

## REGULAR SESSION, COMMON COUNCIL, March 13, 2023

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on March 13, 2023. 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.

Duane Culp led the Pledge of Allegiance and Councilman Compton offered prayer.

Duane Culp presided for Council Members Greg Compton, Jeff Houin, Robert Listenberger, Randy Longanecker and Shiloh Carothers Milner. Councilman Don Ecker Jr. attended virtually.

Mayor Senter was 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 Compton and Longanecker moved and seconded to approve the minutes of the regular session of the Common Council on February 27, 2023 as presented. The motion carried.

City Attorney Surrisi presented CF-1's for tax abatements which is presented as follows:

- CF-1 PP – DAC Enterprise, LLC
- CF-1 RP – DAC Enterprise, LLC

Council Members Houin and Compton moved and seconded to approve all the CF-1's as presented. The motion carried.

Clerk-Treasurer Gorski presented an Application for Exemption from Licensing

Requirements of Ordinance No. 1309 for the Benjamin JW Fisher Memorial Foundation. Jo Fisher was present to discuss the application.

APPLICATION FOR EXEMPTION FROM  
LICENSING REQUIREMENTS OF  
ORDINANCE NO. 1309

TO: All applicants for exemption from licensing requirements of Ordinance No. 1309.

This attached form should be completed and returned to the City of Plymouth Office, 124 N. Michigan Street, Plymouth, Indiana, 46563. If you have any questions concerning this application form, you should call (773) 926-2124.

Please be aware that pursuant to Ordinance No. 1309, exemption will be granted where there is a showing that an organization is of a non-profit nature, and that the funds raised or realized are for educational, charitable or other like purposes.

You should also be aware that before an exemption can be granted, a hearing before the Common Council of the City of Plymouth must be held. Exemption applications are only on the 2<sup>nd</sup> and 4<sup>th</sup> Mondays each month, applications for exemptions should be filed timely enough so as to allow such a hearing.

A copy of the Ordinance is printed on the reverse side of this application form for your convenience.

Name of Applicant: Benjamin JW Fisher Memorial Foundation, Inc  
Address of Applicant: 421 E. Lake Ave. Rt 200 The Fishers  
Office held in organization requesting exemption: CEO/Founder  
Name of Organization: Benjamin JW Fisher Memorial Foundation, Inc.  
Address of Organization: P.O. Box 98 Plymouth, IN 46563  
Telephone Number of Organization: (574) 380-6803  
What products will be sold? Donation collection WZA  
with hands of pens  
At what location will products be sold? Michigan (SRIT) & Jefferson  
(4 corners)  
How will funds be collected? Members attending Class 3  
1st of Michigan at the Jefferson  
In what areas of the City will funds be collected? at the Jefferson  
& Michigan corners (stoplights)  
How many days will products be sold or funds collected? 2

What date will products be sold or funds collected? April 14-15 Sat & Sun  
2023 - 11:30 AM - 1:30 PM

What will the proceeds from the sale or funds raised be used for? Educational  
materials on Road Safety & Work Zone  
Awareness, Billboard Campaign -

Does the organization have an IRS tax exemption certificate? If so, what is the number and under what section of the RS Code? yes

I hereby swear that the answers given above are true, complete and accurate, to the best of my knowledge and belief.

Dated this 23<sup>rd</sup> day of March, 2023

Jo Fisher  
Signature of Applicant

APPROVED BY THE  
CITY OF PLYMOUTH  
DATE 03/13/2023

BY Common Council  
Joan Houin  
Clerk-Treasurer

Fisher explains that Work Zone Awareness is April and they were thinking they would like to do an awareness at the Four Corners, the intersection of Jefferson and Michigan Street. She states on Friday afternoon and Saturday morning they want to bring more awareness to people as they come through the intersection. She states they would setup cones and the volunteers would be wearing class three vests or the actual sweatshirts/ long sleeve shirts, depending on the weather, and they would be giving out wristbands for Work Zone Awareness instead of Candy and Nuts. She states they say Work Zone Awareness and "I am my brother's keeper" on the back. She explains that was Benjamin's mantra and she has since trademarked it and they use it all the time. She states that a lot of people do not realize when a vehicle is pulled over, regardless of what it is, that it becomes a work zone. She states what they are trying to do is bring the awareness out that anyone pulled over on a road is a work zone no matter who it is. She states if they get donations, that is great, but this is more important to make the awareness.

Listenberger asks if she mentioned the date.

Gorski responds by stating that April 14<sup>th</sup> and 15<sup>th</sup> is on there.

Fisher explains that it would be April 14<sup>th</sup> and 15<sup>th</sup> or the following weekend. She states she was suggested that one of them be used as a rain date. She explains that she listed those dates as one is the start of the week or the end of the week for Work Zone Awareness.

Gorski asks what times she was planning on doing this.

Fisher responds by stating that she does not know. She states that she was unaware if there was a specific start time. She explains with Kiwanis Club and Knights of Columbus that she has only noticed them out there on Friday afternoon/ evenings and Saturday.

Listenberger explains that he believes Kiwanis and Knights of Columbus start around noon or 11 on Friday and then work throughout the day on Saturday.

Fisher states that she is perfectly fine with whatever the city says.

Gorski states that she has looked at previous applications and no times are written on them either.

Compton states that it will be two sets of two days to pick between if there is a rain day.

Houin suggests Fisher to reach out to one of those two organizations to find out from them for what works for them as they have been doing it for a very long time.

Fisher states that she has reached out to Knights of Columbus and she received a message ten minutes before she came to get ahold of another guy so she has someone to talk to.



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Council Members Listenberger and Milner moved and seconded to approve the application of exemption for licensing requirements of Ordinance #1309 from the Benjamin JW Fisher Memorial Foundation as submitted. The motion carried.

City Attorney Surrisi presented Resolution No. 2023-1038, A Resolution of the City of Plymouth Declaring Certain Real Estate to be Within an "Economic Revitalization Area" Pursuant to I.C. 6-1-1-12.1 et. seq. (ADDD Equities, LLC). Surrisi states that Greg Hildebrand from Marshall County Economic Development Corporation (MCEDC) and Burke Richeson from the company to tell a little about the project.

## RESOLUTION NO. 2023-1038

RESOLUTION OF THE CITY OF PLYMOUTH  
DECLARING CERTAIN REAL ESTATE TO BE  
WITHIN AN "ECONOMIC REVITALIZATION AREA"  
PURSUANT TO I.C. 6-1-1-12.1 et seq.  
(ADDD Equities, LLC)

WHEREAS, the State of Indiana has provided for real property tax deductions for the rehabilitation or redevelopment of real property located in economic revitalization areas, as defined pursuant to Indiana Code § 6-1-1-12.1-1 et seq.; and,

WHEREAS, pursuant to Indiana Code § 6-1-1-12.1-2, the Common Council of the City of Plymouth may find that a particular area within the city is an economic revitalization area as contemplated by statute; and,

WHEREAS, ADDD Equities, LLC, has petitioned the Common Council to find a certain tract of real estate to be declared an economic revitalization area as defined because the parcel has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of character of occupancy, and other factors which have imparted values and prevented the normal development of the property and its use; and,

WHEREAS, the Common Council of the City of Plymouth, after examining the application of ADDD Equities, LLC, and after hearing evidence thereon has determined that the tract of real estate does in fact lie within the corporate limits of the City of Plymouth as described in the attached Exhibit "A", and the same should be designated an economic revitalization area in accordance with Indiana Code § 6-1-1-12.1-1 through and including Indiana Code § 6-1-1-12.1-6.

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

Section 1. After considering the evidence presented at a public meeting on March 13, 2023:

- the estimates of real property investment of \$1,500,000.00 is reasonable for projects of this nature; and,
- the estimated number of employment positions to be created of 7 with the investment is a reasonable projection; and,
- the estimated total compensation package of those individuals who will be employed within the economic revitalization area is reasonable; and,

EXHIBIT A

Parcel ID# 50-42-31-402-025.002-019

Exhibit A – Map and Legal Description of the Proposed Site

Legal Description

Lot B in the Teachers Credit Union Oak Drive Replat recorded as Instrument No. 202202017 on April 8, 2022 in the Office of the Recorder of Marshall County, Indiana, being a Replat of Lots 3 and 4 and the East Half (E 1/2) of a proposed road in Plymouth Industrial Development Subdivision, part of the Southeast Quarter (SE 1/4) of Section 31, Township 34 North, Range 2 East, City of Plymouth, Center Township, Marshall County, Indiana

d. the totality of the capital investment is sufficient to justify declaring the designated real estate an economic revitalization area and thereby authorizing deductions in accordance with state law.

Section 2. The real estate described in the attached Exhibit "A" is real estate within the corporate limits of the City of Plymouth, Indiana, and is hereby declared to be an economic revitalization area as defined in Indiana Code § 6-1-1-12.1-1, et seq., and is therefore eligible for deduction from the assessed value of proposed real property improvements.

Section 3. The applicant's Statement of Benefits is hereby approved, subject to a confirmatory resolution, to be adopted by this Council after a public hearing.

Section 4. This declaratory resolution shall be submitted to a public hearing to be convened on the 27<sup>th</sup> day of March, 2023 at 6:30 p.m. (or immediately after the Board of Public Works and Safety meeting on the same date) in the Council Chambers, City Hall, 124 N. Michigan St. (Garro St. Entrance, Second Floor), as provided by law.

Section 5. The Common Council's designation as an economic revitalization area the real estate described in Exhibit "A" shall terminate after a public hearing held by the Common Council in accordance with applicable law, if the applicant fails to substantially complete the proposed development or create and maintain the level of employment related benefits described in the Statements of Benefits. ADDD Equities, LLC's City of Plymouth Application for Tax Abatement is incorporated herein by reference.

Section 6. The Clerk-Treasurer is hereby authorized and directed to make all necessary filings, to cause to be published all notices required by law, and to notify the appropriate officers of each taxing unit that has authority to levy property taxes in the geographical area within which the real estate described in Exhibit "A" is located, all as provided by state law.

PASSED AND ADOPTED by the Common Council this 13<sup>th</sup> day of March, 2023.

ATTEST:

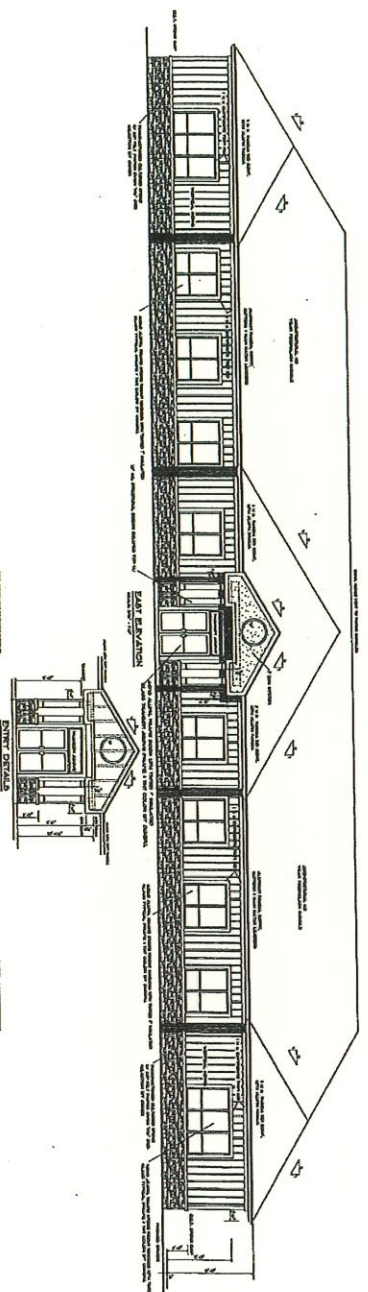
*Eryn M. Gorski*  
Eryn M. Gorski, Clerk-Treasurer

*Mark Senke*  
Mark Senke, Presiding Officer



Hildebrand states today they would like the Council to consider the first step in a tax abatement for ADDD Equities. He states it would the construction of a state of the art executive office building on Oak Drive north of where the present Teacher's Credit Union (TCU) structure sits. He states it would be for Construction Management and Design (CMD) and their rental properties of Property Management and Maintenance (PMM). He states this would be a \$1.5 million dollar investment in building and this is just the first step in a two-step process.

Richeson passed out images of what the front of the building would look like. See attached image below.



Richeson states this is the office building portion that will be facing Oak Drive. He states that behind that would be a 15,000 square foot warehouse with a connection between the two buildings. He states the plan is to have all semi-trucks enter off the side road being Pidco Drive. He states they have an easement with TCU and will be using the existing lane for the office building off of Oak Drive so there will be no need for curb cuts.

Houin asks for clarification that CMD is planning to build this for their own uses and they are not going to be building a strip center and rent out spaces.

Richeson agrees and responds by stating that CMD currently exists in the building where True Value and Salvation Army are located. He states they will be moving out of there and into this new building and this new building will be used for PMM and CMD's uses. He states they are expanding in the office as they have hired a new in-house council that handles some of the corporate structures and some of the tax liabilities. He states they now have in-house a full time Certified Public Accountant (CPA) and bringing in some house surveying. He states they are adding some new employees and expanding the warehouse as they will have warehouse employees. He states they are bumping up a little bit from what they currently have and they will have some more Property Management employees in that building as well. He states they are also trying to centralize some of the storage of different materials and have a central warehouse for Property Management and Maintenance in the back. He states the largest need is to have all of those materials there in one place



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rather than having them spread out. He states having them all out there with an accessible semi entrance/exit will be hugely beneficial.

Council Members Houin and Ecker moved and seconded to approve Resolution No. 2023-1038, A Resolution of the City of Plymouth Declaring Certain Real Estate to be Within an “Economic Revitalization Area” Pursuant to I.C. 6-1.1-12.1 et. seq. (ADDD Equities, LLC). The motion passed by roll call vote.

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

Surrisi states that Resolution No. 2023-1039 will be moved to start next month’s meeting.  
City Attorney Surrisi presented Resolution No. 2023-1040, A Resolution of the City of Plymouth to Create New Funds.

Surrisi states this would create several new funds for Airport FAA grants.

RESOLUTION NO. 2023-1040  
A RESOLUTION OF THE CITY OF PLYMOUTH TO  
CREATE NEW FUNDS

WHEREAS, the City of Plymouth Board of Aviation Commissioners recently received funding through the FAA. The City anticipates receiving these reimbursement grants later this year. Creation of a new fund is necessary in order to hold such money’s associated with these matters.

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

Section 1. There is hereby created the AIP-025 Fund for the deposit of funding designated for the Plymouth Municipal Airport. Expenditures from the fund shall be for any and all general expenses and purchases of the Aviation Department. 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 AIP-026 Fund for the deposit of funding designated for the Plymouth Municipal Airport. Expenditures from the fund shall be for any and all general expenses and purchases of the Aviation Department. 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 AIP-027 Fund for the deposit of funding designated for the Plymouth Municipal Airport. Expenditures from the fund shall be for any and all general expenses and purchases of the Aviation Department. 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 4. There is hereby created the AIP-028 Fund for the deposit of funding designated for the Plymouth Municipal Airport. Expenditures from the fund shall be for any and all general expenses and purchases of the Aviation Department. 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 13<sup>th</sup> day of March, 2023.

ATTEST:

  
Mark Senter, Presiding Officer

  
Lynn M. Gorski, Clerk-Treasurer

Council Members Houin and Longanecker moved and seconded to approve Resolution No. 2023-1040, A Resolution of the City of Plymouth to Create New Funds. The motion carried.

City Attorney Surrisi presented Resolution No. 2023-1041, A Resolution of the Common Council of the City of Plymouth Approving Resolution No. 2023-1037, A Resolution by the Plymouth Plan Commission Which Approved Resolution 2023-1035, A Declaratory Resolution by

the Plymouth Redevelopment Commission Amending the Economic Development Plan for the US/ 30 Pine Road Economic Development Area (TIF #3).

RESOLUTION NO. 2023-1041

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF PLYMOUTH APPROVING RESOLUTION NO. 2023-1037, A RESOLUTION BY THE PLYMOUTH PLAN COMMISSION WHICH APPROVED RESOLUTION 2023-1035, A DECLARATORY RESOLUTION BY THE PLYMOUTH REDEVELOPMENT COMMISSION AMENDING THE ECONOMIC DEVELOPMENT PLAN FOR THE US 30/PINE ROAD ECONOMIC DEVELOPMENT AREA (TIF # 3)

WHEREAS, on February 21, 2023, the Plymouth Redevelopment Commission adopted Resolution No. 2023-1035, which amends the Economic Development Plan for The US 30/Pine Road Economic Development Area (TIF # 3) and its Project List, to include:

- 1). Support for industrial developments by Plymouth Industrial Development Corporation within the Area.

A copy of Resolution No. 2023-1035, is attached to this resolution; and,

WHEREAS, the process to approve the amendment of Economic Development Plans and the addition of redevelopment projects set forth in Indiana Code § 36-7-14-16(g) requires the Plan Commission to review Resolution No. 2023-1035 and determine whether it "conform[s] to the plan of development for the [City of Plymouth]". On March 7, 2023, the Plymouth Plan Commission adopted Resolution No. 2023-1037, which confirmed that the amendments to TIF # 3 conform to the City's plan of development. A copy of Resolution No. 2023-1037 is attached hereto; and,

WHEREAS, now, pursuant to Indiana Code § 36-7-14-16(f), the matter is to be reviewed by the Common Council for consideration and approval of the Plan Commission's written order and resolution. If approved by the Common Council, the matter is then returned to the Redevelopment Commission for a public hearing and final adoption of a confirmatory resolution implementing the amendments to TIF # 3. Making such amendments, as are proposed here, requires a very transparent review and approval process of which the Common Council plays an important role; and,

WHEREAS, the purpose and intent of this resolution is to approve the proposed amendments to The US 30/Pine Road Economic Development Area and move the process to the next step.

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

Section 1. Pursuant to IC 36-7-14-16(f)(2), the Common Council approves Resolution No. 2023-1037 and the Plan Commission's written order and finding that Resolution No.

2023-1035, adopted by the Plymouth Redevelopment Commission conforms to the plan of development for the City of Plymouth.

Section 2. The matter is now remanded to the Plymouth Redevelopment Commission for a public hearing, final confirmatory action, implementation, and amendment to TIF # 3.

PASSED AND ADOPTED this 13<sup>th</sup> day of March, 2023.

ATTEST:

  
Lynn M. Gorski, Clerk-Treasurer

  
Mark Senter, Presiding Officer

Surrisi states that this is just the next step in the process of adding a project to the TIF #3 Project list which is adding support to the industrial developments by Plymouth Industrial Development Corporation (PIDCO). He states this was started at the Redevelopment Commission's meeting last month and approved by the Plan Commission that this is in line with the goals of the current Comprehensive Plan and then it comes before him to review the Plan Commission's order and confirm that the Common Council also agrees that it is in line with the goals of the Comprehensive Plan.

Houin asks if PIDCO has any specific projects in mind that they are disclosing at this point. Surrisi responds by stating that it sounds like it is tied as an incentive for their building they just completed, Plymouth Molding Group. He states from his understanding, Don Wendel with PIDCO, was at the Redevelopment Commission meeting last month and it seems like they do have



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some prospects for some of their land on the east side of Pioneer Drive as well. He states that it may be something they have not disclosed yet but will be coming soon.

Houin asks for clarity that the reason for this Resolution is in order for the Redevelopment Commission to support those projects that it needs to be a part of their Redevelopment Plan for the TIF Districts.

Surrisi responds by stating before the Redevelopment Commission were to actually enter into any agreement for that support that there would need to be other formal approvals from the Redevelopment Commission but this is just so they are eligible to give that support when they are ready to.

Council Members Ecker and Listenberger moved and seconded to approve Resolution No. 2023-1041, A Resolution of the Common Council of the City of Plymouth Approving Resolution No. 2023-1037, A Resolution by the Plymouth Plan Commission Which Approved Resolution 2023-1035, A Declaratory Resolution by the Plymouth Redevelopment Commission Amending the Economic Development Plan for the US/ 30 Pine Road Economic Development Area (TIF #3) as presented. The motion carried.

Surrisi states that similarly the next resolution being Resolution No. 2023-1042 will be moved to the next meeting.

Surrisi states that for Stellar Communities there isn't much to share at this time.


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

communications:

- Minutes of the Board of Public Works and Safety meeting of February 27, 2023
- March 13, 2023 Check Register
- February 28, 2023 Technical Review Committee Minutes
- February 7, 2023 Plan Commission Minutes
- February 7, 2023 Board of Zoning Appeals Minutes

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 6:48 p.m.

  
Lynn M. Gorski  
Clerk-Treasurer

APPROVED

  
Mark Senter, Mayor