

**CITY OF PLYMOUTH, WISCONSIN  
TUESDAY, JANUARY 10, 2023 COMMON COUNCIL MEETING  
128 SMITH ST. PLYMOUTH, WI 53073  
OFFICIAL MEETING MINUTES**

1. **Call to order and roll call:** Mayor Don Pohlman called the meeting to order at 7:00 PM. On call of the roll, the following Alderpersons were present: Charles Hansen, Angie Matzdorf, Diane Gilson, Greg Hildebrand, Bob Schilsky, Amy Odekirk, and John Nelson. Also present were: City Administrator/Utilities Manager Tim Blakeslee, Director of Public Works/City Engineer Cathy Austin, City Attorney Crystal Fieber, City Clerk / Deputy Treasurer Anna Voigt and Deputy Police Chief Matt Starker.
2. **Pledge of Allegiance.**
3. **Approval of the Consent Agenda (Alderpersons may request removal of item(s), or part thereof without debate or vote):** Mayor Pohlman mentioned the agenda had a typo for 3A. It should be December 13 not December 10. Also to add Attorney Fieber to the minutes for December 13. Motion was made by Nelson/Matzdorf to approve the items on the consent agenda with the changes stated. Upon the call of the roll, all voted aye. Motion carried.
  - A. **Approve minutes of the meetings held Tuesday, December 13 and December 27, 2022**
  - B. **Approve City and Utility Reports:**
    - I. **List of City & Utility Vouchers dated 12/01/2022-12/31/2022**
    - II. **Electric, Water and Sewer Sales Report – November 2022**
    - III. **Utility Related Write Offs for December - \$2,674.17**
  - C. **Building Report for October 2022 – 28 permits estimated at \$1,449,155**
  - D. **Minutes acknowledged for filing – Plymouth Community Television: November 14 – Police and Fire Commission: December 9, December 12, December 13 and December 14 – Public Works & Utilities Committee: December 13**
  - E. **Approve change of agent for “Class A Combo” Alcohol License for Pick n Save / Ultimate Mart, LLC to Ann Kinzler – Approved by Clerk’s Office and Police Department**
  - F. **Appoint Matt Kaczowski to the Library Board**
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.** None
5. **Items removed from Consent Agenda:** None
6. **Interviews and potential selection of new District 4 Alderperson with term ending in April 2024.** City Administrator / Utilities Manager explained that an Alderperson vacancy exists in the 4<sup>th</sup> District due to the resignation of Alderperson Jim Wilson. Applicants interested in filling the remaining one-year term were required to submit an application and resume by Thursday, December 29. Staff received two applications by the deadline. Applicants are to be interviewed by the Common Council and then a decision is scheduled to take place at the next meeting. Blakeslee asked Attorney Fieber if a Council member can be on RDA and Plan Commission. Attorney Fieber answered that the code states Plan Commission is only allowed one Council Member. It is Attorney Fieber’s opinion that if someone is already serving on the Plan Commission and becomes a Council member, he would have to transition out of their Plan Commission role. Hansen asked if the decision

could be made at tonight's meeting. Blakeslee stated that it could be, it was the decision of the Council if they wanted to make that decision at tonight's meeting. City Administrator / Utilities Manager Blakeslee asked questions of the candidates.

**A. Mike Penkwitz** – Mayor Pohlman asked if the Penkwitz had any opening statements before beginning. Penkwitz stated that he would like to serve on the Council. Blakeslee asked Penkwitz to tell everyone about himself. Penkwitz has been married 40 years and has 2 daughters and three grandchildren. He worked for the Plymouth Utilities for 44 years at the Wastewater Treatment. When Penkwitz got out of High School he got an associate's degree in water and wastewater technology and he started working for the City. He had numerous part-time jobs over the last 40 some years that entail leadership positions. Penkwitz was the Parish Council President at St. John the Baptist the school, the athletic director president of the Usher Society, a lifetime member of the Wisconsin Wastewater Operators Association and was a Chairperson for the Southeast region. Penkwitz worked his way up through the ranks in the Wastewater Plant as an Operator, Lab Supervisor, Assistant Superintendent and ended being the Superintendent. Penkwitz family goes back four generation in Plymouth. He loves Plymouth. His Great Grandfather owned a business downtown and served as an Alderman. Penkwitz's dad was a Sergeant on the Police Department. Lately Penkwitz has been getting familiar with District number 4 and the people he would represent. Penkwitz's objective is to do whatever it takes to represent his district and work with his colleagues. He stated he would be a very dedicated Alderman. He stated is application and resume went into more detail.

Blakeslee asked why are you interested in the open Council member position? Penkwitz answered he was always interested in being an Alderperson. He didn't even have a second thought when he saw the opening it was automatic to him that he wanted to run for that position.

Blakeslee asked how is your personal and professional experience prepared you for being on the Common Council? Penkwitz stated he has been worked with various groups to make decisions and taking input from different people to try and come up with a solution for everyone. He stated working for the Plymouth Utilities he has an idea how the City worked and has worked through the budgeting process at the Wastewater Plant. Penkwitz stated he is very familiar with the rules and regulations to follow.

Blakeslee asked what do you view as the role of a Common Council member? Penkwitz views the role of a Common Council member is to listen to folks and learn the guidelines to make decisions.

Blakeslee asked what do you like most about Plymouth and is there anything you would like to change? Penkwitz stated he likes Plymouth it's a great community and there's really nothing he would change.

Mayor Pohlman asked if Penkwitz liked cheese? He answered he does like cheese but trying to minimize it in his diet. He added he does have experience working the plant managers at the Cheese companies.

Nelson asked if he has any thoughts or ideas on how to hire and retain current employees? Penkwitz stated that he didn't have any ideas off the top of his head. When he retired there were good applicants to replace him. He was not part of the interview process.

Hansen asked what one item needs to be addressed in the city? Is there an item that the Council needs to be worried and concerned about? Penkwitz stated that meeting some regulation at the treatment plant or Mullet River. Some issues are cropping up about the pfas in the environment, it is called the forever chemical and it could really affect how the City disposes the sludge. The treatment plant is a \$2 million expense to the City and he would like to find ways to generate incomes at the treatment plant.

## **B. Randall Schwoerer**

Blakeslee asked Schwoerer to tell us about yourself? Schwoerer stated that he and his wife have moved 22 times in the 50 years and they always come back to Plymouth. They love Plymouth and have pride living here. Their hearts are always proud and warm here. What they can do to promote peace and warmth in this community is continuing to Ripple out and people who come to visit get it. They deal with a lot of people who come to visit the City. Schwoerer had relationships in city government before as the bid manager in downtown Sheboygan. He dealt with what City Council needed done and a lot of efforts between the businesses. Businesses are not always comfortable with what's happening at City Hall because they don't understand it and City Hall in a lot of ways doesn't understand them. Schwoerer stated the City has a little bit of an advantage Matzdorf understands everything very well. When Schwoerer saw this opening he knew he got along with most of the Council members. Schwoerer loves Plymouth and wants to continue to be involved to make Plymouth the place to be and the heart it continues to have that you can't find in a lot of places. Schwoerer stated at his house they say this is the closest to Mayberry as there is.

Blakeslee asked why are you interested in the open Council member position? Schwoerer stated that he is interested because he sees a lot and think he brings a different view probably from the 22 places he has lived. He brings a different view on occasion to things that aren't as simple as black and white and he tries to look at the gray area that's there and listen to who and what their issue is. Schwoerer thinks he would bring value in that form.

Blakeslee asked how is your personal and professional experience prepared you for being on the Common Council? Schwoerer has stood before many Common Council's from Mobile Alabama to Sheboygan and Minnesota. There's a lot of key things that happen in the community and the people who make the decisions are here. Schwoerer is a little disheartened that there isn't a room full because everything that the Council does affects everybody at some point. We just need to know what the citizens are doing, what they feel because they don't come to the Council meetings. Sometimes Council members have to go to them. With Schwoerer being in downtown Plymouth he goes to many of the businesses and because of his past and dealing with businesses in the community he gets asked a lot of stuff so he figured might as well learn something so he is answering questions properly.

Blakeslee asked what do you view as the role of a Common Council member? Schwoerer would like to listen, think, analyze and realistic on what the efforts should be as a Common Council member. He stated to often we get caught up in what we don't know but what we have to deal with it.

Blakeslee asked what do you like most about Plymouth and is there anything that you would change? Schowerer stated no, he thinks he helped change the one thing he thought that needed to be changed and that was his building on Mill St. He had to totally remodel the past year with new siding, new everything. Schowerer gave an example of the kind of community Plymouth is. While he was working in his front yard, somebody stops because you're about to flip over a mattress and they yell into cozy bar and a 22 year old kid comes running out to help his wife with the mattress and asks if there is anything else he can do for her. Schowerer stated that doesn't happen everywhere, he doesn't think it has happened in any of his 21 other locations. Schowerer thinks being a Council member is understanding the community, what the goals are and listening them.

Mayor Pohlman asked if Schowerer liked cheese? Schowerer answered that he believes he consumes a minimum daily amount and he is an equal opportunity cheese sampler. He understands that he needs to help circulate the 2 million pounds of cheese that goes through the city every day.

Nelson asked if he has any thoughts or ideas on how to hire and retain current employees? Schowerer stated he doesn't know the marketing strategy in the community for expansion in the city. That comes from people wanting to live here which once they come to live here they won't want to leave. Schowerer would like to understand how and why the city should be marketing. He has helped get businesses to downtown Sheboygan.

Hansen asked what one item needs to be addressed in the city? Schowerer stated that he thinks there needs to be more communication between the city and new businesses. There currently isn't anything new businesses have to sign at any time when they come to the City. The communication is launched as they are building or moving into their building. There are some regulations businesses should know about. As a community Plymouth is a pretty peaceful place and its not campaigned enough to other people. When people to come here and they spend an afternoon they're in awe.

Hildebrand asked if they could go into closed session to discuss. Attorney Fieber stated that they are not able to have a closed session or a secret ballot in regards to the appointment of a council member. Motion was made by Hansen to vote on the candidate tonight. For lack of a second the motion died. The decision will happen at the next Council meeting.

## 7. Ordinance

- A. **Ordinance No. 1 – Amending City of Plymouth Code section 11-2-1 regarding the regulation of Firearms** –Deputy Police Chief Starker explained that this change in ordinance is needed to comply with Wisconsin Act 71 relating to restrictions imposed by local governmental units on hunting with a bow and arrow or crossbow. The change allows for individuals to hunt within the city limits with a bow and arrow or crossbow as long as the arrow or bold is discharge towards the ground. The hunting has to take place at a distance of more than 100 yards from a dwelling used for human occupancy unless the hunting is being done by the homeowner or someone living within the dwelling. Motion was made by Nelson/Matzdorf to approve Ordinance No 1 of 2023 as stated. Hildebrand asked if there could be a height restriction added. Attorney Fieber stated it needs to be consistent with state law, but she would look into it. Upon the call of the roll, all voted aye. Motion carried.

## 8. Resolution

- A. Resolution No. 1 - Supporting Vibrant Spaces Grant program submittal:** City Administration / Utilities Manager Blakeslee explained the City owns the former Strutz Financial building north of Stayer Jr. Park. The building is in blighted condition, has water damage, and sits in the floodway. A community effort was made several years ago to demolish the building and turn it into a shelter, but it quickly became cost prohibitive. In November, Staff received information about the new Vibrant Spaces Grant program within the Community Development Investment Grant Program. Motion was made by Odekirk/Hildebrand to approve Resolution No. 1 of 2023 supporting the vibrant spaces grant program submittal. Upon the call of the roll, all voted aye. Motion carried.
- B. Resolution No. 2 – Commendation / Recognition for Mike Penkwitz –** Mayor Pohlman presented Mike Penkwitz with Resolution No. 2 thanking him for his 43 years of service. Motion was made by Nelson/Hildebrand to approve Resolution No. 2 of 2023 Commendation / Recognition for Mike Penkwitz. A unanimous aye vote was cast. Motion carried.

**9. New Business:**

- A. 2022 Police Department Year in review –**Deputy Police Chief/Interim Police Chief Starker presented stats from 2021 and 2022 to the Council. In 2021 service calls went up in 2022, and traffic stops went down. Deputy Police Chief Starker stated that in 2022 the Department came up with a game plan to deter crime. The main focus with the younger department is pro-active patrol. The officers are out and making themselves more seen and educating the public. Deputy Police Chief Starker is sending more officers to trainings and setting up the department for future leaders.
- B. Re-scheduling the January 31 Meeting to January 24 –**City Administration / Utilities Manager Blakeslee explained that the City is currently out to bid for the Pony Ln./Clifford St. street reconstruction project. The Clifford St. portion of the project will receive funding from TID #5. The expenditure deadline for TID #5 is January 29, 2023. Moving the January 31 meeting to January 24 would avoid needing a special meeting in January. Motion was made by Hildebrand/Hansen to move the January 31 meeting to January 24. A unanimous aye vote was cast. Motion carried.
- C. Approve purchase of Flatbed Trailer purchase from Brugginks Inc. in the amount of \$18,475 -** City Administration / Utilities Manager Blakeslee explained the Electric Department needs to replace the 30 year old flatbed trailer that is becoming unrepairable. Staff requested quotes from several dealers. Motion was made by Nelson/Hansen to approve purchase of a flatbed from Brugginks Inc. in the amount of \$18,475. Upon the call of the roll, all vote aye. Motion carried.
- D. Approve purchase of Digger Derrick from Altec in the amount of \$367,607 -** City Administration / Utilities Manager Blakeslee explained that the Electric Department needs to replace the 2005 Digger Derrick truck. Staff has received quotes from 3 vendors. Motion was made by Odekirk/Matzdorf to approve the purchase of the Digger Derrick from Altec in the amount of \$367,607. 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 Gilson/Hildebrand to go into closed session. Upon the call of the roll, all voted aye. Motion carried.

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 Wal-Mart

11. **Entertain a motion to go into open session:** Motion was made by Odekirk/Hansen 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 Hildebrand/Hansen to go into litigation over Walmart's discrepancy on the assessed value. Upon the call of the roll, all voted ay. Motion carried.
13. **Adjourn to 7:00 PM on Tuesday, January 24, 2023:** Motion was made by Nelson/Odekirk to adjourn the meeting. A unanimous aye vote was cast. Motion carried.