

## REGULAR SESSION, COMMON COUNCIL, October 24, 2022

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on October 24, 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 offered prayer.

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

Council Members Culp and Compton moved and seconded to approve the minutes of the regular session of the Common Council on October 10, 2022 as presented. The motion carried.

Council Members Houin and Compton moved and seconded to open the public hearing for Resolution No. 2022-1021, Additional Appropriations Resolution. The motion carried.

Clerk-Treasurer Gorski states that the first four items are on this resolution because these items were not included in the 1782 notice for the DLGF from the 2022 Budget. She states that these need to be appropriated as expenses this year.

Houin asks if the funds were included in the budget.

Gorski responds by stating that they were included in the budget but when the DLGF reported it, they reported it as zero.

Houin asks for clarification that this is more of a clerical correction.

Gorski responds yes, it is, when it was put in the budget it was advertised as zero and it did not get corrected. She states that the next item is for fuel given that the cost of fuel went up this year. She states that the next item is the Harrison Street Trail Project to pay for the engineering cost. She states that the next item is for training the new K-9 Officer. She states Cumulative Capital Development is for equipment for the police cars. She states that for the Greenways Trail Project is for the engineering fees for Phase 3.

Surrisi states that he believes that was budgeted for last year's budget but they did not get around to contracting with the consultant until this year.

Compton asks if it is budgeted for last year and it was not spent then they have to re-budget it for this year. Gorski agrees.

Surrisi responds by stating if they would have contracted with the consultant for this amount last year and not spent the money then they could have held the money from last year's budget and they would not have had to do this additional appropriation.

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Compton asks if they still have to put it in a new budget.

Gorski responds by stating it encumbers it. She states that it brings it forward from the previous year.

Surrisi provides the example of if they budget this \$114,869.00 last year and they contracted for it but they only spent \$100.00 of it then they would not have to re-budget for it this year as it would be encumbered over from the previous year's budget.

Compton asks about the number of years that can be done.

Gorski responds by stating two or three years but she would have to double check.

Houin clarifies that because it was not contracted that it has to be appropriated. He states that is at least what he understood the question to be. He states that it was appropriated in the budget for last year but they did not enter into a contract so they money is still sitting there but it just has to be reappropriated.

Gorski states that because it was not a purchase order or a contract in 2021 to bring it forward into 2022 that they have to reappropriate it.

Compton states that he knows this question cannot be answered now but he would like an answer to it. He asks if out of the Capital funds that they have then how much of that is already budgeted.

Mayor Senter asks for 2022.

Compton responds by stating for any year. He states that if they are carrying monies over that are budgeted out then the cash is there in capital funds.

Houin states that if he looks at the reports that the Clerk-Treasurer sends them every month in their packets that they show a total cash balance in each of the funds.

Compton states that he understands that.

Houin states that you can track from that what is appropriated.

Compton comes to the conclusion that those are included in those balances. He states that answers his question then.

Listenberger asks for clarification that this is for Greenways Trail Phase 3 then. Gorski agrees. Listenberger asks if that is contracted out.

Surrisi responds by stating that just the engineering is. He states that they have started the engineering work. He states that it goes all the way through River Park Square.

Council Members Houin and Culp moved and seconded to close the public hearing for Resolution No. 2022-1021, Additional Appropriations Resolution. The motion carried.



WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

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:

## RESOLUTION NO. 2022-1021

### ADDITIONAL APPROPRIATIONS RESOLUTION

NAY AVE

Sandra Wilner

Diane Goff

Mary

Council Members Houin and Culp moved and seconded to approve Resolution No. 2022-

1021, Additional Appropriation Resolution as presented. The motion passed by roll call.

**Councilman in Favor:** Compton, Culp, Howin, Listenberger, Milner

Councilman Opposed: N/A

Councilman Absent: Ecker, Longanecker

## REGULAR SESSION, COMMON COUNCIL, October 24, 2022

City Attorney Surrisi presented Resolution No. 2022-1023, A Resolution of the City of Plymouth to Create New Funds.

Surrisi states that this would create three new funds. He states that one would be the Harrison Street Trail Fund so that they could place this money that needs to be appropriated for the engineering and any other monies associated with that project. He states that the other two are the Opioid Settlement Fund – Restricted and the Opioid Settlement Fund – Unrestricted. He states that will be a place to put money that will come from the State's recent settlement with various Opioid distributors and manufacturers. He states that those funds will start coming in and be distributed over a period of years. He explains that a certain portion of those funds can be used unrestricted for various city expenses and the other have to be restricted to uses for some kind of Opioid abatement purpose. He states that a schedule was attached to the Resolution for those types of uses that are approved in the national Opioid settlement that the State agreed to. He states that these funds would just allow for those funds to be kept clean and we know what amounts go into what funds.

Compton asks if this is similar to a general fund that is getting created. Gorski and Surrisi agree. Compton asks if they can just start a new general ledger fund whenever they see fit or if this is specific to this.

Surrisi responds by stating that they can do it whenever they see fit.

Compton asks if the Chart of Accounts is all state approved.

Gorski responds by stating that there are certain state approved funds and then there are home-ruled funds. She states that the Harrison Street Trail fund would be a home-ruled fund while the Opioid funds are State Funds as they are required by State.

Council Members Listenberger and Compton moved and seconded to approve Resolution No. 2022-1023, A Resolution of the City of Plymouth to Create New Funds as presented. The motion passed by roll call.

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

Councilman Opposed: N/A

Councilman Absent: Ecker, Longanecker



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## RESOLUTION NO. 2022-1023

A RESOLUTION OF THE CITY OF PLYMOUTH TO  
CREATE NEW FUNDS

WHEREAS, the creation of a new funds is necessary in order to hold money associated with various projects.

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

Section 1. There is hereby created the Harrison Street Trail Fund (Fund 4508) for the deposit of all funding associated with the development of the Harrison Street Trail project, including any applicable grant funds. Expenditures from the fund shall be for any and all general expenses and purchases associated with the trail. Further, any other moneys associated with the project may, in the discretion of the Clerk-Treasurer, be placed into the fund. The duration of the fund shall be perpetual until terminated by subsequent resolution or ordinance, or by operation of Indiana law. The fund balance shall be non-reverting at year end. Upon termination of the fund, any balance remaining shall be transferred in accordance with Indiana law and as specified in the termination resolution or ordinance.

Section 2. There is hereby created the Opioid Settlement Fund - Restricted (Fund 2257) for the deposit of the portion of the funds received beginning in 2022 from the State of Indiana's legal settlement with drug distributors AmerisourceBergen, Cardinal Health, and McKesson, along with opioid manufacturer Johnson & Johnson designated for opioid abatement. Expenditures from the fund shall be for any and all approved abatement uses under the terms of the National Settlement as authorized by the State of Indiana and set forth in the attached document labeled Exhibit E. Further, any other moneys associated with such approved uses may, in the discretion of the Clerk-Treasurer, be placed into the fund. The duration of the fund shall be perpetual until terminated by subsequent resolution or ordinance, or by operation of Indiana law. The fund balance shall be non-reverting at year end. Upon termination of the fund, any balance remaining shall be transferred in accordance with Indiana law and as specified in the termination resolution or ordinance.

Section 3. There is hereby created the Opioid Settlement Fund - Unrestricted (Fund 2256) for the deposit of the portion of the funds received beginning in 2022 from the State of Indiana's legal settlement with drug distributors AmerisourceBergen, Cardinal Health, and McKesson, along with opioid manufacturer Johnson & Johnson designated for unrestricted uses. Expenditures from the fund shall be for any and all purposes approved by the City of Plymouth. Further, any other moneys associated with such approved uses may, in the discretion of the Clerk-Treasurer, be placed into the fund. The duration of the fund shall be perpetual until terminated by subsequent resolution or ordinance, or by operation of Indiana law. The fund balance shall be non-reverting at year end. Upon termination of the fund, any balance remaining shall be transferred in accordance with Indiana law and as specified in the termination resolution or ordinance.

PASSED AND ADOPTED this 24<sup>th</sup> day of October, 2022.

  
Mark Senter, Presiding Officer

ATTEST:

  
Lynn M. Gorski, Clerk-Treasurer

City Attorney Surrisi presented Resolution No. 2022-1024, A Resolution Providing for the Transfer of Appropriations from the Local Road & Bridge Matching Grant Fund, Capital Outlays, Paving Etc. Improvements Line Item to the General Fund – Engineering Department Services and Charges, Special Engineering Line Item.

Surrisi states that due to the transition in the Engineering Department that they were not prepared to apply for INDOT Community Crossings grant funding this year so there was money in the Local Road & Bridge Matching Grant Fund that was available and could be transferred to this general services and charges fund. He states that this is to engage VS Engineering to start doing some engineering work for 2023 street projects including engineering work for community crossings grant funding project that they would like to apply for in January and February of next year which would be improvements on Gibson Street. He states that it could be potentially Gibson and Liberty Streets near the Junior High School. He explains that this just moves existing funds that are already in the budget to a different fund so that they can be expended on these engineering services.



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## RESOLUTION NO. 2022-1024

A RESOLUTION PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FROM THE LOCAL ROAD & BRIDGE MATCHING GRANT FUND, CAPITAL OUTLAYS, PAVING ETC. IMPROVEMENTS LINE ITEM TO THE GENERAL FUND – ENGINEERING DEPARTMENT, SERVICES AND CHARGES, SPECIAL ENGINEERING LINE ITEM

WHEREAS, the purpose and intent of this resolution is to effectuate a transfer of funds from the Local Road & Bridge Matching Grant Fund, Capital Outlays, Paving Etc. Improvements Line Item to the General Fund – Engineering Department, Services and Charges, Special Engineering Line Item.

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

**Section 1.** That for the expenses of the Local Road & Bridge Matching Grant Fund, Capital Outlays, Paving Etc. Improvements Line Item and the General Fund – Engineering Department, Services and Charges, Special Engineering Line Item, the appropriations are hereby transferred and set apart out of the funds named below for the purposes specified in the 2022 annual budget, subject to the laws governing the same, and that such sums are herein transferred unless otherwise stipulated by law. Said appropriations shall be transferred as follows:

FROM: 9506 Local Road & Bridge Matching Grant Fund	
Capital Outlays	
4501.000.439.0020 Paving Etc. Improvements	\$100,000.00
TO: 0101 General Fund	
Services and Charges	
1101.003.431.0550 Special Engineering	\$100,000.00

PASSED AND ADOPTED this 24<sup>th</sup> day of October, 2022.

ATTEST:

  
Lynn M. Gorski, Clerk-Treasurer

  
Mark Senter, Presiding Officer

Council Members Culp and Listenberger moved and seconded to approve Resolution No.

2022-1024, A Resolution Providing for the Transfer of Appropriations from the Local Road &

Bridge Matching Grant Fund, Capital Outlays, Paving Etc. Improvements Line Item to the General

Fund – Engineering Department Services and Charges, Special Engineering Line Item as presented.

The motion passed by roll call.

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

Councilman Opposed: N/A

Councilman Absent: Ecker, Longanecker

City Attorney Surrisi states for Stellar Communities they had their quarterly meeting with

OCRA last week. He states that it was an online meeting where all of the communities gave status updates. He states that for our projects, the REES Theatre is in the process of closing out in the next couple of months. He states that in the next month or so River Park Square Phase 2 will be wrapping up soon. He states that for the last of the Stellar Projects is Greenways Trail Phase 3 which is still a couple years away but just in the engineering process.

Kevin Berger adds that the REES Theatre was on Economic Outlook this week.

Human Resources Manager Klingerman states that the City Attorney, Mayor and herself met with Ryan Colvin and Melinda Lemler from Gibson Insurance to go over insurance renewal. She states that unfortunately they figured there was going to be an increase with everything going on.



She states that they were able to lock in Mutual of Omaha at the same price so life insurance and short/long-term disability will not change. She states with VSP, which is our vision coverage, they were able to lock in the same rate but with better coverage. She states that with their dental coverage they had some issues in the beginning of the year and they are hoping they have solved that issue. She sums up the situation by explaining that every 7/10 dentists were covered by policy but that has since been expanded. She states that she is hoping that the few employees that did have coverage issues will no longer have that. She adds that they were able to lock that in at the same rate that they were paying before so nothing changed there. She states that the big change is going to be the health coverage because unfortunately United Healthcare (UHC) came back at a 25% increase. She states that the medical claims that she and the City Attorney looked over did not justify that increase. She states that Colvin and Lemler were able to meet with PHP, who the city had transferred from before to UHC, and they came in with a plan that is slightly different from what they are used to. She states that it is actually better coverage. She adds that she was not here for long when the city had PHP before and she is aware that there were some issues before but she believes the coverage that they have now will be better for the employees as well. She states that they have significantly lowered their max out-of-pocket.

Surrisi states that the issues before were just in the network of physicians that were covered and they had a few that were out of network. He states that this has a broader network than their previous coverage.

Klingerman states that they are hoping that this will be a great benefit to the employees given that the max out-of-pocket is going down significantly. She states that it is going down from \$7,100 to \$5,000 for individual and then \$14,300 to \$10,000 for family. She adds that the deductibles will stay the same and as far as premiums, the city is under their Retro Plan. She states that the way it works is that the city will be paying a 1% increase for the year of 2023 with the possibility of paying 12% increase depending on how the claims run throughout the year. She states that what they are going to do and she has already worked with the Clerk-Treasurer on this that they are going to go ahead and budget for the whole 12% that way they can be perfectly prepared for the worst-case scenario but there still is the possibility that they just have to pay the 1%. She states that they will know in April of 2024 on where they are at and if they are going to have to pay that increase or if the city gets to pocket that money back.

Houin asks for clarification that even that maximum 12% is less than what they were anticipating.

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Klingerman agrees and states that they were anticipating around 20% of an increase.

Houin states that even worst-case scenario is still better.

Klingerman states that worst-case scenario is better and best-case scenario they are only paying 1% of an increase.

Surrisi adds that the max out-of-pocket change for employees is a big savings.

Klingerman states that because the possibility of it only being 1% that they put it on the city to take over instead of putting that on the employees. She states that the city is also changing the EAP coverage as currently the carrier is New Avenues which provides 3 counseling visits per year. She states that the dollar amount was \$2.78 per employee/family per month for those sessions. She states that the new coverage is actually going to be with the Bowen Center here in Plymouth. She explains that they are actually getting 4 counseling visits per year at a reduced rate of \$1.95 per employee/family per month plus every employee will be eligible for a two-hour work session for free.

Mayor Senter adds that it is good to use a local company as well.

Council Members Houin and Compton moved and seconded to accept the following communications:


- Minutes of the Board of Public Works and Safety meeting of October 10, 2022
- October 24, 2022 Check Register
- September 2022 Clerk-Treasurer Financial Reports
- October 11, 2022 Technical Review Committee Minutes
- Plymouth Task Order 2022-003 Roadway Projects
- Council Memo – 10-20-22 – Health Insurance

The motion carried.

There being no further business to come before the Council, Council Members Milner and Compton moved and seconded to adjourn, Mayor Senter declared the meeting adjourned at 6:51 p.m.

  
Lynn M. Gorski  
Clerk-Treasurer

APPROVED

  
Mark Senter, Mayor