

MINUTES OF REGULAR MONTHLY BOARD MEETING

Plymouth Town Board
Town of Plymouth, Rock County, Wisconsin
May 11, 2021

Board Members Present: Chairperson Don Bomkamp, Supervisor Ben Snare and Supervisor Shawn Mielke

Board Members Absent: None

Others Present: Clerk Susan Douglas, Treasurer Tippy Phillips, Planning and Zoning Chairperson Joe Endrizzi, Town Attorney Tim Lindau and 7 members of the public.

Notice of Board Meeting was properly posted. Board Meeting called to order by Chairperson Bomkamp at 7:10 p.m. at the Plymouth Town Hall. The Pledge of Allegiance followed.

1. Agenda for May 11, 2021 Meeting: Motion (Snare/Mielke) to approve the agenda as presented. Carried unanimously.

2. Citizen Participation, Communications, and Announcements:

A resident asked about the process and who to contact if he wanted to put an addition on his house. He was referred to Joe Endrizzi, Planning and Zoning Chairperson and Zoning Officer.

Jerry North, 8149 N Mill St. stated he was still having problems with his neighbor in regards to noise and burning trash and other items on the property. He stated he had attended a previous Town Board meeting and nothing has changed. Supervisor Snare who will serve as ordinance officer told Mr. North he would check into his complaint.

3. Approval of Minutes of Meetings:

3.1. Town Board Meeting April 13, 2021 Minutes: Motion (Bomkamp/Snare) to approve the minutes of the April 13, 2021 Town Board Meeting as presented. Carried unanimously.

3.2. Special Town Board Meeting April 28, 2021 Minutes: Motion (Bomkamp/Mielke) to approve the minutes of the April 28, 2021 Special Town Board Meeting as presented. Carried unanimously.

4. Town Treasurer's Financial Statement:

Treasurer Tippy Phillips explained the Treasurer's report ending April 30, 2021 with a Total Balance of \$90,976.64 for all accounts. She explained in detail the budget reports she distributed. **Motion** (Bomkamp/Mielke) to approve the Treasurer's report as presented. Carried unanimously.

5. Planning and Zoning Discussion and Possible Action

5.1. Report on April 27, 2021 Planning & Zoning Committee Meeting: New Planning and Zoning Chairperson Joe Endrizzi thanked former Chairperson Ben Snare for his work as Planning and Zoning Chairperson and Zoning Officer. Joe introduced Bill Redmer as the newly appointed member of the Planning and Zoning Committee. Joe explained the Town of

Plymouth Sanitary District #1 rezone request for rezoning approximately 2 acres, parcel 6-15-135.1, in the SE¼ of NE ¼, of Section 14 Town of Plymouth, Rock County, Wisconsin from Agricultural 1 (A-1) to Special Purpose (SP) and combining it with adjacent parcel 124.1 which is zoned Special Purpose and already owned by the Sanitary District. Joe reported the Planning and Zoning Committee recommends Town Board approval of the rezone request of the Plymouth Sanitary District #1. Joe Endrizzi stated representatives of Fred Bear Land Partnership LLC attended to discuss the possibility of building a pole barn for storing farm equipment on their newly purchased land. The Committee is continuing its review of the Zoning Ordinance.

5.2. Request by Town of Plymouth Sanitary District #1 for rezoning approximately 2 acres, parcel 6-15-135.1, in the SE¼ of NE ¼, of Section 14 Town of Plymouth, Rock County, Wisconsin from Agricultural 1 (A-1) to Special Purpose (SP). Reason is to correct the zoning to reflect the acreage and match the zoning of the other Sanitary District parcels. Attorney Lindau stated because the parcel was being rezoned out of an agricultural district zoned (A-1) the Town Board must make sure it meets all of the requirements in Zoning Ordinance Section 4.4 (5)(A) and Section 10.4. The requirements were reviewed and it was determined the rezone request satisfied those requirements. **Motion** (Bomkamp/Mielke) to approve the request by Town of Plymouth Sanitary District #1 for rezoning approximately 2 acres, parcel 6-15-135.1, in the SE¼ of NE ¼, of Section 14 Town of Plymouth, Rock County, Wisconsin from Agricultural 1 (A-1) to Special Purpose (SP) and combining it with parcel 6-15-124.1 owned by the Town of Plymouth Sanitary District #1. Carried unanimously.

6. Unfinished Business for Discussion and Possible Action

None

7. New Business for Discussion and Possible Action

7.1. ATV/UTV Town Road Use Ordinance: Town Attorney Lindau presented and explained 2021-01 Ordinance to Repeal Ordinance No.1992-2 and to Designate All-Terrain Vehicle (ATV)/Utility Terrain Vehicle (UTV) and Snowmobile Routes and Regulate ATV/UTV and Snowmobile Operation within the Town of Plymouth, Rock County, Wisconsin for the Town Board's approval. **Motion** (Bomkamp/Mielke) to approve 2021-01 Ordinance to Repeal Ordinance No.1992-2 and to Designate All-Terrain Vehicle (ATV)/Utility Terrain Vehicle (UTV) and Snowmobile Routes and Regulate ATV/UTV and Snowmobile Operation within the Town of Plymouth, Rock County, Wisconsin. Carried unanimously. Supervisor Snare requested the following statement from him be included in the minutes. *In voting "yes" for the Town of Plymouth ATV/UTV ordinance, I would like to include in the minutes that I do have a concern over safety on a few matters. However, I respect the voice of the community and their desire for passage of this ordinance. I also respect the state and their laws around ATV's and UTV's, as they work to foster a safe environment for individuals in sharing routes and trails within our state and, I anticipate, soon within our community. As time passes, I look forward to the growth within Plymouth Township in both usage and awareness, with understanding and openness that at some point modifications to this ordinance may be needed to accommodate that growth.*

Motion (Bomkamp/Mielke) that 2021-01 Ordinance does not go into effect until all Plymouth town roads are properly signed. Carried unanimously.

- 7.2. Occupants in Fire Damaged House at 4938 S. Carver Road: Supervisor Snare stated it appeared that people are living on the property with the fire damaged house at 4938 S. Carver Road owned by Danielle Burchfield. It was reported that a recreational vehicle was on the property. Supervisor Snare stated Planning Ordinance Section 4.3 (14) states habitation of any recreation vehicle, tent or camper shall not take place on a parcel located in the Town unless a primary residence is available for use of required services such as sewer and water and unless such habitation is temporary in nature and does not exceed 7 days in any calendar year. Attorney Lindau stated a letter was sent to Danielle Burchfield requesting access to the property by the Town's building inspector to determine its habitability of the house and access had been denied. He reported that today a judge issued an inspection warrant. Zoning Officer Endrizzi and Supervisor Snare will handle the ordinance violation of living in a recreational vehicle on the property for more than seven days.
- 7.3. Appointments to Board of Appeals: Chairperson Bomkamp recommended reappointing Karl Kleinschmidt to the Board of Appeals for another three-year term; appointing Francis Beggs as an alternate finishing Don Bomkamp's term; and appointing Austin Waage as Chairperson finishing Bill Redmer's term. **Motion** (Bomkamp/Snare) to reappoint Karl Kleinschmidt to the Board of Appeals for another three-year term; appoint Francis Beggs as an alternate finishing Don Bomkamp's term; and appoint Austin Waage as Chairperson finishing Bill Redmer's term. Carried unanimously.
- 7.4. Renewal of Hillhaven Kennel License: **Motion** (Bomkamp/Snare) to approve the renewal of the dog kennel license for Hillhaven Kennel. Carried unanimously.
- 7.5. Resolution 2021-02 To Appoint a Town Official as Ordinance Officer: **Motion** (Bomkamp/Mielke) to approve Resolution 2021-02 appointing Town Supervisor Ben Snare as Ordinance Officer. Carried unanimously.
- 7.6. Resolution 2021-03 To Appoint a Town Official to Perform Superintendent of Highways Duties: **Motion** (Bomkamp/Snare) to approve Resolution 2021-03 appointing Town Supervisor Shawn Mielke to perform Superintendent of Highways Duties. Carried unanimously.
- 7.7. Increasing Size of Town Board To 5 Members: Chairperson Bomkamp suggested changing the size of Plymouth Town Board to 5 members at the Town Annual Meeting and those in attendance directed the Town Board to research increasing the size of the Town Board. Clerk Sue Douglas distributed information from the Wisconsin Towns Association legal staff on increasing board sizes. Plymouth Town Board has village powers so the decision whether or not to increase the board's size is entirely up to the town board's discretion. If increasing the size to five, an ordinance must be passed and then a chair and 4 supervisor positions would be on the ballot in 2023. The chair and 2 supervisors would be elected for a 2-year term and 2 supervisors would only be elected for a 1-year term initially. The town electors at a town meeting have the ultimate authority over compensation for all town board members and will need to decide how each position will be compensated.
- 7.8. 2021 Town Road Projects: Chairperson Bomkamp met with Wes Bunts and Pete Koch from the Rock County Public Works last week and distributed a list of 13 potential Plymouth road projects for 2021. Wes Bunts who does road work within the Town of

Plymouth was in attendance and he and Chairperson Bomkamp explained the details of the proposed projects. **Motion** (Snare/Bomkamp) to approve starting with project #3002 patching and seal coating Ehrlinger Road for an estimated cost of \$22,187.00; project #3007 patching Johnson Road at an estimated cost of \$4,544.00; and project #3008 drainage work on Johnson Road at an estimated cost of \$2,300.00. Carried unanimously.

8. Supervisor Reports

- 8.1. Ordinance Enforcement: Supervisor Snare stated Carver Road violation was covered earlier in the meeting.
- 8.2. Road Maintenance/Road Projects: Supervisor Mielke asked about lowering the speed limit on Footville Hanover Road. Chairperson Bomkamp suggested starting with obtaining data on the current volume and speed of traffic on the road.

9. Clerk's Report

Clerk Sue Douglas reported she followed up with Attorney Lindau about two items Supervisor Inman brought up at last month's Town Board meeting. In regards to firearms and weapons in the Town Hall, Attorney Lindau stated Plymouth's Resolution 2011-05 banning the carrying of firearms and concealed weapons of any type in the Plymouth Town Hall was sufficient. In regards to Supervisor Inman's concern about shooting activity on Plymouth Church Sports LLC Property, Attorney Lindau stated Town Officials should monitor the situation and contact him if it becomes a problem.

She reported she attended a Wisconsin Towns Association meeting on ARPA (American Rescue Plan Act). Town of Plymouth will receive \$129,098.78 which needs to be used by the end of 2024. Five general allowable use categories have been established but the Treasury Department has not provided the specifics of how towns can use the funds.

10 Chairperson's Report

Chairperson Bomkamp stated he would be attending the Wisconsin Towns Association-Rock County Unit meeting. He also plans to participate in the Rock County Public Works zoom meeting about changing the rates for town winter maintenance.

11 Approval and Payment of Bills

Motion (Snare/Mielke) to approve the payment of all bills presented which included Check # 10830 through # 10840 for a total of \$10,818.53. Carried unanimously.

12 Adjournment

Motion (Snare/Mielke) to adjourn. Carried unanimously.

Meeting adjourned at 9:15 p.m.

Susan Douglas, Plymouth Town Clerk