

REGULAR SESSION, COMMON COUNCIL, August 8, 2022

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on August 8, 2022. The meeting was held in the Council Chambers, on the second floor of the City Building, 124 N. Michigan St., Plymouth, Indiana and was called to order at 6:30 p.m.

Mayor Senter led the Pledge of Allegiance and Councilmen Ecker offered prayer.

Mayor Senter presided for Council members Greg Compton, Duane Culp, Don Ecker Jr, Jeff Houin, Robert Listenberger, Randy Longanecker, and Shiloh Carothers Milner. City Attorney Surrisi and Clerk-Treasurer Gorski were present. The public was able to see and hear the meeting through Microsoft Teams.

Council Members Compton and Ecker moved and seconded to approve the minutes of the regular session of the Common Council on July 25, 2022 as presented. The motion carried.

Public Hearing – Additional Appropriation

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Legals

NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS
Notice is hereby given the taxpayers of the City of Plymouth, Marshall County, Indiana that the proper legal officers of the Common Council at their regular meeting place of the Council Chambers of the City Building, 2nd Floor, 124 N Michigan Street (Gastro Street entrance), Plymouth, Indiana immediately following the Board of Works meeting at 6:30 p.m., Monday, August 8, 2022, will consider the following additional appropriation in excess of the budget for the current year.
Fund Name: Law Enforcement Continuing Education
Major Budget Classification: Equipment
Amount: \$ 16,000.00
Taxpayers appearing at the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the Department of Local Government Finance (DLGF). The DLGF will make a written determination as to the sufficiency of funds to support the appropriation made within fifteen (15) days of receipt of a Certified Copy of the action taken. Handicapped citizens needing special accommodations for the meeting, please call the ADA Coordinator, 574-936-2948
Lynn Gorski, Clerk-Treasurer
July 27, 2022 -P
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Councilmen Ecker and Longanecker moved and seconded to open the public hearing. The motion carried.

Clerk-Treasurer Gorski states that they are seeking an additional appropriation as it was not appropriated to spend out of Law Enforcement Continuing Education for equipment. She states that the Police Chief is asking for this to purchase service weapons for the police officers.

Police Chief Bacon states that they usually change over weapons every 10 years and the last time they did that was around 2012-2013 so they are due. He explains that they are changing calibers, so they do a complete changeover, and they normally budget money in the Law Enforcement Continuing Education Fund given that it is not taxpayer money and is more so funds available but, in this situation, there was not enough appropriated.

Mayor Senter asks what caliber they are changing to.

Bacon responds by stating they are changing to 9mm.

Ecker asks for clarity that there is enough money budgeted but there is just not enough in this fund.

Bacon responds by stating that the way the money was split up when budgeted that there was not enough in this fund.

Gorski states that there was nothing budgeted for equipment.

Ecker asks if there was a request for that.

Bacon responds by stating that they always budget so much money into Law Enforcement Continuing Education, but the prior Clerk always put it her way.

Gorski states that there was \$12,000.00 budgeted in other supplies.

Mayor Senter asks how many weapons will be purchased.

Bacon responds by stating there will be 27.

Houin asks what the impact would be if they were to hold off until next year so they can add it to the 2023 budget.

Bacon responds by stating that prices could go up because of everything that goes on in this country. He states that ammunition is holding steady right now, but it will go up. He explains that he has already been approved for the ammunition and the purchase order has been signed. He states that he wants to wait for the weapons because it is a different caliber than what they are carrying now.

Compton asks what will be done with the older weapons.

Bacon responds by stating that those will be traded, or they can be purchased by the officers for the trade in price that they get from the company that they are buying the weapons from.

Kathy Bottorff asks what the amount is of the additional appropriation.

Ecker responds by stating that it is \$16,000.00.

Councilmen Ecker and Longanecker moved and seconded to close the public hearing. The motion carried.

Ecker asks Bacon if he could check with Assistant Police Chief Owen about the property on Hillcrest Avenue that was demolished. He states that the front yard, as well as the back yard, needs maintained and if they could reach out to the owner of the property to have that taken care of.

Mayor Senter states that he has spoken with Owen about that Friday, so he is aware and that he was going to put it on his list this morning.

Ecker understands and states that just because the house is no longer there that doesn't mean that it can sit there unattended.

City Attorney Surrisi presents Ordinance No. 2022-2198, An Ordinance Redistricting the City of Plymouth and states that he is carrying this ordinance until the first meeting in September.

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City Attorney Surrisi presented Ordinance No. 2022-2200R, An Ordinance to Amend

Ordinance No. 2021-2182, The 2022 Salary Ordinance on second reading.

ORDINANCE NO. 2022-2200R

**AN ORDINANCE TO AMEND
ORDINANCE NO. 2021-2182, THE 2022 SALARY ORDINANCE**

Statement of Purpose and Intent

The purpose and intent of this ordinance is to effectuate the proposed amendments to Ordinance No. 2021-2182, An Ordinance Fixing Salaries of Appointed Officers and Employees, Fire and Police Personnel of the City of Plymouth, Indiana for the Year 2022, and to implement other policy changes regarding operation of the Fire Department.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Plymouth, Indiana as follows:

Section 1. Within the provisions of Ordinance No. 2021-2182 addressing the FIRE DEPARTMENT, a new line creating the Firefighter, Civilian – Inspector position is now added as follows:

Fire Inspector, Civilian _____ \$ 60,218.88 per yr

Section 2. The Fire Inspector, Civilian position is eligible for longevity pay at the same rate afforded to qualified firefighters but is not eligible for compensatory time off.

PASSED AND ADOPTED this 8th day of August, 2022.

Mark Senter
Mark Senter, Presiding Officer

ATTEST:

Lynn M. Gorski
Lynn M. Gorski, Clerk-Treasurer

Presented by me to the Mayor of the City of Plymouth, Indiana on the 8th day of August, 2022, at 8 o'clock p m.

Lynn M. Gorski
Lynn M. Gorski, Clerk-Treasurer

Approved and signed by me this 8th day of August, 2022.

Mark Senter
Mark Senter, Mayor

Surrisi explains that there was a revision to this from the time it was introduced at the last meeting. He states that originally this was intended to create two new positions in this year's salary ordinance. He explains one being the Fire Inspector Civilian Position which would take that position from being a regular firefighter to an ordinary civilian position that wouldn't be in the 77-fund pension fund but rather the PERF pension fund. He explains that they also had on there the creation of a Firefighter First Class Civilian Position but since the introduction to that he learned that the law was changed effective July 1st that no longer permits the creation of such position. He adds that they were a month too late to do that so any new firefighter needs to be eligible to get into the 77-fund pension or have already been a PERF employee that can buy their way into the pension. He states that there are a few exceptions but for the most part you must be eligible for getting into the firefighter pension. He states that this revision removes the creation of the Firefighter First Class Civilian Position and the Firefighter First Class Civilian Probationary Positions that had been

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proposed in the introduced version but otherwise it is the same. He states that Fire Chief Holm is here if there are any other questions regarding this.

Ecker states that the fire department loses a good candidate because of this change.

Holm agrees and states that he has tried to reach out to the pension office to get clarification and they explained that was the way that it reads. He states that he has also reached out to Indiana Fire Chief's Association to try to get some clarity on it. He explains that the pension office told Holm that he should contact the state representatives and senators about it just to see if there are any kinds of exceptions that can be made. He believes that it really hurts the small-town fire departments that are pension departments because the hiring pool has drastically gone down and now it has been shrunken down even further. He states that this hurts viable candidates who are just outside of the age that can no longer be hired.

Ecker asks if any similar disappoints from other communities. He asks if he has reached out to any other communities of similar size to find out if they are experiencing the same frustration.

Holm states that originally it was discovered that this was an issue from Knox as they contacted the city regarding trying to do the same thing and saw that the position was being created here given that the law was not going to allow them to do anything.

Surrisi states that he just went to the Indiana Municipal Lawyer's Conference in late June where they survey all the highlights of new laws. He states that due to there being so many laws they never fully dug into all of them but remarkably this was one that they didn't believe needed highlighting, so he was not aware of it.

Compton references the earlier statement about contacting the State Senator, he asks if that is to change a law, to put in a new law, or to investigate an exception.

Holm responds by stating that it was to see if an exception for us in our area for that if they were really in dire need of needing this.

Surrisi states with the way this new law went into effect is written that there isn't really an loopholes or way around it.

Ecker states that he just does not want to give up on someone especially if this candidate is as strong as they believe he is or even others to come.

Mayor Senter states that the candidate is a very active volunteer.

Ecker states that if there is any way that they can enhance their fire department that they have to keep trying.

Holm states that's what the plan is and with all the events with the special session downstate and a funeral coming up that he would give it another week or so before he gets on that.

Klingerman states that they are disappointed to find out this news. She explains that she and

Holm have talked about digging into options that they can do.

Houin asks if Surrisi could distribute to the council a real brief memo that sites that statute.

Gorski adds that it is Senate Bill 78 which is listed below.

"1977 pension and disability fund. Provides that after July 1, 2022, if the board of trustees of the Indiana public retirement system (system board) determines that a new police officer or firefighter in the public employees' retirement fund (PERF) should be a member of the 1977 fund, the system board shall require the employer to transfer the member into the 1977 fund and contribute the amount that the system board determines is necessary to fund fully the member's service credit in the 1977 fund for all service earned as a police officer or firefighter in PERF. Provides that a police officer or firefighter who is an active member of the 1977 fund with an employer that participates in the 1977 fund, separates from that employer, and more than 180 days after the date of the separation becomes employed as a full-time police officer or firefighter with the same or a second employer that participates in the 1977 fund, is a member of the 1977 fund without meeting the age limitations under certain circumstances. (The introduced version of this bill was prepared by the interim study committee on pension management oversight.)"

Surrisi responds by stating that he can provide his analysis of it.

Houin states that it sounds like this is just a political issue for whatever reason this was adopted.

Surrisi states that he is unsure of whoever was rallying for this change as far as firefighter unions or things like that. He states that the police and fire pension has its pros and cons versus being a PERF employee but perhaps people thought it would be more advantageous to those that are risking their lives going into fires.

Mayor Senter asks if this affects police as well.

Surrisi responds by stating that police are also a part of it but there is a little more flexibility in that you can be up to 40 years old and that is the cutoff for getting into the pension fund as a police officer while 36 is for firefighters.

Surrisi adds that one thing that the Clerk-Treasurer had just mentioned was if it would make sense to rename the position from Firefighter Civilian Inspector to just Fire Inspector so that it is less confusing that the person may have firefighting duties. He explains that the Board of Public Works adopted the job description last meeting which does make clear that they do not have firefighting duties but just to streamline that it may be a good suggestion.

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Houin asks for clarification that this would be another amendment to Ordinance No. 2022-2200R to simply change it to Firefighter Inspector to Fire Inspector.

Surisi responds by stating that it may be best to do Fire Inspector Civilian.

Councilmen Houin and Ecker moved and seconded to adopt Ordinance No. 2022-2200R, An Ordinance to Amend Ordinance No. 2021-2182, The 2022 Salary Ordinance with the additional revision to change the name from Firefighter Civilian Inspector to Fire Inspector Civilian in both Section 1 and Section 2 on second reading. The motion passed by roll call vote.

Councilman in Favor: Compton, Culp, Ecker, Houin, Listenberger, Longanecker, Milner

Councilman Opposed: N/A

Councilmen Houin and Ecker moved and seconded to adopt Ordinance No. 2022-2200R, An Ordinance to Amend Ordinance No. 2021-2182, The 2022 Salary Ordinance with the same revision on third reading. The motion passed by roll call vote.

Councilman in Favor: Compton, Culp, Ecker, Houin, Listenberger, Longanecker, Milner

Councilman Opposed: N/A

City Attorney Surisi presented Ordinance No. 2022-2199R, An Ordinance Fixing Salaries of Appointed Officers and Employees, Fire and Police Personnel of the City of Plymouth, Indiana for the Year 2023 on second reading.

ORDINANCE NO. 2022-2199-R

AN ORDINANCE FIXING
SALARIES OF APPOINTED OFFICERS AND EMPLOYEES, FIRE AND POLICE
PERSONNEL, OF THE CITY OF PLYMOUTH, INDIANA FOR THE YEAR 2023

BE IT ORDAINED by the Common Council of the City of Plymouth, Indiana that from and after the first day of January, 2023, the following appointed officers and employees of the City of Plymouth, Indiana, may receive up to the following salaries and wages. The first payroll for City Employees in January, 2023, will reflect the rate of pay as established by the Salary Ordinance. Employee benefits are addressed in the City of Plymouth Employee Handbook adopted by Ordinance No. 2013-2052, passed January 14, 2013, and as most recently amended by Ordinance No. 2022-2192, passed April 11, 2022.

OFFICE OF THE MAYOR

Promotion of the City Coordinator	\$	47,729.52	per yr
Member of the Board of Public Works & Safety who is not an elected official	\$	37.13	per
Regular, Executive, or Special Session Board of Works mg attended			

OFFICE OF THE CLERK-TREASURER

Deputy Clerk-Treasurer	\$	23.15	per hr
Deputy Clerk-Treasurer / Probation (90-180 days)	\$	23.15	• per hr
Payroll Coordinator	\$	22.24	per hr
Accounts Payable Coordinator	\$	20.09	per hr
Accounts Receivable Coordinator	\$	20.09	per hr
EMS Billing and Cash Balancing Coordinator	\$	20.09	per hr
Utility Billing Coordinator	\$	20.91	per hr
Clerk Part Time	\$	16.17	per hr
All Coordinators / Probation (90-180 days)	\$	20.09	• per hr

POLICE DEPARTMENT

Chief of Police	\$	74,702.64	per yr
Assistant Chief of Police	\$	67,471.44	per yr

Position	Projected Hours		
Detective	2080 hrs	\$	31.34 per hr
Sergeant	2016 hrs	\$	31.34 per hr
Copcarol	2016 hrs	\$	30.69 per hr
Patrol Officer	2016 hrs	\$	29.99 per hr
Patrol Officer / Probation (one year maximum)	2016 hrs	\$	29.99 • per hr

The School Resource Officer's rate of pay shall be determined by their position, above.

Longevity pay is additional compensation to be paid to a qualified police officer. A qualified police officer is one who has at least three (3) years of continuous service to the City.

Longevity pay is calculated to be Two Hundred Twenty-five Dollars (\$225.00). The amount to be paid to a qualified police officer is \$225.00 multiplied by the number of years of continuous service. The maximum amount paid shall be \$4,500.00. Longevity shall be paid on the pay day following the anniversary date of employment for that individual.***

A Clothing Allowance of \$1,000.00 per year is paid to all police officers who have at least one full year of continuous service to the city. Clothing Allowance is payable in equal installments at the end of each quarter.**

Work Schedule - There is established a seven (7) day work week for members of the Plymouth Police Department. For the officers working patrol, the work schedule shall be established as five (5) days on duty, followed by two (2) days off duty, then four (4) days on duty, followed by two (2) days off duty; returning again to the five (5) days on duty, followed by two (2) days off duty; and then four (4) days on duty, followed by two (2) days off duty, with this cycle then repeating itself continuously. This work schedule yields a projected number of work hours of 2,016 per officer.

All non-exempt Police Officers will be paid one and one-half (1 and 1/2) times their regular rate of pay for all hours worked in excess of forty (40) hours (See §FLSA 553.230) in any scheduled work week. Only hours worked will count for overtime purposes. All overtime work must be approved by the initiating or signing of your time card/sheet by your superintendent.

**Except for those instances noted in Ordinance No. 1479.

***Except for those instances noted in Ordinance No. 1480.

POLICE DEPARTMENT

Position	Projected Hours		
Police Aide	2080 hrs	\$	19.69 per hr
Police Aide / Probation (90-180 days)	2080 hrs	\$	19.69 • per hr
Projected Hours Not Calculated on the Following Part-time Positions			
School Crossing Guard	up to	\$	36.96 per day

POLICE DEPARTMENT INCENTIVE DAYS

Full-time hourly police personnel who work special details or who work a shift other than the 7:00 a.m. - 3:00 p.m. shift shall be entitled to extra paid days off duty referred to as "incentive days" as follows:

- A. Full-time hourly police personnel assigned to the 11:00 p.m. - 7:00 a.m. shift shall receive one (1) incentive day per calendar month.
- B. Full-time hourly police personnel assigned to the 3:00 p.m. - 11:00 p.m. or the 7:00 p.m. - 3:00 a.m. shift shall receive one (1) incentive day per calendar month.
- C. Full-time hourly police personnel assigned to the 11:00 a.m. to 7:00 p.m. shift shall receive one (1) incentive day every six months.
- D. Full-time hourly police personnel shall begin being compensated for incentive days after working an eligible shift for 30 calendar days.
- E.

If a full-time hourly police personnel does not timely use his or her earned incentive days as required above, he or she shall be paid for said day (s) at his or her standard rate. In no event shall any officer be paid overtime (or more than standard rate) for unused incentive days. Said personnel are **requested** to mark a day off on their time card as an incentive day if they wish to be paid for the day without taking it off.

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FIRE DEPARTMENT

Fire Chief - EMS Director	\$	73,664.64	per yr
Assistant Chief - Firefighter	\$	64,700.64	per yr
Assistant Chief - Firefighter Paramedic	\$	64,700.64	per yr
Firefighter - Chief Mechanic	\$	62,025.60	per yr
Firefighter - Chief Paramedic	\$	62,025.60	per yr
Firefighter - Training Instructor	\$	62,025.60	per yr
Firefighter - Paramedic - Training Instructor	\$	62,025.60	per yr
Firefighter 1st Class	\$	59,887.20	per yr
Firefighter - Paramedic	\$	59,887.20	per yr
Firefighter - Inspector	\$	62,025.60	per yr
Firefighter - Probation (one year maximum)	\$	59,887.20	per yr
Firefighter - Paramedic - Probation (one year maximum)	\$	59,887.20	per yr
Firefighter - ENIT - Probation (one year maximum)	\$	59,887.20	per yr

Longevity pay is additional compensation to be paid to a qualified firefighter. A qualified firefighter is one who has at least three (3) continuous years of service to the City.

Longevity pay is calculated to be Two Hundred Twenty-five Dollars (\$225.00). The amount to be paid to a qualified firefighter is \$225.00 multiplied by the number of years of continuous service. The maximum amount paid shall be \$4,500.00. Longevity shall be paid on the pay day following the anniversary date for that individual.***

Civilian Fire Department Employees

Fire Inspector, Civilian	\$	62,025.60	per yr
Paramedic, Civilian - Training Instructor	\$	62,025.60	per yr
Paramedic, Civilian	\$	59,887.20	per yr
Paramedic, Civilian - Probation (one year maximum)	\$	59,887.20	per yr
Paramedic Part-time	\$	17,117	per hr
Advance ENIT Part-time	\$	16,035	per hr
Basic ENIT Part-time	\$	15,000	per hr
Administrative Assistant	\$	19,699	per hr.
Administrative Assistant / Probation (90-180 days)	\$	19,699	per hr.

Paramedic's salary shall be increased by \$5,000.16 annually; however the certified salary shall be the same as a First Class Firefighter.

A Clothing Allowance of \$750.00 per year is paid to all firefighters and paramedics who have at least one full year of continuous service to the city. Clothing Allowance is payable in equal installments at the end of each quarter.**

Work Schedule - The Fire Department works 24 hours on, 24 hours off, 24 hours on, 24 hours off, 24 hours on and 96 hours off in a 28 day period. If such 28 day period includes benefit days, extra hours worked up to 212 are to be paid at a regular hourly rate. Hours worked over the 212 hours are to be paid at time and one-half. Salaries for the fire department are based on 2928 hours per year.

**Except for those instances noted in Ordinance No. 1479.

***Except for those instances noted in Ordinance No. 1480.

CITY ENGINEER/STORM WATER DEPARTMENT

City Engineer/Storm Water Compliance Superintendent	\$	97,884.48	per yr
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DEPARTMENT OF BUILDING COMMISSION

Building Commissioner	\$	65,154.96	per yr
Part-time Building Commissioner	\$	16.58	per hr.
Administrative Assistant	\$	19,699	per hr.
Administrative Assistant / Probation (90-180 days)	\$	19,699	per hr.

DEPARTMENT OF LAW

City Attorney	\$	101,003.76	per yr.
Human Resources Manager	\$	43,908.96	per yr.

CEMETERY DEPARTMENT

Cemetery Superintendent	\$	62,563.68	per yr
Assistant Superintendent	\$	24.28	per hr
Labors - Full Time	\$	20.55	per hr
Labors / Probation (90-180 days)	\$	20.55	per hr
Labors - Summer / Semi-skilled	\$	15.12	per hr

PARK & RECREATION DEPARTMENT

Park Superintendent	\$	67,073.04	per yr
Pool and Recreation Director	\$	45,994.08	per yr
Maintenance Supervisor	\$	24.28	per hr
Laborer - Maintenance - City Forester	\$	23.05	per hr
Labors - Maintenance - Full Time	\$	20.55	per hr
Labors/Maintenance / Probation (90-180 days)	\$	20.55	per hr
Office Manager	\$	19,699	per hr
Office Manager / Probation (90-180 days)	\$	19,699	per hr
Labors - Part-time	\$	15.12	per hr
Labors-Summer Semi-skilled	\$	15.12	per hr
Head Life Guards (Instruction WSI)	\$	14.04	per hr
Life Guards (Instructors WSI)	\$	12.81	per hr
Life Guards	\$	10.96	per hr

AVIATION DEPARTMENT

Airport Manager	\$	58,601.04	per yr
Assistant Manager	\$	22.15	per hr
Labors	\$	20.55	per hr
Labors / Probation (90-180 Days)	\$	20.55	per hr
Laborer - Part-time	\$	15.12	per hr

MOTOR VEHICLE HIGHWAY/AVIATION DEPARTMENT/CITY GARAGE & WAREHOUSE

Street & Sanitation Superintendent	\$	67,073.04	per yr
Supervisor	\$	24.28	per hr
Mechanics	\$	23.05	per hr
Mechanics / Probation (90-180 days)	\$	23.05	per hr
Truck Drivers - Labors - Full Time	\$	20.55	per hr
Truck Drivers - Labors / Probation (90-180 days)	\$	20.55	per hr
Administrative Assistant	\$	19,699	per hr
Administrative Assistant / Probation (90-180 days)	\$	19,699	per hr.

UTILITY DEPARTMENT

Superintendent	\$	99,361.44	per yr
Engineering Technician	\$	27.12	per hr

WASTE WATER DEPARTMENT

Assistant Superintendent (Treatment Plant/collection System)	\$	27.46	per hr
Maintenance Supervisor	\$	26.34	per hr
Maintenance/Repair Technician - A	\$	24.10	per hr
Maintenance/Repair Technician - B	\$	23.05	per hr
Maintenance/Repair Technician - C	\$	22.03	per hr
Maintenance/Repair Technician / Production (90-180 Days)	\$	24.10	per hr
Collection System Supervisor	\$	26.34	per hr
Labors Treatment/Collection System - A	\$	22.61	per hr
Labors Treatment/Collection System - B	\$	21.92	per hr
Labors Treatment/Collection System - C	\$	21.23	per hr
Labors Treatment/Col System Production (90-180 Days)	\$	22.61	per hr
Labors/Semiskilled - Part Time	\$	15.12	per hr
Laboratory Technician Supervisor	\$	26.34	per hr
Laboratory Technician	\$	18.00	per hr
Laboratory Technician Production (90-180 Days)	\$	18.00	per hr
Laboratory Technician Part-time	\$	17.12	per hr
Janitor	\$	15.00	per hr
Administrative Assistant/Operator	\$	21.92	per hr
Administrative Assistant	\$	19.69	per hr
Administrative Assistant Production (90-180 Days)	\$	19.69	per hr
Administrative Assistant Part-time	\$	15.69	per hr
Safety Officer	\$	0.43	per hr

The above listed pay for all full time hourly employees shall increase upon each certification of said employees as follows:

Class I Plant Operator	\$	0.50	per hr
Class II Plant Operator	\$	1.00	per hr
Class III Plant Operator	\$	1.50	per hr
Class IV Plant Operator	\$	2.00	per hr
Cross-Connection Device Inspector and Test	\$	1.00	per hr

WATER WORKS DEPARTMENT

Assistant Superintendent	\$	27.46	per hr
Distribution System Supervisor	\$	26.34	per hr
Maintenance Supervisor	\$	26.34	per hr
Maintenance/Repair Technician - A	\$	24.10	per hr
Maintenance/Repair Technician - B	\$	23.05	per hr
Maintenance/Repair Technician - C	\$	22.03	per hr
Maintenance/Repair Technician / Production (90-180 Days)	\$	24.10	per hr
Service Technician/Laborer - A	\$	22.61	per hr
Service Technician/Laborer - B	\$	21.92	per hr
Service Technician/Laborer - C	\$	21.23	per hr
Service Technician/Laborer / Production (90 - 180 Days)	\$	22.61	per hr
Service Technician/Laborer - Semi-skilled	\$	15.53	per hr
Administrative Assistant	\$	19.69	per hr
Administrative Assistant Production (90-180 Days)	\$	19.69	per hr
Administrative Assistant Part-time	\$	15.69	per hr

The above listed pay for all full time hourly employees shall increase upon each certification of said employees as follows:

Class DSS (Distribution System Small)	\$	0.33	per hr
Class DSM (Distribution System Medium)	\$	0.67	per hr
Class DSL (Distribution System Large)	\$	1.00	per hr
Class WTI (Water Treatment 1)	\$	0.33	per hr
Class WT2 (Water Treatment 2)	\$	0.67	per hr
Class WT3 (Water Treatment 3)	\$	1.00	per hr
Cross-Connection Device Inspector and Tester	\$	1.00	per hr

COMMERCIAL DRIVER'S LICENSE HOLDERS

All departments that require Commercial Driver's Licenses for the function of their duties as described in their job description. Employees will upon submission of their Commercial Driver's License certificate be compensated as below:

Class A CDL	\$	2.00	per hr
Class B CDL	\$	1.50	per hr

LONGEVITY PAY FOR FULL-TIME EMPLOYEES (Except Police Officers and Firefighters)

Longevity pay is additional compensation to be paid to qualified full-time non-emergency personnel. Qualified employees are those who are eligible for other benefits paid to full time employees i.e., PERS and health insurance, and who have at least three (3) uninterrupted years of service to the City. Non-emergency personnel includes those employees not employed as Firefighters and Police Officers. Said uninterrupted years of service shall be full calendar years.

Longevity pay is calculated to be Fifty Dollars (\$50.00). The amount to be paid to the qualified full-time non-emergency employee is \$50.00 multiplied by the number of full, uninterrupted years of service to the City of Plymouth in a qualified position. The maximum amount paid shall be \$1,000.00. Longevity shall be paid on the last paycheck of the year for that year's service. Said qualified employee must be employed as a full time employee at the time of payment. Said longevity pay shall not be provided under any circumstances. If an employee is inactive at the time of said payment, he/she shall not be paid longevity. Inactive shall exclude earned vacation time, sick time or personal days (not to exceed two (2) personal days).

OVERTIME PAY FOR NON-EXEMPT EMPLOYEES (Except Police Officers and Firefighters)

Non-exempt employees will be paid one and one-half (1-1/2) times their regular rate of pay for all hours worked in excess of forty (40) hours in any scheduled work week. Only hours worked will count for overtime purposes. All overtime work must be approved by the initiating or signing of your time card sheet by your supervisor.

*Probationary rate is determined by the department head and based on relevant experience.

REGULAR SESSION, COMMON COUNCIL, August 8, 2022


PRINCIPLES OF PUBLIC ACCOUNTABILITY (Exempt salaried employees)

The City of Plymouth's pay system is based on a policy based on principals of public accountability (See §F1.SA 541.710(1) which recognizes the City's accountability to its citizens for the use of public funds. Because of this accountability and in the interest of efficient use of these funds, the city will not pay employees for hours that they do not work, unless they have accrued leave available to cover that time. Full-day (8 hour) or partial-day (4 hour) increments will be used if accrued leave is not available.


DULY ORDAINED, PASSED AND ADOPTED by the Common Council of the City of Plymouth, Indiana, this 8th day of August, 2022.


Mark Senter, Presiding Officer

Attest:


Lynn M. Gorski
Clerk-Treasurer

PRESENTED by me to the Presiding Officer of the City of Plymouth, Indiana on the 8th day of August, 2022.


Lynn M. Gorski
Clerk-Treasurer

THIS ORDINANCE approved and signed by me on the 8th day of August, 2022.


Mark Senter, Mayor
City of Plymouth, Indiana

Surtisi adds that if this were to be adopted that he would suggest the same change that was just added to the last salary ordinance for this year making it Fire Inspector Civilian for that position.

Councilmen Ecker and Compton moved and seconded to approve Ordinance No. 2022-2199R, An Ordinance Fixing Salaries of Appointed Officers and Employees, Fire and Police Personnel of the City of Plymouth, Indiana for the Year 2023 on second reading. The motion passed by roll call vote.

Councilman in Favor: Compton, Culp, Ecker, Houin, Listenberger, Longanecker, Milner
Councilman Opposed: N/A

Councilmen Ecker and Culp moved and seconded to approve Ordinance No. 2022-2199R, An Ordinance Fixing Salaries of Appointed Officers and Employees, Fire and Police Personnel of the City of Plymouth, Indiana for the Year 2023 on third reading. The motion passed by roll call vote.

Councilman in Favor: Compton, Culp, Ecker, Houin, Listenberger, Longanecker, Milner
Councilman Opposed: N/A

Mayor Senter states that he will be heading to Carmel tomorrow for Mayor's Conference which is usually two and a half days but there were about several mayors that will be coming back for Congresswoman Walorski's funeral on Thursday so he will be gone at least one night.

Clerk-Treasurer Gorski states that the State Board of Accounts is here auditing the city for 2020-2021. She states that recently the Parks Department passed at their last meeting to waive the electrical fees that were charged to the Blueberry Festival in 2017, 2018, and 2019. She adds in

which the amount for 2017 was paid. She states that State Board of Accounts suggested that you as a council waive these fees if you so choose.

Compton asks for clarification that these have already been paid by the City of Plymouth. He asks whom the City of Plymouth paid.

Gorski responds by stating that the city paid NIPSCO.

Houin asks for clarification that he heard the Park Board moved to waive 2017, 2018, and 2019.

Gorski responds by stating that it is just 2018 and 2019 which are still unpaid from the Blueberry Festival.

Ecker asks for clarification that Park Superintendent Hite is also in favor of this as well.

Hite states that for years that electrical area was never charged to Blueberry. He explains that his guess is that in 2017, without him being aware of it, the Clerk-Treasurer saw this meter by Plymouth-Goshen Trail by the carnival and felt that it should be paid by the Blueberry. He adds that it was never paid by the Blueberry anytime previous. He states that as for the reason why the 2017 bill was paid is unknown to him as he doesn't remember back then. He states that when they got billed in 2018 and 2019, they started discussions as far as starting a new contract in 2020. He explains that it never said anything in the contract about paying this electrical bill as they were under the assumption it was in the rental agreement that is \$30,000+ a year that they pay to have to festival in the park. He states that the Park Board and Blueberry came to an agreement in 2020 for a new contract where they raised the yearly fee to coincide with the electrical payment and therefore write in the contract exactly who is responsible for what. He explains that in the past there were no contracts, and everything was done with a handshake and that was the way that it was. He states that with everyone becoming caught in the middle of this they needed something more concrete and that is where they came to an agreement in 2020. He explains that the idea in 2020 was that the bills for 2018 and 2019 would be forgiven and that is where they are at.

Compton asks if this is because of the inability of the Blueberry Festival to pay or is this to make up because they are charging the annual fee.

Hite responds by stating that he would have to ask Blueberry on that, and he states that he doesn't believe that they can't pay. He states that he thinks it is more of a thing where they thought it was paid anyway in the agreement.

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Gorski states that she would like to clarify a little bit. She states that the Blueberry has always paid for electrical consumption that is billed to the park and that has always been on their bill. She adds that she has the bills to prove that.

Surtisi states that it was never addressed expressly in the contract prior to 2020 but yes, they did always pay for that.

Gorski states that in 2017 the bill they were billed for the Plymouth-Goshen Trail and Randolph was electric consumption that was billed to City Lights and Power, not the Parks Department, so that is where the confusion came in.

Culp responds to Compton's question by stating that at \$31,000.00 the Marshall County Blueberry Board were under the understanding that consumption was being paid through the rental fees. He states that the bill in 2017 started getting the electrical added, because he has all the bills from 2009 with no electrical fee on those. He states that the electric bill has always been a second bill, he states that they pay for the city, police, fire, EMS, and all the extras is always paid on a separate bill. He states that with that said, they never paid that bill.

Compton asks who paid it prior.

Gorski states that City Power and Lights pays the bill and that is not a Parks Department bill.

Houin asks if City Power and Lights then sent it to the Blueberry Festival.

Gorski agrees.

Culp states that there is a separate meter on the west side that the Blueberry turns on and turns off that the City never sees. He states that there is also a meter on the west side that they continue to pay every year which is small. He states that the one that the Blueberry Festival pays for pays for every bit of the electric that anyone uses for the fryers, food, lights down through the tents, etc. He expresses that is what they pay for, and he has bills to prove that. He states that the issue comes down to when 2017 hit and Hite told him that this needs to be investigated thinking that maybe the carnival was causing the big increase. He states that upon investigation with Hite it was found that all the carnivals ran off diesel fuel generators so that wasn't the case. He states that what was running it up to this day was as Blueberry they always thought that bill was being paid through rental fees. He states that when they negotiated the contract with the Park Board, City Attorney, and three from the Blueberry talked about those two bills. He states that as Hite had said, they were going to forgive those as it had always been a handshake between them before they spelled it out that the former Clerk-Treasurer put that on the bill. He explains that was the first time they ever seen it. He states that they are still paying a bill for everything that goes into the park. He explains that when

he heard 3,200 or 4,000 dollars, they were thinking that was taken out of the \$31,000 for the rental agreement.

Surisi asks for clarification that they paid the rental agreement and then always paid the expenses for all the other city departments which included parks which had billed into that the Parks electrical. He asks if it was only in 2017 when this other electrical was billed. He states that the way that he sees it is that there was not a meeting of the minds between the Blueberry and the Park Board when they entered in their contract prior to 2017 that this other electrical bill was even on the table. He states that when the Clerk-Treasurer added that in 2017 they paid it but in 2018 and 2019 they haven't paid it.

Houin states that if he understands the Clerk-Treasurer correctly that this other electrical bill had been billed to the Blueberry Festival prior to 2017 but it had just been billed through City Power and Lights. He states that the difference in 2017 was that it was billed through the Parks Department instead.

Gorski responds by stating that is not correct and that in 2017 it was the first time that the City Power and Lights bill was evaluated.

Houin states that is not what he understood. He states that he thought it was said that the Blueberry Festival had paid it all the way back to 2009.

Gorski states that in 2017 the City Power and Lights bill was evaluated.

Houin asks for clarity that 2017 was the first time that the Blueberry Festival received a bill for the electrical usage from the City Power and Lights.

Gorski agrees.

Houin asks for clarity that prior to that it had never been billed.

Gorski responds by agreeing that they were never billed prior.

Houin states so when it was brought up that when she said it was being paid since 2009, he was confused by that.

Gorski states that she never said they paid since 2009.

Houin states that she said she had the copy of the bills going back to 2009.

Gorski states that she has 2015 and 2016 for electrical consumption that's used at the park but in 2017 they were billed for electrical consumption that was paid by City Power and Lights.

Compton asks who was paying the separate one.

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Culp responds by stating that they pay the one on the west side. He states that it is their pole and their meter that goes directly to the Blueberry. He states that they simply shut it off at the end of the year and he has a copy of that bill too which is normally \$22,000.00.

Surrisi adds that the city has nothing to do with that bill.

Compton asks how come this bill in 2018 is now being addressed in 2022.

Surrisi states that he thinks that they thought that the Park Board and the Blueberry Festival resolved this through conversations and a handshake deal in 2018. He states the contract at that time made no mention of electrical, but it was common practice that they paid the old electrical. He states that in 2020 they renegotiated the contract to expressly mention that they have to pay electrical but not this City Power and Light bill for the Plymouth Goshen Trail.

Listenberger states that is how he remembers it. He states that he was in that meeting, and he was on the Park Board at that time. He states that the spirit of it was they were unknown bills to the Blueberry, and they just decided going forward this is how it will be addressed and forgave it back then. He explains that they thought it was taken care of.

Surrisi states that he thinks that it did come up now because the new Clerk-Treasurer is new to the position and is doing her job by crossing every T and dotting every I.

Listenberger states that the new contract addresses this issue and in the spirit of it was to forgive the other fees.

Gorski states that regarding the Park Board forgiving these that the Park Board is only eligible to forgive any bill that is billed to them. She states however, this is only billed to City Power and Lights which is billed to the Council.

Culp states that Blueberry and the City agreed to increase their bill in the contract to compensate for that electric usage. He states that he believes he still has two or three more years until they go up to \$32,000 before they have to renegotiate again.

Listenberger asks if they are being asked to forgive the \$1,700 portion. He asks what the Park Board has forgiven already.

Gorski states that the Park Board forgave it all in which they did not have the authority to forgive because it all was not theirs. She states that the Park Board was eligible to forgive \$1,704.33. She states that the Council needs to forgive \$6,418.52.

Culp asks if that is two separate meters.

Gorski responds by stating that is all one meter and that it is two separate years.

Ecker clarifies that it is his understanding that the Park Board has voted in favor of forgiving the whole amount even though they are not authorized to.

Gorski states that State Board of Accounts is asking that they affirm this.

Councilmen Ecker and Houin moved and seconded to approve the waiving of \$6,418.52. The motion carried with Culp abstaining.

City Attorney Surrisi presented PC 2022-10, Certified Proposal to Amend the Zoning

Ordinance for the City of Plymouth. He states that Plan Consultant Booker is here to talk about this.

PC 2022-10

CERTIFIED PROPOSAL TO AMEND THE ZONING ORDINANCE FOR THE CITY OF PLYMOUTH

Statement of Purpose and Intent

Recently, the Plymouth Plan Commission has held discussions regarding proposed amendments to the Plymouth Zoning Ordinance to modify standards for signage in certain zoning districts. Based upon those recommended additions, the Plan Commission initiated this Proposal to Amend the Zoning Ordinance for the City of Plymouth, pursuant to Indiana Code §§ 36-7-4-601, 602, 603.

The Plan Commission scheduled a public hearing on the proposed amendments on Tuesday, July 5, 2020, 7:00 p.m. at the Plymouth Common Council Chambers, with notice of said hearing being published pursuant to Indiana Code § 36-7-4-604 and Indiana Code § 5-3-1 *et seq.* At the public hearing, the proposal was discussed, with the Commission hearing input from Plan Consultant Ralph Booker, Zoning Administrator Keith Hammonds, and the public. At that meeting, pursuant to Indiana Code § 36-7-4-605, the Commission voted to approve the proposed amendments to the Zoning Ordinance for the City of Plymouth, giving the proposed amendments its favorable recommendation.

The purpose and intent of this document is to certify the proposed amendments to the Zoning Ordinance for the City of Plymouth to the Plymouth Common Council for its consideration.

NOW, THEREFORE, BE IT ORDAINED, by the Plymouth Plan Commission, as follows:

Section 1. The Plymouth Zoning Ordinance is proposed to be amended as follows:

Article 6 Development Standards, Section 200 Sign Standards, Subpart E: Permitted Signs, Subdivision 2 is amended by adding the following bold language:

Signs are permitted in C-1, C-2, C-3, I, BP or PUD Zoning Districts, **plus any grandfathered institutional or commercial uses in a R-3 District**, with a permit subject to the following regulations and other applicable standards in this Chapter:

Article 6 Development Standards, Section 200 Sign Standards, Subpart E: Permitted Signs, Subdivision 2, b., ii. Number of Signs, is amended by striking the language as noted below:

Multi-tenant buildings may provide a tenant directory ~~for up to four (4) tenants~~ as one (1) of the two (2) signs permitted. This is subject to the requirements within the zoning district.

Section 2. Pursuant to Indiana Code §§ 36-7-4-605, 607(c), after determining its favorable recommendation, the proposed amendments to the Zoning Ordinance for the City of Plymouth, set forth herein, are now certified to the Plymouth Common Council for consideration.

SO CERTIFIED, BY THE PLYMOUTH PLAN COMMISSION.

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CONSIDERATION OF PC 2022-10 BY
THE PLYMOUTH COMMON COUNCIL

This matter comes before the Plymouth Common Council on the Plymouth Plan Commission's Certified Proposal to Amend the Zoning Ordinance for the City of Plymouth. After certification, pursuant to Indiana Code § 36-7-4-607(c)(1) and Indiana Code § 5-14-1.5-5, public notice was provided of the Council's intention to consider the Proposal at its regularly scheduled August 8, 2022, meeting. Said meeting was conducted and the Proposal has been considered pursuant to Indiana Code § 36-7-4-603, giving reasonable regard to: (1) the comprehensive plan; (2) current conditions and the character of current structures and uses in each district; (3) the most desirable use for which the land in each district is adapted; (4) the conservation of property values throughout the jurisdiction; and (5) responsible development and growth.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Plymouth, Indiana as follows:

Section 1. The Certified Proposal to Amend the Zoning Ordinance for the City of Plymouth is adopted and, pursuant to Indiana Code § 36-7-4-607(c)(2), upon adoption, the Proposal takes effect as other ordinances passed by the Council.

Section 2. Pursuant to Indiana Code § 36-7-4-610(b), a copy of the now adopted amendments to the Zoning Ordinance for the City of Plymouth shall be printed and a copy thereof shall be located in the office of the City of Plymouth Clerk-Treasurer.

PASSED AND ADOPTED this 8th day of August, 2022.

Mark Senter
 Mark Senter, Presiding Officer

ATTEST:

Lynn M. Gorski
 Lynn M. Gorski, Clerk-Treasurer

Presented by me to the Mayor of the City of Plymouth, Indiana on the 8th day of August, 2022, at 8 o'clock p m.

Lynn M. Gorski
 Lynn M. Gorski, Clerk-Treasurer

Approved and signed by me this 8th day of August, 2022.
Mark Senter
 Mark Senter, Mayor

Booker addresses the first change in the zoning ordinance.

Signs are permitted in C-1, C-2, C-3, 1, BP or PUD Zoning Districts, plus any grandfathered institutional or commercial uses in a R-3 District, with a permit subject to the following regulations and other applicable standards in this Chapter:

Booker states that this comes forward because of places like the Wesleyan Church, Trinity Church, Schools, etc. are all institutional uses in a R-3 Traditional Residential Districts. He states that they all go before the Board of Zoning Appeals and 100% of those are all approved. He states that his and a lot of planner's philosophy is if you are going to bring things before the Board of Zoning Appeals and they are approving everything then you may as well make it adhere in the ordinance. He states that all of these signs still have to follow the regulations of the sign ordinance and it does not give them relief from that but now they no longer have to go and get a variance of use in order to go to the Building Department and get their permit.

Booker addresses the second change in the zoning ordinance.

Multi-tenant buildings may provide a tenant directory ~~for up to four (4) tenants~~ as one (1) of the two (2) signs permitted. This is subject to the requirements within the zoning district.

Booker states that this will provide multi-tenant buildings the opportunity to add more tenants to the sign. He explains that a case will be coming before the Board of Zoning Appeals next month where Ollie's is, and they are wanting to list every tenant in that shopping center, but they can only list four as of now before having to go to the Board of Zoning Appeals. He states that Building Commissioner Hammonds was the one who brought this to their attention. He states that this will allow our plazas like where Kroger is to have multiple tenants. He adds that there are over four there now and he is unsure if that had occurred with Board of Zoning Appeals hearings in the past but if it goes by the current ordinance there can only be four. He states that they still have to adhere to the regulations in the districts so if they wanted to make it larger that they would still have to go before the Board of Zoning Appeals for approval but at least they can list them.

Ecker asks Hammonds if he has any thoughts on this.

Hammonds states that he agrees with Booker because every time these come before the Board they get approved every time.

Councilmen Ecker and Compton moved and seconded to approve PC-2022-10, Certified Proposal to Amend the Zoning Ordinance for the City of Plymouth as presented. The motion passed by roll call vote.

Councilman in Favor: Compton, Culp, Ecker, Houin, Listenberger, Longanecker, Milner

Councilman Opposed: N/A

City Attorney Surrisi presented Resolution No. 2022-1011, Resolution of the City of Plymouth Waiving Noncompliance Regarding Timely Filing of Form CF-1/ Personal Property (WestRock CP, LLC). City Attorney Surrisi also presented Resolution No. 2022-1012, Resolution of the City of Plymouth Waiving Noncompliance Regarding Timely Filing of Forms CF-1/ Personal Property (Zenith North America, LLC).

Surrisi states that this is all the noncompliance tax abatement forms that are usually rolling in the March-April-May timeframe. He states that these were ones where they sent them in to the county and neglected to send them here for the Council's approval before they go to the county.

Compton states that it seems like they get a lot of these. He asks for clarification that the county sends out the notifications from the auditor's office.

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Surrisi responds by stating that he knows the Marshall County Economic Development Corporation sends reminder letters in February to all the people on the list that have received a tax abatement. He adds that he is unsure if the county does anything.

Compton states that this happens often though so he is wondering if it is something in their procedure that they are not doing.

Surrisi states to his recollection that this is maybe the fourth or fifth time they had one of these noncompliance resolutions for not doing it on time. He states that maybe every couple of years they have one in his experience of being here. He states that they do have a lot of them that come in timely so every meeting for about three months in the Spring they are being approved. He states that these two are just the untimely ones this year so in order for them to claim the tax abatement that was on their schedule for this year, the resolutions would have to be approved.

Ecker asks for clarification that this is not the first one for Zentis.

Surrisi responds by agreeing and states that he believes he recalls one six or seven years ago.

Compton states that he remembers several last year that were untimely.

Surrisi states that this year they had ones come in a week late, but it was soon enough for them to advise the county before they finished their process. He adds that there was a few this year and he spoke with MCEDC to see if there was anything that they had done differently in their notification process, and it didn't sound as if there was.

RESOLUTION NO. 2022-1011

RESOLUTION OF THE CITY OF PLYMOUTH
WAIVING NONCOMPLIANCE REGARDING TIMELY
FILING OF FORM CF-1/PERSONAL PROPERTY
(WESTROCK CP, LLC)

WHEREAS, WestRock CP, LLC (WestRock) was previously granted tax abatement on personal property improvements made at 1100 Pideo Drive, Plymouth, IN, under Resolution No. 2015-678. At this time, WestRock requests waiver of noncompliance under Indiana Code § 6-1.1-12.1-9.5 regarding untimely filing of Form CF-1/Personal Property. The purpose and intent of this resolution is to grant the requested waiver.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Plymouth, Indiana, as follows:

Section 1. After consideration of the evidence presented at a public meeting on the 8th day of August, 2022, pursuant to Indiana Code § 6-1.1-12.1-9.5(b)(1), the Common Council now waives WestRock's noncompliance for untimely filing of its Form CF-1/Personal Property for taxes assessed 2022, payable 2023, regarding the tax abatement granted by the Common Council under Resolution No. 2015-678. The Common Council specifically finds that the noncompliance that is the subject of this Resolution has been corrected before its adoption.

Section 2. The Clerk-Treasurer is directed to provide a copy of this Resolution to the Marshall County Assessor's Office for its review and processing. The Clerk-Treasurer is further directed to certify a copy of this Resolution to the taxpayer and to the Department of Local Government Finance.

PASSED AND ADOPTED by the Common Council this 8th day of August, 2022.

ATTEST:


 Mark Senter, Presiding Officer


 Lynn M. Gorski, Clerk-Treasurer

RESOLUTION NO. 2022-1012

**RESOLUTION OF THE CITY OF PLYMOUTH
WAIVING NONCOMPLIANCE REGARDING TIMELY
FILING OF FORMS CF-1/PERSONAL PROPERTY
(ZENITH NORTH AMERICA, LLC)**

WHEREAS, Zenith North America, LLC (Zenith) was previously granted tax abatement on personal property improvements made at 2050 North Oak Road, Plymouth, IN, under Resolution Nos. 2012-486 and 2020-889. At this time, Zenith requests waiver of noncompliance under Indiana Code § 6-1.1-12.1-9.5 regarding untimely filing of Forms CF-1/Personal Property. The purpose and intent of this resolution is to grant the requested waiver.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Plymouth, Indiana, as follows:

Section 1. After consideration of the evidence presented at a public meeting on the 8th day of August, 2022, pursuant to Indiana Code § 6-1.1-12.1-9.5(b)(1), the Common Council now waives Zenith's noncompliance for untimely filing of its Forms CF-1/Personal Property for taxes assessed 2022, payable 2023, regarding the tax abatements granted by the Common Council under Resolution Nos. 2012-486 and 2020-889. The Common Council specifically finds that the noncompliance that is the subject of this Resolution has been corrected before its adoption.

Section 2. The Clerk-Treasurer is directed to provide a copy of this Resolution to the Marshall County Assessor's Office for its review and processing. The Clerk-Treasurer is further directed to certify a copy of this Resolution to the taxpayer and to the Department of Local Government Finance.

PASSED AND ADOPTED by the Common Council this 8th day of August, 2022.

ATTEST:


 Mark Senter, Presiding Officer


 Lynn M. Gorski, Clerk-Treasurer

Councilmen Compton and Houin moved and seconded to approve both Resolution No. 2022-1011, Resolution of the City of Plymouth Waiving Noncompliance Regarding Timely Filing of Form CF-1/ Personal Property (WestRock CP, LLC) and Resolution No. 2022-1012, Resolution of the City of Plymouth Waiving Noncompliance Regarding Timely Filing of Forms CF-1/ Personal Property (Zenith North America, LLC). The motion passed by roll call vote.

Councilman in Favor: Compton, Culp, Ecker, Houin, Listenberger, Longanecker, Milner

Councilman Opposed: N/A

City Attorney Surrisi presented Resolution No. 2022-1010, Additional Appropriations Resolution.

ADDITIONAL APPROPRIATIONS RESOLUTION

Sec. 1. Be it resolved by the Common Council of the City of Plymouth, Marshall County, Indiana, that for the expenses of the taxing unit the following additional sum of money is hereby appropriated out of the funds named and for the purpose specified, subject to the laws governing the same:

AMOUNT REQUESTED	AMOUNT APPROVED BY FISCAL BODY
16,000.00	16,000.00
16,000.00	16,000.00

AYE

AVE
Lan...
[Handwritten signatures]
Ondra Wilner

Lynn B. Gorski
Lynn M. Gorski

Clerk-Treasurer

1010, Additional Appropriations Resolution as presented. The motion passed by roll call vote.

Councilman Opposed: N/A

Council of the City of Plymouth to Approve the Application of Shiloh Milner for a Commercial Revitalization Rebate Program Grant. Shiloh Milner was here to speak on the Resolution.

Shiloh Milner (304 Webster Ave, Plymouth, IN 46563)

Miner states that she has two estimates in the packet. She states that one was for \$9048.00 and the other was for \$22,174.22 so she clearly went with the \$9048.00 option. She states that she has put a deposit down and those should be delivered on the 22nd of August.

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RESOLUTION NO. 2022-1014

**A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF PLYMOUTH TO APPROVE
THE APPLICATION OF SHILOH MILNER
FOR A COMMERCIAL REVITALIZATION REBATE PROGRAM GRANT**

WHEREAS, the City has established the Commercial Revitalization Rebate Program to encourage property owners to renovate existing buildings and to make other real property improvements. The encouragement is in the form of a rebate to the property owner of an amount not to exceed twenty percent (20%) of the actual project costs directly related to the eligible improvements, not to exceed Twenty-Five Thousand Dollars (\$25,000.00); and

WHEREAS, Shiloh Milner of Shiloh Susiebell, LLC, has made application to the Plymouth Common Council for a Commercial Revitalization Rebate Program grant to assist in the renovation of commercial property at 110 N. Michigan St. for new windows. The Council met in a public meeting on August 8, 2022, and heard evidence on the application demonstrating eligible expenses for the renovation totaling \$9,048.00. The purpose and intent of this resolution is to approve the application as set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Plymouth as follows:

Section 1. Shiloh Milner's application for a Commercial Revitalization Rebate Program grant for 110 N. Michigan St., Plymouth, Indiana is hereby approved.

Section 2. The Clerk-Treasurer is authorized to disburse from the appropriate fund, and in accordance with established procedure, a rebate to the applicant consisting of Twenty Percent (20%) of the actual cost incurred by the applicant for eligible expenses for the renovation completed on 110 N. Michigan St., Plymouth, Indiana. In no event shall the rebate to the applicant exceed One Thousand Eight Hundred Nine Dollars and Sixty Cents (\$1,809.60).

Section 3. The Clerk-Treasurer is further authorized to transfer money from the City Development Fund to the Community Improvement Fund in an amount necessary to cover the costs of the eligible expenses approved by this resolution.

PASSED AND ADOPTED this 8th day of August 2022.


Mark Senter, Presiding Officer

ATTEST:


Lynn M. Gorski, Clerk-Treasurer

Councilmen Ecker and Longanecker moved and seconded to approve Resolution No. 2022-1014, A Resolution of the Common Council of the City of Plymouth to Approve the Application of Shiloh Milner for a Commercial Revitalization Rebate Program Grant. The motion passed by roll call.

Councilman in Favor: Compton, Culp, Ecker, Houin, Listenberger, Longanecker

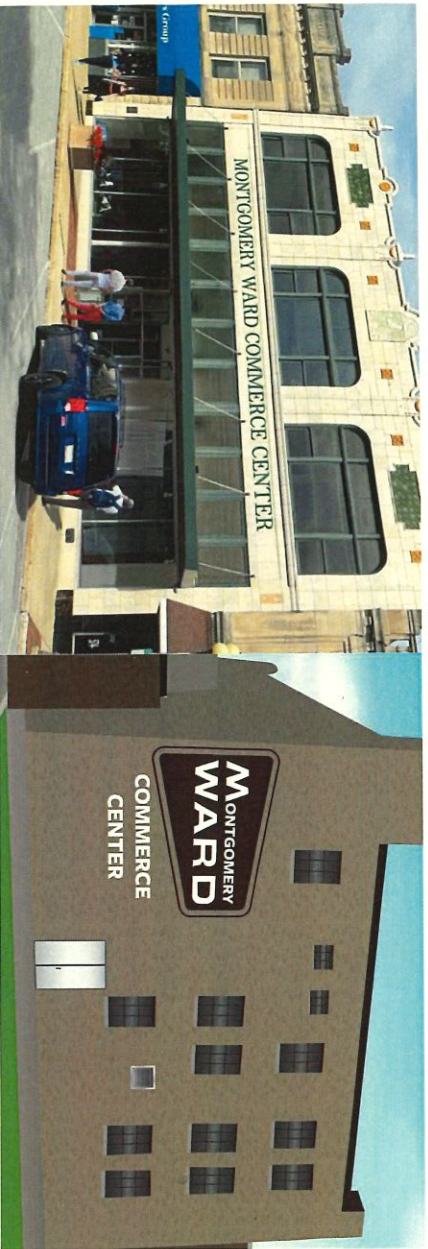
Councilman Opposed: N/A

Councilman Abstaining: Milner

City Attorney Surrisi presented Resolution No. 2022-1015, A Resolution of the City of Plymouth Confirming Support for READI Projects.

Surrisi states that he is looking for support for some projects that they are planning to advance in the application process that is concluding next week. He states that there are some people here who can speak to some of the projects.

Surrisi introduces the first project which is the Montgomery Ward Commerce Center.



Surrisi states that this is a revised version of the Entrepreneurship Center that was introduced a few years ago and slated as a Stellar Communities Project before it got pulled from the Stellar Application. He adds that this was originally intended at the Old Firehouse Station. He states that this would be an Entrepreneurship Center where they would have programming provided in conjunction with Entrepreneurship Services that are already ongoing in South Bend/Mishawaka. He adds that they will be working with Notre Dame Idea Center, and they are in discussions with MCEDC to see how they can be involved in managing some of the programming. He also adds that they have also been talking with Allie Shook from Lifelong Learning Network. He states that what they are looking for here is the funds that were allocated back in 2019 when the Council had pledged support for the Stellar Communities Project and at that point there was \$240,000 pledged toward matching funds under Stellar and he is looking to reallocate those funds which were never spent towards this project. He states that primary funding had been estimated around two and half million dollars and the primary funding will come from the Redevelopment Commission which has already voted to give a letter of support. He states that Kevin Berger from Easterday Construction is here as the proposed developer, and they have been in discussions with Baker Tilly as well as ICE Miller. He explains that Lisa Lee from ICE Miller has worked with the city on bond council there before about a financing that could support the construction funding in conjunction with Easterday Construction for this project.

Houin asks Surrisi if he is going to go through each of these projects individually if he can ask questions as they go.

Surrisi agrees.

Houin asks what other locations were considered and why was this building chosen over other possibilities for the Entrepreneurship Project.

Surrisi responds by stating that the only other location that has been seriously considered has been the Old Fire House location. He states that he has recently reengaged with Laura Walls at MCEDC about consideration of that site as well. He states when there was a change of leadership at

MCEDC there seemed to be a change of direction. He believes this site was originally first put on the radar by Randy Danielson who is very much involved in Downtown Development. He states that he had made some outreach to the building owner who is supportive of the effort and there was some refocusing on evaluating this facility at the time of when there was change of leadership at MCEDC. He states that he believes the primary thought was the original concept of the Old Firehouse Project was that MCEDC would move their offices to the first floor of that facility to manage the programming. He states that the thoughts were that the building itself might be small after filling up the first floor for that effort.

He states there was also the thought from Brent Martin to construct 28 x 15-foot two story building could be constructed adjacent to the Old Firehouse in the parking lot and parking along the street could be reconfigured to create nearly as many parking spaces that are in the parking lot. He adds that the new building could be connected to the old building with a corridor so the elevator in the old building could be utilized to allow for some scalability. He states that there is currently a pre-school that is occupying that building. He explains that they were advised with two months' notice before the school year started that they were to have to vacate their old building and they needed some place to land. He states that we had a vacant building and we thought having a tenant who is using it and is keeping it going would be preferable than to have it sit there vacant so they moved in with the knowledge that someday they would be asked to move out because this project was on the horizon there. He states that this other concept gives some potential scalability if MCEDC were to move into the lower level, have career services on the second level, and as it grows at some point move the pre-school out and expand at the old building.

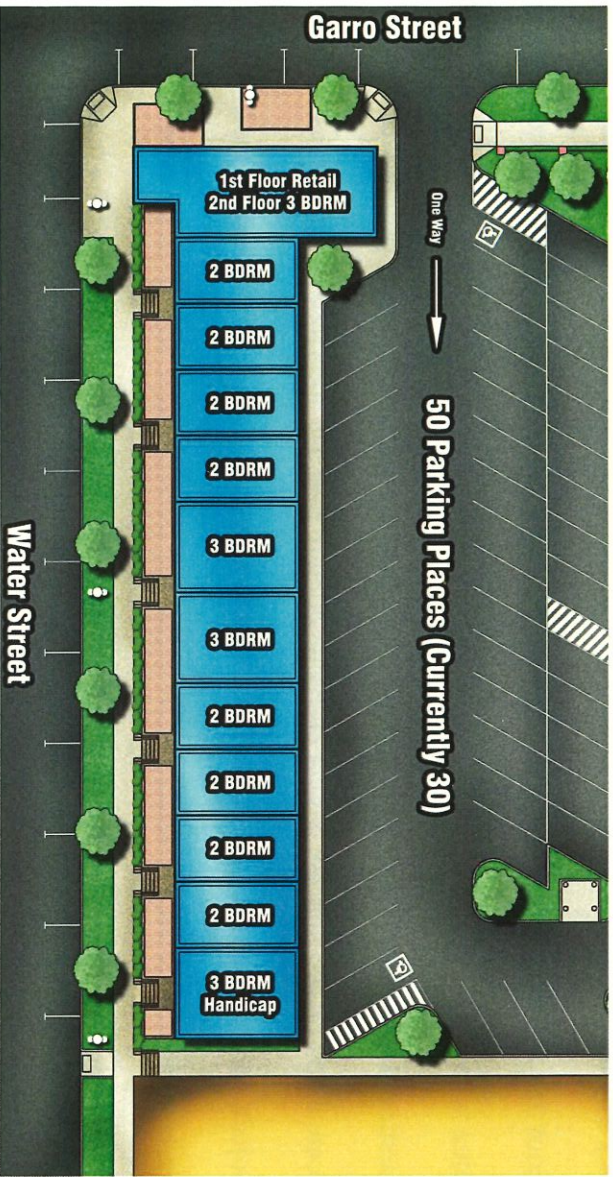
Houin asks if there was any investigation done or any search of any possible locations. He states that he understands that the Old Firehouse was considered one and it is probably not ideal. He asks why they landed on this without searching for something else. He explains that he is concerned about this building as it is one of the most valuable pieces of property in the city and the assessed value is over \$1.2 million/acre. He states that it generates over \$6,000 a year in property taxes so his question is why they would take such an expensive and valuable piece of property off the tax rolls to locate a non-profit, non-tax paying entrepreneurship hub. He adds that he fully supports the E-Hub project, and he thinks they need to find a way to move one forward, but he does not know why it needs to be downtown. He states that he especially doesn't know why it needs to be in a piece of property that is not only going to costs millions of dollars to build but it is going to cost a lot of

money in long run by lost tax revenue. He asks why the committee hasn't looked at other options for location of the E-Hub.

Surrisi responds by stating that MCEDC assembled a committee of local business owners that worked with South Bend Consulting Firm, Infocus, to do a study on the need for an entrepreneurship center in the city and it was prepared in the Fall of 2020. He states that at that time the Old Firehouse was the focus and that committee shifted focus to the Montgomery Ward building and stayed there as the thought was it was a large building. He states that he understands the assessed value in that, but the building is largely unfinished, and the attraction was that this investment in an anchor building on that block would help spur neighboring businesses and adjacent properties to further invest. He states that there has not been any investigation into other sites beyond that since that switch in the mindset of the committee working on it. He states that at the point where there is a lot of work beyond the application and getting the grant funds awarded by the regional development authority before contracts get signed and projects go forward. He states that they are more so looking for an endorsement of this project and a commitment of those funds.

Houin states that he fully supports the E-Hub project, and he would support this Resolution in committing to that project, but it is just this is the first time he has ever seen it referred to as the Montgomery Ward Commerce Center and he would strongly encourage anyone working on it to strongly consider those tax impacts and what other options are available for location.

Surrisi introduces the second project which is the Water Street Townhomes.



Surrisi explains that this takes a portion of the parking lot of Garro and Water Street and develops it into Townhomes. He states that the scope of this would change depending on the ability to acquire the two homes that are existing at the northeast end of the property. He states that if both of those are acquired then the parking lot gets expanded further to the north and it results in an increase in parking spaces quite significantly. He states that it is quite remarkable that you could take away some of the parking lot and still add more parking. He explains that Easterday Construction is also proposed to be the developer here.

Martin states that this is a straightforward project with a mix use of commercial and residential. He explains that this is inspired in large part with River Park Square being right there and this is a great chance to create affordable housing in proximity to the downtown.

Listenberger asks where the homeowners who own the two homes are on this.

Surrisi responds by stating that they have made outreach to both and only had response from the property that is immediately adjacent to the parking lot. He states that owner spoke with Berger and seemed receptive to selling. He adds if the one further to the north didn't want to sell that the project could be scaled down and work with that one house.

Surrisi introduces the third project which is the Harrison Street Trail.

Harrison Street Trail Oak Rd. to Magnetic Park



Surrisi states that this project was not initially part of the stellar project when they originally adopted their stellar support Resolution back in 2019 but there were \$160,000 in match funds that were allocated for the Crossroads Pocket Park then later Crossroads Plaza. He states that was the concept of the Old Subway building at the four corners being substituted for a park recognizing all the historic highways that crossed there. He states that there was a lot of good feedback from that in

the Stellar Application process but then they looked at it as a Department of Transportation project like how they supported the Crossroads Center at the Historical Museum. He states they ran into roadblocks there with their willingness to see that as funding eligible and they also ran into roadblocks because at that time the building was listed as a contributing structure to the North Michigan Historic District, and it hadn't been cleared from that historical review process before the project was conceived. He explains that at that time it was off limits for federal funding availability.

He states with those two roadblocks they pivoted and had discussions with the Council after that about the Harrison Street Trail Project which is identified in the Marshall County Trails Master Plan that was created a couple years back. He states that it wouldn't be the full 10-foot-wide asphalt trail because of the narrow right-of-way on the south side of Harrison Street in places where to get the full asphalt trail it would be a lot of property acquisition costs. He adds that would overcomplicate things too much if they planned on going through a State of Indiana INDOT funded grant. He states that it is going to be a 5- or 6-foot sidewalk in some portions. He states that since this has been a high priority of the Complete Streets Committee and since Councilman Culp has been advocating this for a long time, they further extended this to the west to Oak Road even though there is not sidewalks yet on Oak Road. He adds that this would provide future connectivity there. He states that they have reached out to USI Consultants to work on a proposal for various stages of design for this project to get them to a preliminary design stage which they suggested is a good stage to be at where you have not invested too much money in the project before you go out for grants. He explains that would make them eligible if they wanted to apply in the regular INDOT grant cycle. He states that if they do get awarded this in the READI grant cycle then those costs would count towards their match.

Surrisi states that the estimate for this back when the trail plan was adopted \$600,000.00 and he is sure those costs like everything have crept up by now. He states that they are not imaging much private funding for this project but the formula that READI grants have are 60% private funding, 20% local government, and 20% READI funding. He adds that is not strictly held for each individual project but for Regional Cities it was, and they would never give more than 20% of the project cost. He believes that even though it is a fully publicly funded project that they believe it is one that will score well and could be funded through READI.

Listenberger asks if Surrisi believes they should consider the engineering portion of this now. Surrisi responds by stating that he believes it will come before the board in the next couple of meetings. He states that there are a few things that will probably be sent in an additional

appropriation and that will be one of the asks. He states that he should have those numbers next week and he will distribute them. He adds that he will be getting a proposal from USI Consultants next Tuesday.

Mayor Senter asks if that is Bailey Street on the far East side.

Surrisi responds by stating that it comes south on Bailey Street. He explains that this is all very tentative as the Complete Streets Committee has had a lot of discussion about whether it is practical to make the crossing of Michigan Street at Harrison Street as it may be too congested. He states that this currently is just the general route that they are thinking of.

Surrisi introduces the fourth project which is the West Laporte Street Mural. He states that Anna Kietzman from Heartland Artists and Brent Martin here to discuss this project.



This Mural Art is for example purposes only. It is on a building in Baltimore, Maryland, and is by the artist Shawn James of Mural Masters, Inc.

Kietzman states that she and Martin have been working close over the last couple of weeks talking about the “blank canvas” on Laporte Street. She states that if you have seen it recently you could tell that it needs significant repair, but it is the perfect location for what they consider to be a fabulous mural that can be done hopefully in the next year or so. She states that they would develop a competitive process by putting the word out through the Indiana Arts Commission and some robust marketing campaigns to attract some submissions from some capable artists who are specifically professional muralists who can work at those heights. She states that a panel of jurors would help narrow down to three submissions and then the community can vote on it.

Martin explains that his part is the boring job of getting the building ready so they can do the exciting work on top of what they do. He states that they would excavate along the edge of the

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building, it needs waterproofing, some repairs underground, and the masonry on the surface has some deterioration. He states that their thought is to put efface over the entire façade to give the artist a great canvas to create the mural. He states that the Mural example is from Baltimore, Maryland and it provides an idea of what is possible.

Kietzman adds for clarification that this is not the image they are adding to the wall.

Compton asks who owns the building now.

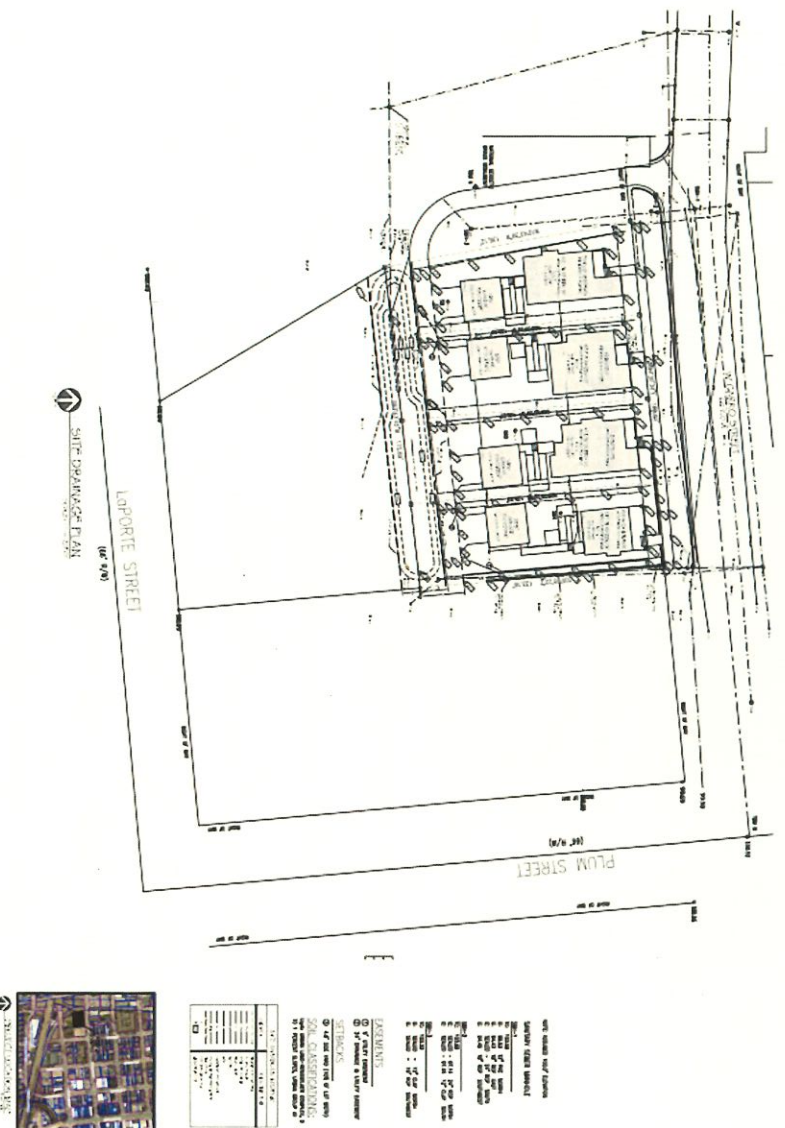
Martin responds by stating that Matt & Alicia Davis own it. He adds that they have received a letter of support from them and a contribution towards the project.

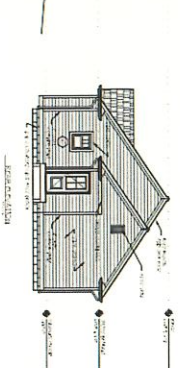
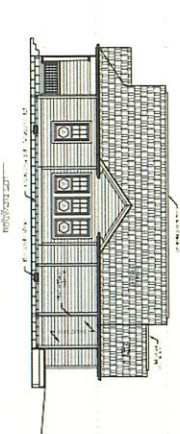
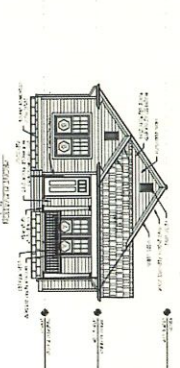
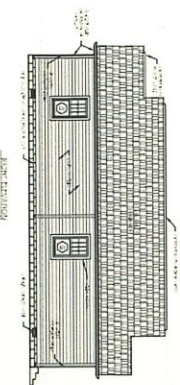
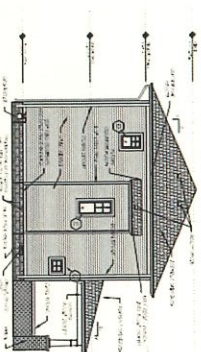
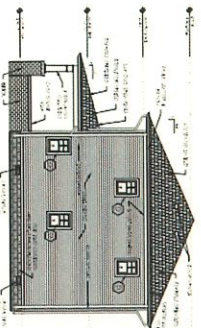
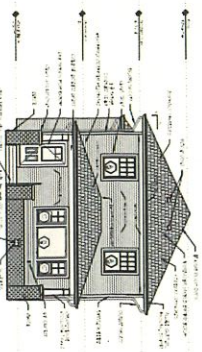
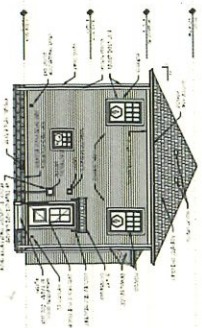
Surrisi states that they would work with them to have an agreement that can be recorded that states they are making this investment, but they will work on that. He states that the estimate is about \$116,000.00. He states that he mentioned in the memo to the Council that there was another \$160,000.00 that was pledged as matching funds to Stellar for the Michigan Street Viaduct project that got cancelled so those funds could potentially, depending on what projects get awarded, be shifted to help some support some of this project or the next one that will be discussed.

Compton asks if they will be trying to get a local artist.

Kietzman responds by stating that part of this will be through federal funding so they will need to put the word out to everyone, but the target would be a Midwest artist. She states the more local the better, but they do have to be realistic to who can perform at this large of a scale.

Surrisi introduces the fifth project which is Habitat for Humanity Housing. He states that Brent Martin and Dean Byers on behalf from Habitat for Humanity to discuss this project.





Martin states that a few years ago the city graciously gave Habitat for Humanity a grant for \$50,000.00. He states that Habitat's intention is to build several homes. He lists three in Plymouth, two in Bourbon, and two in Argos. He states when they originally bid this project a couple years ago, they got caught in the sweep of building material price increases. He states that no one would guarantee their building material prices and when they got the bids they were over budget. He states at that point they backed off and when they tried to bid again, they did not get any bidders. He states that now they have an opportunity in lieu of an IHCD grant from READI in almost an identical amount. He states that his IHCD requirements fall away as he is no longer using their money and that means instead of everyone being at 80% or below median income, he can go anywhere from 60-120% median income. He states that makes these homes hit the workforce housing marketplace a lot better. He states to make that work for the three homes in Plymouth, they are asking the city to consider investing \$10,000/ home so that is a total of \$30,000.00. He states to get those home prices the mortgages would be around \$190,000.00 and if they are at 100-110% median income then that works in this marketplace.

Surrisi asks if they can explain how the project scope changed.

Martin responds by stating that they initially were going to construct a total of ten homes, but their IHCD grant was not large enough. He states that he can keep the grant the same size and do seven homes so that increased the amount per home. He states that they are about 1200 square foot,

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3 bedroom, 2 bath homes. He states that they got that bungalow feel to them and a couple home designs are near identical to those on Harrison Street.

Surrisi adds that this carrying through with a project that the Council had already supported but has not happened yet.

Longanecker asks if this is approved if they must use these locations.

Surrisi responds by stating the only locations that are guaranteed would be the mural and the Habitat for Humanity project but everything else is flexible.

RESOLUTION NO. 2022-1015

**A RESOLUTION OF THE CITY OF PLYMOUTH
CONFIRMING SUPPORT FOR
READI PROJECTS**

WHEREAS, the Regional Development Authority in conjunction with the South Bend-Elkhart Regional Partnership has won \$50 million from the State of Indiana as part of the Regional Economic Acceleration and Development Initiative ("READI"). The funds are to be used to advance quality of life, quality of place, and quality of opportunity through grants leveraging further public and private investment in the region. At this time, several projects have been identified within the City that are pursuing an award of READI funds. Those projects include: The Montgomery Ward Commerce Center; The Water Street Townhomes; The Harrison Street Trail; The Arts & Culture Downtown Mural; and The Habitat for Humanity Garro Street Project. The purpose and intent of this resolution is to confirm the City's financial support for necessary matching funds for these READI projects.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Plymouth as follows:

Section 1. The Plymouth Common Council, in conjunction with the Plymouth Redevelopment Commission, pledges that it will authorize the expenditure of necessary local matching funds for its READI projects. In this regard, the Council pledges up to \$560,000 to be used as required across the various projects.

Section 2. The Council intends to approve and execute the necessary agreements on behalf of the City to complete the projects and improvements listed herein for purposes of the READI initiative if such projects are awarded grant funding. The City may pursue additional grants that would be of assistance in funding additional portions of the proposed projects and improvements thereon.

PASSED AND ADOPTED this 8th day of August 2022.


Mark Senter, Presiding Officer

ATTEST:


Lynn M. Gorski, Clerk-Treasurer

Councilmen Ecker and Culp moved and seconded to approve Resolution No. 2022-1015, A Resolution of the City of Plymouth Confirming Support for READI Projects as presented. The motion passed by roll call vote.

Councilman in Favor: Compton, Culp, Ecker, Houin, Listenberger, Longanecker, Milner

Councilman Opposed: N/A

City Attorney Surrisi states that for Stellar Communities they will be having their quarterly meeting with OCRA next Thursday.

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Clerk-Treasurer Gorski states that State Board of Accounts is here auditing, and they did send out emails to several employees and Councilmen with questions they would like you to answer. She states that they are not spam and they should be from Brandon Kemp.

City Attorney Surrisi adds that PC Source had started last week under their contract and are making their way through the departments, and he states they have done Police, Fire, Street, Mayor's Office, and the City Office.

Council Members Houin and Listenberger moved and seconded to accept the following

communications:

- Minutes of the Board of Public Works and Safety meeting of July 25, 2022
- August 8, 2022 Check Register
- July 26, 2022 Technical Review Committee Minutes
- Council Memo – 8-3-22 – Civilian Firefighter
- Council Memo – 8-4-22 – READ1 Application
- Council Memo – 8-4-22 – MC Blueberry Festival Electric Consumption

The motion carried.

There being no further business to come before the Council, Council Members Longanecker and Milner moved and seconded to adjourn, Mayor Senter declared the meeting adjourned at 8:04 p.m.


Lynn M. Gorski
Clerk-Treasurer

APPROVED


Mark Senter, Mayor