

## REGULAR SESSION, COMMON COUNCIL, December 12, 2022

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on December 12, 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 Councilman 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 Ecker and Listenberger moved and seconded to approve the minutes of the regular session of the Common Council on November 28, 2022 as presented. The motion carried.

City Attorney Surrisi presented the 2023 Agreement for Planning Services with Ralph

Booker. He states that it is the same as past years aside from the 3% increase that was budgeted for 2023.

#### AGREEMENT FOR PLANNING SERVICES

This Agreement made and entered into by and between CITY OF PLYMOUTH, a municipal corporation of the State of Indiana acting by and through its duly elected public officials hereinafter referred to as "City" and RALPH BOOKER, of Marshall County, Indiana, hereinafter referred to as "Planner".

#### WITNESSETH:

WHEREAS, the City is desirous of hiring a Plan Consultant, referred to herein as "Planner", for purposes of providing planning consultation services on various planning matters which come before said City; and

WHEREAS, the parties desire to set forth the specific duties and responsibilities of said Planner.

NOW, THEREFORE, in consideration of the mutual promises and subject to the terms and conditions hereof, the parties hereto mutually agree as follows:

#### 1. SERVICES TO BE PERFORMED

Planner agrees to furnish and perform the following planning services for City:

- A. Attend all meetings of the Plan Commission, Board of Zoning Appeals ("BZA"), Technical Review Committee ("TRC"), and Common Council when matters are pending before such bodies of a planning or zoning nature. Provide such bodies advice and consultation at such meetings regarding all matters then before the bodies. Make oral presentations at such meetings regarding the Planners opinions and recommendations regarding all matters then before the bodies. Perform such other miscellaneous tasks as required by the Mayor, the City Attorney or the members of the BZA, Plan Commission, TRC, or Common Council at such meetings.
- B. Review all pending matters before the Plymouth Board of Zoning Appeals ("BZA") and Plymouth Plan Commission ("Plan Commission");
- C. Provide consultations as required with members of the BZA, members of the Plan Commission, City Attorney, the Mayor and other representatives of the City with regard to matters presently pending or which have been pending before the BZA or Plan Commission;
- D. Prepare written staff reports with maps, in a format suitable for printing by City personnel, for the BZA, Plan Commission and the



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City's Common Council with regard to all planning and zoning matters pending before said bodies. Generate address labels for neighbors within 300 ft. of the petitioned property and provide such labels, in a format suitable for printing, to the Recording Secretary of the Plan Commission;

E. Offer advice and work on subdivision and zoning ordinances for the City, including the Comprehensive Plan, and assist with matters involving annexation;

F. Aid and assist the City and its officials with regard to planning and/or zoning matters;

G. Provide assistance to the City Engineering Department in keeping the City zoning map up-to-date;

H. Give all recommendations from the Plan Commission and BZA to the Common Council in written form;

I. Assist the Plan Commission Recording Secretary with all legal advertisements for the Plan Commission and BZA;

J. Perform such other miscellaneous tasks as required by the Mayor, the City Attorney or the members of the BZA, Plan Commission, TRC, or Common Council.

## 2. COMPENSATION FOR PLANNING SERVICES

The City agrees to pay Planner on a monthly basis from the General Fund Building Commission Department. It is agreed that the total amount for the 2023 calendar year shall be Seventeen Thousand Six Hundred Fifty-Five Dollars and Zero Cents (\$17,655.00), paid in monthly payments of approximately One Thousand Four Hundred Seventy-One Dollars and Twenty-Five Cents (\$1,471.25).

## 3. BINDING AGREEMENT.

It is understood and agreed that this Agreement shall be binding upon the parties hereto pursuant to its terms and conditions and both parties are duly authorized to enter into, effectuate and carry out the Agreement pursuant to its terms. Neither this Agreement nor any interest therein may be assigned by either party without the prior written consent of the other party being first had and obtained.

## 4. TERM.

It is understood and agreed that the effective date of this Agreement shall be January 1, 2023, and that this Agreement shall be in full force and effect for the entire calendar year of 2023.

## 5. TERMINATION.

Notwithstanding, paragraph number 4 above, either party to this Agreement may terminate this Agreement, with or without cause, by giving the other party thirty (30) days prior notice that the party wishes to terminate this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 12<sup>th</sup> day of December, 2022.

CITY:

Mark Senter  
Mark Senter, Mayor

ATTEST:

Gym M. Gorski  
Gym M. Gorski, Clerk-Treasurer

PLANNER:

Ralph Booker  
Ralph Booker, Plan Consultant

Council Members Houin and Longanecker moved and seconded to approve the 2023 Agreement for Planning Services as presented. The motion carried.

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Surrisi presented the 2023 Agreement for Transportation Services. He states that this reflects the \$10,000.00 payment for a number of years that is made to Marshall County Older Adult Services to support their cab program.

Council Members Ecker and Culp moved and seconded to approve the 2023 Agreement for Transportation Services as presented. The motion carried.

Surrisi is looking for the Council to acknowledge a Scrivener's Error in the 2023 Salary Ordinance. He states that the final version of that they adopted, Ordinance No. 2022-2205. He explains that the intention surrounding that amendment was to make an increase from the 3% that had already been approved up to 4.5%. He states that they noticed later when Human Resource Manager Klingerman was putting in information in advance of our open enrollment for employee benefits that the first two items on that Ordinance was not correctly noted for the Promotion of the City Coordinator as that number was still at the 3% increase. He states that the second line on there for the Board of Public Works and Safety member who is not an elected official was in at an 8% increase so he is looking for acknowledgement of that error and note that the change would be made to reflect the 4.5% for both of those. He states that would bring the Promotion of the City Coordinator position to \$48,424.32 and the Unelected Board of Public Works and Safety official to \$37.67/ meeting.

Houin asks if Surrisi believes it to be sufficient to label that a Scrivener's Error and approve those corrections rather than approving a revised version of the ordinance.

Surrisi responds by stating that he believes that it is as long as they all in agreement to do so and reflect that in the minutes/ ordinance book.

Mayor Senter asks in regards to Planning Services still receiving a 3% increase.

Surrisi responds by stating that as far as he knows he does not believe that they decided to go back and make that change since it was already budgeted for in the Building Department's budget as a 3% increase.

Council Members Ecker and Milner moved and seconded to acknowledge of the Scrivener's Error in the 2023 Salary Ordinance as presented. The motion carried.

Surrisi presented Ordinance No. 2022-2209, An Ordinance Adopting the Fee Schedules for the Cemetery Department and for the Department of Parks and Recreation for the City of Plymouth on first reading.

Surrisi presented Resolution No. 2022-1028, A Resolution of the Common Council of the City of Plymouth to Adopt a Plan for Expenditure of American Rescue Plan Act of 2021 Funds.



He states that there is a committee that has been meeting to discuss some ideas for how to use these funds. He adds that Councilman Ecker, Compton and Houin were on that committee along with the Mayor and the Clerk-Treasurer.

Houin wished to commend both Councilman Ecker and Councilman Compton as they did have some good conversations. He believes that they very clearly realized that they had a consensus and these are the priorities that they as a Council have discussed and fully supported. He believes that they came up with a great plan and he really likes the ideas that came forward and how they incorporated them.

Surrisi adds that Allie Shook and Greg Hildebrand from the Lifelong Learning Network are here if there are any questions for them about their project which is featured in the plan as well.

Ecker adds that he believes this incorporated some of the projects that have either been presented or requested by outside organizations such as Lifelong Learning Network and Blue Zones. He states that just as importantly they utilized these funds to meet the needs of the city and select areas such as the new Firetruck coming in, sidewalks that Compton advocated for very strongly, as well as Houin on other issues. He states that he appreciates the Mayor and the City Attorney for allowing them to have those conversations so this comes from representatives of the Council for what they believe would be the best use of these funds.

Compton states that they are making an investment and being responsible with the money that they have through ARPA and especially with the Lifelong Learning Network. He states that \$600,000.00 is going to them and that is an investment into the future of the community for businesses and industry that will be hiring these people. He states that is definitely an investment towards the future. He states that for the sidewalks he is ecstatic about that. He states that in their budget they have been spending \$40,000.00/year and they will never ever catch up at that and this will put a nice dent into that. He states that there is \$432,926.69 for sidewalks and then additionally there is \$200,000.00 that will go if needed to the Harrison Street Trail project. He believes that if the monies are not needed for that and they get the funds that it will go to sidewalks in general.

Surrisi agrees and adds that they would need to make an amendment to the plan as that is necessary under the ARPA regulations.

Compton asks if that was the committee's recommendation. Surrisi agrees. Compton states that he believes this will help property values along with investing in the future for the tax base. He states that it really comes back to the city in the future in revenues.

Houin adds that they also have to point out that this reflects priorities right now but also leaves things they have to be aware of in future budgeting. He states that Councilman Compton's recommendation regarding Blue Zones is that they pledged \$520,000.00 if that plan goes forward but they only including a third of that in the ARPA plan with the intention that they would budget that in future years for the life of that project. He states that they need to be aware of that in their future budgeting and also it does not fully cover the cost of the emergency vehicles that they have accrued and they will need to be aware of that in the budgeting as they are still obligations that they committed to.

Ecker adds that it definitely allows for them to accrue for it and that is critical.

Culp states that one of the questions that he has was during the discussion of Blue Zones that it was said that unless the group was able to sustain \$6.2 million that there would be no draw on that \$175,000.00. He asks if they are going to release that \$175,000.00 before it is met or what the thoughts are on that.

Surrisi responds by stating that he does not recall exactly what the discussion was back at that point but he believes it was contingent upon private fundraising and grant funding. He states that as he understands, Blue Zones has applied for grant funding through the READI Grant process. He states that he believes on December 16, 2022 they will learn if they receive funding and to what extent. He states that it sounds as if they will know shortly if that is going forward and he believes that they have accrued enough funding commitments that if they get the grant funding from READI to the levels that they are asking for or near that they would be able to start with the first phase of Blue Zones which is a three-year cycle. He states that it would continue to build on that if they are to get enough funds to fully implementation which is that \$6.2 million.

Mayor Senter states that this morning the County Council voted 5-2 to pass that.

Compton adds that in regards to sidewalks, Jim Marquardt will be working to grade the sidewalks throughout the city and between snows and will have his hands full with this budget.

Mayor Senter states that he will be right there with him as he volunteered that. Compton agrees and states that he has his snow boots ready.



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## RESOLUTION NO. 2022-1028

A RESOLUTION OF THE COMMON COUNCIL OF  
THE CITY OF PLYMOUTH TO ADOPT A PLAN FOR EXPENDITURE OF  
AMERICAN RESCUE PLAN ACT OF 2021 FUNDS

WHEREAS, the City has received \$2,257,926.69 through the American Rescue Plan Act of 2021 ("ARPA or the Act"), federal legislation designed to address various adverse impacts of the Covid-19 pandemic. Under the U.S. Department of Treasury's Coronavirus State & Local Fiscal Recovery Funds Final Rule, effective April 1, 2022, and other applicable rules, the City has elected to take the standard allowance for pandemic-related revenue replacement. Accordingly, the entirety of the ARPA funds the City received may be used for general government services. The Act requires a recipient of ARPA funds to adopt a plan for expenditure of the funds. The purpose and intent of this resolution is to adopt such a plan.

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


Section 1. The City shall expend its funds received under ARPA for the following purposes encompassing general government services:

- a. \$400,000.00 – Support for design and construction of a solar field installation, of up to 2,880 panels, at the Plymouth Wastewater Treatment Plant located at 900 Oakhill Avenue, Plymouth, IN 46563;
- b. \$175,000.00 – Support for the Marshall County Crossroads Regional Planning Team's and the Marshall County Community Foundation's Blue Zones public health initiative;
- c. \$600,000.00 – Support for the Lifelong Learning Network's Marshall County Career Innovation Center career and technical education project;
- d. \$450,000.00 – Support for the Plymouth Fire Department's purchase of a new fire truck (Pierce Velocity Top Mount Pumper and associated equipment) and a new ambulance (as mounted on a 2023 Ram 5500 chassis and associated equipment);
- e. \$200,000.00 – Support for design and construction of the City's Harrison Street Trail project; and
- f. \$432,926.69 – Support for design and construction of sidewalks, including repair/replacement of existing sidewalks as well as development of new sidewalks in areas where none previously existed, throughout the City.

Section 2. The Council acknowledges its total pledge \$520,000.00 in support of the Marshall County Crossroads Regional Planning Team's and the Marshall County Community Foundation's Blue Zones public health initiative, which was made in Resolution No. 2022-1002. It was intended for those funds to be distributed over the course of the 3-year implementation

period of the Blue Zones initiative. As noted in Section 1. above, the first \$175,000.00 of the pledge will be paid from ARPA funds in what is anticipated to be early 2023. The balance of the pledge will be paid in approximately equal amounts in 2024 and 2025 and provided for in the City's respective budgets for those years.

PASSED AND ADOPTED this 12<sup>th</sup> day of December, 2022.

  
Mark Senter, Presiding Officer

ATTEST:

  
Lynn M. Gorski, Clerk-Treasurer

Council Members Houin and Ecker moved and seconded to adopt Resolution No. 2022-1028,

A Resolution of the Common Council of the City of Plymouth to Adopt a Plan for Expenditure of American Rescue Plan Act of 2021 Funds as presented. The motion passed by roll call vote.

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

Councilman Opposed: N/A

Surtisi states that as for Koontz Lake Brewery he will reach out to Holston for some more follow up and see to it he is here for a future meeting and that leaving it tabled for the time being would be appropriate.

Surtisi states that as for Stellar Communities he does not have much to add.

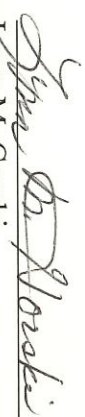
Council Members Ecker and Compton moved and seconded to accept the following communications:

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- Minutes of the Board of Public Works and Safety meeting of November 28, 2022
- December 12, 2022 Check Register
- Council Memo – 12-7-22 – 2023 Salary Ordinance

The motion carried.

There being no further business to come before the Council, Council Members Longanecker and Compton moved and seconded to adjourn, Mayor Senter declared the meeting adjourned at 6:45 p.m.

  
Lynn M. Gorski  
Clerk-Treasurer

APPROVED

  
Mark Senter, Mayor