Reports:**
 - I. **Electric, Water and Sewer Sales Report – May 2024**
 - II. **Utility Related Write Offs for July - \$1,557.53**
 - C. **Minutes acknowledged for filing – Plymouth Housing Authority: July 3 - Plan Commission: July 11 – Finance & Personnel: July 9 – Public Works & Utilities: July 9**
 - D. **Approve Street Use Closure from Sarah Maki for August 15, 2024, 3PM – 8PM on Babcock St.**
 - E. **Approve Room Tax Permit Application for Country Living in the City at 311 Frederick St.**
 - F. **Approve Job Description for Police Support Specialist and Police Support Specialist – Municipal Court Clerk**
4. **Audience Comments: Citizens 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 located at the back of the Council Chambers prior to the start of the meeting.** Dick Seefeldt asked the Council to look at changing the ordinance pertaining to outdoor detached heating systems.
5. **Items removed from Consent Agenda: None**
6. **Public Hearing followed by Discussion and Action:**
 - A. **Ordinance No. 9 Floodplain** – Mayor Pohlman opened the public hearing at 7:04 PM. Director of Public Works Austin explained that the City was notified by the DNR that FEMA recently updated some of the Flood Insurance Rate Maps and the entire Flood Insurance Study for Sheboygan County. In order to continue to be eligible for floodplain insurance under National Flood Insurance Plan the City’s Floodplain ordinance must be updated. Act 175 relates to nonconforming structures. Currently if the nonconforming structure is altered, repaired, or modified the cost cannot equal or exceed 50% of its present equalized assessed value. With the

proposed ordinance, incorporating Act 175 the “50 percent” rule cannot be imposed. Structures will still need to meet regulations relating to living space elevations, floodplain proofing standards, and anchoring requirements, however cost will no longer be the determining factor in the ability to make structure improvements. There being no public comment the Mayor called the public hearing closed. Motion was made by Penkwitz/Gilson to approve Ordinance 9. Upon the call of the roll, all voted aye. Motion carried.

7. Ordinance:

- A. Ordinance No. 10 – An Ordinance Amending Section 2-4-13 of the General Code of Ordinances of the City Plymouth, Wisconsin Regarding Committee Residency Requirements** – City Administrator / Utilities Manager Blakeslee explained that Section 2-4-13 states that no person who is not a resident of and not residing in the City of Plymouth shall be appointed to any board or commission, and that any board or commission member who moves from the city shall immediately be removed from such board or commission. Recently, several long-term members of the Revolving Loan Fund Committee have moved outside the city limits. As a result, in mid-2024, the members had to resign from the RLF Committee. The draft proposed ordinance recognized that there are unique circumstances where potential volunteers who are not residents but have strong ties to the community would be worthwhile additions to committees. This ordinance does not apply to committee that require residency by state statute. Motion was made by Herrmann/Penkwitz to approve Ordinance No. 10. Upon the call of the roll, all voted aye. Motion carried.

8. New Business:

- A. Approval of Addition to the Outage Management System Project** – City Administrator / Utilities Manager Blakeslee explained that the Plymouth 2023-2026 Strategic Plan included an initiative to develop an Outage Management System (OMS). An OMS will help establish real-time connections between our internal systems to meet Electric Utility goals of faster outage response and data-driven decisions for electric distribution system upgrades and maintenance. Whipple explained that the 2024 budget included funds to purchase to Regional Network Interface from Sensus and software from mPower Innovations, which included an OMS, data storage, and analytics. The RNI and OMS are both intended to integrate with the billing system. Whipple explained what was not included in the 2024 budget was work required to provide a real-time interface between all the disparate software systems. Motion was made by Binder/Herrmann to approve the addition to the Outage Management System Project with a one-time, not-to-exceed cost of \$41,775. Upon the call of the roll, all voted aye. Motion carried.
- B. Approval of Agreement with Witkowski Inspections Agency, LLC for Building Inspector Services** – City Administrator / Utilities Manager Blakeslee explained that Inspector Scheuerman is planning to retire in October 2024. As part of the 2024 budget, staff budgeted funding to bring the building inspector/zoning administrator position in-house moving forward. After staff posted for the position for several month, but didn’t receive applicants with enough experience to consider. Staff reached out to peer and several contacts at recruiting firms who indicated that this is currently one of the most difficult municipal government positions to fill given the level of

credentialing required. Staff has finalized a draft agreement with Witkowski Inspections as a contracted service. Witkoski Inspections will hold office hours at City Hall for 10 hours per week. Staff will present the Assistant Administrator/Community Development Director Job Description to help with the zoning administration. Motion was made by Penkwitz/Binder to approve the agreement with Witkowski Inspections for Building Inspection Services. Upon the call of the roll, all voted aye. Motion carried.

- C. **Approval of Contract Amendment for Ehlers to Conduct Proforma Reviews** – City Administrator / Utilities Manager Blakeslee explained that City Staff is working on preliminary steps to create TID #7. A contract amendment with Ehlers and an updated agreement with Kapur are necessary to vet the potential developments included in the initial phase of TID#7 and develop a list of the associated public infrastructure projects/mapping for the district. Proforma reviews are not included in the normal scope of work in the City’s agreement with Ehlers. The cost of each proforma review is \$10,00 to \$15,000. Motion was made by Penkwitz/Gilson to approve the contract amendment for Ehlers to conduct proforma reviews. Upon the call of the roll, all voted aye. Motion carried.
- D. **Approval of Professional Services Agreement for General Engineering Service with Kapur** – City Administrator / Utilities Manager Blakeslee explained that Kapur is needed to vet the potential developments included in the initial phase of TID #7 and develop a list of the associated public infrastructure projects/mapping for the district. This will be billed on a time and materials basis, not to exceed \$15,000. Motion was made by Herrmann/Binder to approve professional services agreement with Kapur. Upon the call of the roll, all voted aye. Motion carried.
- E. **Capital Planning and Tax Increment District (TID) Update from Ehlers** - Blakeslee City Administrator / Utilities Manager Blakeslee introduces Phil Cosson from Ehlers. Cosson gave a presentation on TID 101 overview and the status of current TIDS and upcoming potential TID projects.

9. Resolution:

- A. **Approval of Resolution No. 9 Amending The Building Code Fee Schedule** – City Administrator / Utilities Manager Blakeslee explained that per municipal code, building code fees are set by resolution by Council. With the approval of the agreement with Witkowski Inspections, staff recommends the approval of the resolution which matches the schedule of fees outlined in the agreement with Witkowski Inspections. Motion was made by Penkwitz/Herrmann to approve Resolution No. 9 amending the Building Code Fee Schedule. Upon the call of the roll, all voted aye. Motion carried.

- 10. Entertain a Motion to go into Closed Session for the Following:** Motion was made by Herrmann/Nelson to go into closed session. Upon the call of the roll, all voted aye. Motion carried.

Pursuant to Wis. Stat. 19.85 (1) (e) deliberating or negotiating the purchasing of public properties, the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons a closed session – Parcels 59271821073 and 59271821066

AND

Pursuant to Wis. Stat. 19.85 (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility regarding Utility Account Specialist – Billing Lead

11. Entertain a Motion to go into Open Session: Motion was made by Gilson/Herrmann to go into open session. Upon the call of the roll, all voted aye. Motion carried.

12. Discussion and Possible Action on Closed Session Item: Motion was made by Penkwitz/Herrmann to approve the option to purchase agreements for parcel 59271821073 and parcel 59271821066. Upon the call of the roll, all voted aye. Motion carried.

Motion was made by Binder/Gilson to approve the potential hiring of the Utility Account Specialist-Billing Lead position subject to Section 2-5-9 of the Municipal Code. Upon the call of the roll, all voted aye. Motion carried.

13. Adjourn to 7:00 PM on Wednesday, August 14, 2024: Motion was made by Herrmann/Binder to adjourn the meeting. Upon the call of the roll, all voted aye. Motion carried.