

**CITY OF PLYMOUTH, WISCONSIN  
TUESDAY, APRIL 30, 2024 COMMON COUNCIL MEETING  
128 SMITH ST. PLYMOUTH, WI 53073**

**OFFICIAL MINUTES**

1. **Call to order and roll call:** Mayor Donald Pohlman called the meeting to order at 7:00 PM. On the call of the roll the following Alderpersons were present: Angie Matzdorf, Diane Gilson, Mike Penkwitz, Jeff Tauscheck, Greg Hildebrand, John Nelson, and Dave Herrmann. Also present were: City Administrator/Utilities Manager Tim Blakeslee, Police Chief Ken Ruggles, and City Clerk Anna Voigt.
2. **Pledge of Allegiance.**
3. **Approval of the Consent Agenda (Alderpersons may request removal of item(s), or part thereof without debate or vote):** Motion was made Hildebrand/Tauscheck to approve the consent agenda. Upon the call of the roll, all voted aye. Motion carried.
  - A. **Approve minutes of the meeting held Tuesday, April 16, 2024**
  - B. **Approve City and Utility Reports:**
    - I. **Electric, Water and Sewer Sales Report – April 2024**
    - II. **Utility Related Write Offs for May - \$3,320.43**
  - C. **Minutes acknowledged for filing – Public Works & Utilities Committee: April 9 – Police & Fire Commission: February 6, February 8 and March 5**
  - D. **Approve request from Ladwig – Zinkgraf American Legion Post 243 to hold the annual Memorial Day Parade on Monday, May 27, 2024 from 8:00 AM – 1:00 PM. Parade line up on East Main; Parade Route west on Main, South on Caroline, East on Mill St.; North on North St to Union Cemetery for Ceremony**
  - E. **Approve Cigarette and Tobacco License for Smoke Town LLC at 533 Walton Dr.**
  - F. **Approve Annual Mobile Home Park Application: Plymouth MHP LLC – 728 State Hwy 57**
  - G. **Approve Building Inspector Job Description**
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: Tasha Bauer spoke about her concerns of safety for the Nut Ski Hill Project. She mentioned lights at the main entrance and sidewalks up to the hill. She also mentioned not having equipment rental for kids. Steven Stenz thanked the Council and staff for looking into changing the zoning code regarding accessory structures. John Binder introduced himself to everyone as the District 3 Alderperson. Tim Reil expressed his concerns for the Nut Ski Hill Project.
5. **Items removed from Consent Agenda:** None
6. **CITIZEN COMMITTEE APPOINTMENTS:**

**Announce Mayoral appointments:** Mayor Pohlman announced the following appointments.

  - A. **Police & Fire Commission (5 yr. term) – Tim Lemkuil**
  - B. **Plan Commission (3 yr. term) – John Wyatt & Justin Schmitz**

**Mayoral Appointments requiring Council approval:** Motion was made by Nelson/Herrmann to approve the following appointments. A unanimous aye vote was cast. Motion carried.

**A. Room Tax Commission (1 yr. term) – *Kaushik Patel***

**7. Resolution:**

- A. No. 5 – Adopting Distributed Generation Fees and Permitted by PSC119 Updates** - City Administrator/Utilities Manager Blakeslee explained that Chapter 119 provides the rules for Utilities and Utility customers regarding Interconnection of Distributed Generation to the City's system. One of the primary updates is that utility is permitted to charge application and commissioning fees. These fees are meant only to recoup Utility costs for reviewing applications, inspecting and testing the systems before interconnection. Motion was made by Hildebrand/Tauscheck to approve Resolution No 5 Adopting PSC 119 Updated Schedule of Fees. Upon the call of the roll, all voted aye. Motion carried.
- B. No. 6 – Tax Incremental District (TID) Termination Resolution for TID#4** - City Administrator/Utilities Manager Blakeslee explained that this resolution is to close TID #4. The remaining funds in TID #4 available (notwithstanding the affordable housing extension) will be distributed to the four taxing jurisdictions following the final TID#4 audit. While the TID will formally be closed, the district will collect one additional year of increment in 2025 for the affordable housing extension. Motion was made by Nelson/Penkwitz to approve Resolution No. 6 Tax Incremental District Termination Resolution for TID#4. Upon the call of the roll, all voted aye. Motion carried.
- C. No. 7 – Acknowledging Updated Liquor License Quota** – City Clerk Voigt explained that Regular "Class B" licenses may sell intoxicating liquor to consumers by the glass for on-premises consumption. Reserve "Class B" Licenses are the same but carry an additional one-time, non-refundable, issuance fee (\$10,000) and are not eligible for transfer to another premise or company. Each time the population increases by 500 people, municipalities are allowed to add a Reserve "Class B" Liquor License to their quota. Motion was made by Hildebrand/Herrmann to approve Resolution No 7 acknowledging updated liquor license quota. A unanimous aye vote was cast. Motion carried.

**8. New Business:**

- A. Announce Public Hearing to be held at Common Council for Comp Plan Amendment/Rezoning on June 11 for a portion of One Persnickety Place and Two Persnickety Place** – Mayor Pohlman announced the public hearing.
- B. Approval of 15KV ABB Circuit Breaker Bid Award From Border States Electric** - City Administrator/Utilities Manager Blakeslee explained that Plymouth Utilities is responsible for the construction and maintenance of electric distribution lines to local homes and businesses. The electric distribution equipment in the southwestern portion of the Plymouth service territory has reached near capacity in recent years. Now that the final order for the CA has been issued, staff is moving forward with bidding the various components of the substation project. Bids for 15KV circuit breakers were opened on April 18. The low bid was from Border States totaling \$130,058.84. Motion was made by Herrman/Matzdorf to approve the 15KV ABB Circuit Breaker Bid Award from Boarder States Electric for

\$130,058.84 subject to attorney/staff review and approval of the terms and conditions. Upon the call of the roll, all voted aye. Motion carried.

**C. Council Discussion and possible action on an advisory referendum to direct the City to rehabilitate the Nutt Hill Ski Area for winter recreation– City Administrator/Utilities Manager, Tim Blakeslee.**

**Requested by Alder Hildebrand:** Blakeslee explained that a small group in Plymouth created a non-profit called Cheese Capital Winter Park LLC to investigate the reestablishment of the Nutt Ski Hill in Plymouth for winter recreation. Alder Hildebrand requested that an item be placed on an upcoming agenda to consider a potential advisory referendum for residents to direct the City whether or not to rehabilitate the Nutt Hill Ski Area for winter recreation. Blakeslee explained the options to consider to make a decision on an advisory referendum. Motion was made by Hildebrand/Herrmann to approve Option 1 using an advisory referendum. Hildebrand stated he would like a referendum for all the people that contacted him for and against the project to have a say in what happens to their parks. Nelson stated he was against advisory referendums because he feels Council is elected to make the most informed decisions as possible on an issue. He also feels 70%-80% are not informed enough on referendums and don't get the opportunity to see plans and talk with people. Nelson feels its not a necessary step. Herrmann stated he doesn't see a problem with having a referendum, its not going to cost that much. The non-profit is pushing off implementation for a year. He would like to hear what the general public is thinking for this facility or reestablishing this facility. Herrmann stated the Council still gets the final say and a referendum gives the opportunity to hear people that haven't spoken up yet. Matzdorf clarified there will still be an open house in any of the options. Even without a referendum there would still be a chance to hear feedback where there can present actual facts. Herrmann replied in an open house there could only be 100 in the room and a referendum your going to have a couple thousand people. Hildebrand stated in his opinion on the last decision 98% of the people were left out. Nelson responded that most people don't take the time to be informed on an issue and there can be disinformation purposely put out in the public to form people's opinion. Upon the call of the roll, Herrman, Hildebrand, and Gilson voted aye; Penkwitz, Binder, Matzdorf, Tauscheck, and Nelson voted nay. Motion failed.

9. **Entertain a motion to go into closed session for the following:** Motion was made by Hildebrand/Tauscheck to go into closed session. Upon the call of the roll, all voted aye. Motion carried.

Entertain a motion to go into closed session for the following:  
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 require a closed session – Sale of Public Property – Parcel 59271821046

10. **Entertain a motion to go into open session:** Motion was made by Nelson/Tauscheck to go into open session. Upon the call of the roll, all voted aye. Motion carried.

11. **Discussion and possible action on closed session item/s:** Motion was made by Tauscheck/Gilson to approve the sale of parcel 59271821065. Upon the call of the roll, all vote aye. Motion carried.

12. **Adjourn to 7:00 PM on Tuesday, May 14, 2024:** Motion was made by Herrmann/Binder to adjourn the meeting. A unanimous aye vote was cast. Motion carried.