

## REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, April 10, 2023

The Board of Public Works and Safety of Plymouth, Indiana, met in Regular Session at 6:00 p.m. on April 10, 2023. The meeting was held in the Council Chambers, on the second floor of the City Building, 124 N. Michigan St., Plymouth, Indiana.

Mayor Senter called the meeting to order. Senter presided for Board Members Duane Culp, Jeff Howin, Shiloh Milner and Bill Walters who were physically present. City Attorney Surrisi and Clerk-Treasurer Gorski were present. The public was able to see and hear the meeting through Microsoft Teams.

Board Members Culp and Walters moved and seconded to approve the minutes of the regular session of the Board of Public Works and Safety meeting of March 27, 2023. The motion carried.

Utility Superintendent Davidson wished to update the board on their Close Circuit Televised Unit for their sewers was delivered last week. He reminds the board that this was approved back at the end of December and they anticipated it not being here until June so receiving this ahead of time was quite unusual at the moment and they were lucky as far as getting their chassis reserved. He states that training will take place in the next couple of weeks and the price came in for the proposal in the price of \$274,448.00 with no unexpected expenses.

Police Chief Bacon reminds the board that he reported two vehicles down. He explains that one was totaled and the other one they are going to repair. He states the one that was totaled was their K-9 vehicle and the City Attorney has drafted a resolution for this. He states they were able to find Ford Utility Vehicles in Georgia and apparently those are the only police vehicles in the country. He states that originally, they had 900 of them and now they have 500 and some. He states they are just south of Atlanta and they can buy one there and transport it up here for \$900 which would be cheaper than what they can pick it up for.

City Attorney Surrisi presented Resolution No. 2023-1049, Written Determination of the Plymouth Board of Public Works and Safety Regarding Purchase of Police Car Through Special Purchasing Methods.

Surrisi explains that Indiana Code 5-22-10 covers special purchasing methods that are outside the normal quote process they would engage in for purchases of this size that are allowed when there are qualifying conditions under the statute. He states they have used this a few times, in the time that he has been here, where there was some kind of special discount in the past where they were able to take advantage of something going quickly. He states the two provisions they are relying on here are section 4 in this chapter for emergency conditions and section 9

where the normal procedure would seriously impair the function of the police department due to the wait, they would have to have to order a car through the normal processes. He states the need of the vehicle through the crashes justifies this. He asks for the Board's approval of utilizing this purchasing method and when they get to the council meeting tonight that he will talk to them about transferring some funds to an already appropriated fund so they can utilize to make purchases.

Walters asks the Police Chief how the prices came out on this compared to the other vehicles they already have ordered.

Bacon responds by stating that the vehicles they already had ordered were Dodges and they were \$39,000.00+ and this Ford was \$44,400.00 and it is MSRP and each state has a dollar amount off and that is set by Ford. He states that Indiana's is \$1,600 off which is the same as in Georgia. He states that in Illinois he believes it is \$6,000 off and he does not know what the difference is but that is up to Ford. He explains as far as the need, it was the K-9 Officer's vehicle and currently the K-9 Officer is driving his vehicle right now and he would say that it is not setup for the dog as the dog is working out of a crate in the rear of the vehicle. He states that is the need they have on getting the vehicle now. He states that they did not receive any quotes from Ford other than a Ford Pickup because no other Ford dealer was able to order them until either August or September and you would have had to wait another four months.

Walters asks if the K-9 equipment is salvageable out of the other car.

Bacon responds by stating the cage itself is not but some of the other equipment such as electronics like radio, siren and so on are but as far as the main component of the vehicle it is not.

Houin asks when they expect to receive the Dodge vehicles that were ordered.

Bacon responds by stating at the time of the order it was about 16-20 weeks and they are about into week seven he believes.

Houin asks how soon they would expect these Fords to be delivered.

Bacon responds by stating he has not spoken to them on the exact date but they are currently sitting there waiting to be brought up here after approval. He states the \$900.00 fee would include them putting it up on a hauler and due to the fact that it is a 12-hour drive one way that sending two officers down for that plus fuel it would just be easier to have it sent it up here.

Houin believes that this is an emergency and at the time given the availability that they have to get these when and where they can.



## REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, April 10, 2023

Surrisi wished to add that they will be receiving \$10,684.00 from their insurance company Zurich for the value of the total K-9 unit.

## RESOLUTION NO. 2023-1049

WRITTEN DETERMINATION OF THE  
PLYMOUTH BOARD OF PUBLIC WORKS AND SAFETY  
REGARDING PURCHASE OF POLICE CAR THROUGH  
SPECIAL PURCHASING METHODS

WHEREAS, on March 8, 2023, a Plymouth Police Department Officer struck a deer with his 2014 Ford Explorer Interceptor Utility Vehicle. As a result of the accident, the vehicle has been deemed at total loss by the City's insurer, Zurich American Insurance Co. Soon thereafter, on March 17, 2023, another driver collided with a 2016 Ford Explorer Interceptor Utility Vehicle being driven by a second Plymouth Police Department Officer. That vehicle is currently out of service awaiting repair. Due to these accidents, the department has been short on vehicles, requiring reallocation of the Police Chief David Bacon's vehicle and others to the patrol staff. Chief Bacon has discovered a source of in-stock police cars available at Brannen Motor Company in Unadilla, Georgia. The purpose and intent of this resolution is to approve the purchase of a new police car from Brannen Motor Company utilizing the special purchasing methods set forth in Indiana Code § 5-22-10 *et seq.*

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works and Safety of the City of Plymouth, Indiana, as follows:

Section 1. Pursuant to Indiana Code § 5-22-10-3(b), the Board, as purchasing agent for the Plymouth Police Department, makes its written determination that the special purchase of a 2023 Ford Explorer Interceptor Utility Vehicle from Brannen Motor Company of Unadilla, Georgia, for the price of Forty-Four Thousand Four Hundred Dollars (\$44,400.00) plus a Nine Hundred Dollar (\$900.00) delivery charge is approved. The basis for this special purchase is emergency conditions, under Indiana Code § 5-22-10-4, as a result of the recent car accidents producing an immediate need for additional vehicles. Additionally, under Indiana Code § 5-22-10-9, the special purchase is appropriate because utilizing another purchasing method, such as the solicitation of quotes for the purchase of vehicle that is not currently in-stock would seriously impair the functioning of the Police Department due to the extensive time delay and the urgent need for vehicles.

PASSED AND ADOPTED by the Board of Public Works and Safety this 10<sup>th</sup> day of April, 2023.

ATTEST:

  
Lynn M. Gorski, Clerk-Treasurer

  
Mark Senter, Presiding Officer

Board Members Houin and Culp moved and seconded to approve Resolution No. 2023-

1049, Written Determination of the Plymouth Board of Public Works and Safety Regarding

Purchase of Police Car Through Special Purchasing Methods as presented. The motion passed by roll call vote.

Board Members in Favor: Culp, Houin, Milner, Walters and Senter

Board Members Opposed: None

Clerk-Treasurer Gorski presented a street closure request from John Montgomery for Cars & Coffee. John Montgomery was present to speak on the request.

Montgomery explains that this is a standard request as they have done for the past five years and there is nothing different or changing in that aspect. He explains that it is still one block of Beerenbrook Street north and south of Jefferson Street from 6:00 am to 11:00 am. He states they typically have security there or someone from the Sheriff's reserve to assist with crossing Jefferson Street and they have been contacted and intend to be there as well. He states they did yield a donation after their efforts last year of \$2,500.00 that was given to the Marshall County Humane Society.

Houin asks if the attendance has changed over the last five years. He assumes Covid probably affected it a little bit.

## REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, April 10, 2023

Montgomery responds in agreeance and states that in the year directly after Covid it was really busy as people were really wanting to get around. He states they average anywhere from 100-120 cars per show.

Houin states that as far as he has heard that there have not been any issues with traffic. He states that if the event is growing that if there is still enough space for it there.

Montgomery states in that aspect it is growing and there is a lot of room in nearby properties so they go down the streets first and down the south side of Jefferson Street the next three properties they have access to park. He states they are also allowed to park on the north side in the Low Bob's parking lot as long as they keep a lane open for their driveway, they allow them to use that parking lot.

**REQUEST FORM**  
**CITY OF PLYMOUTH**

Date: 3/28/23

Notice to BOARD OF PUBLIC WORKS AND SAFETY, CITY OF PLYMOUTH, INDIANA

Kindly review of the following request:

Propose to close approximately 1 block of Beerenbrook Street on both the north and south sides of Jefferson Street for Cars and Coffee event from 6:00am to 11:00am. Hosted at the restored mobile gas station owned by Calvin Bailey.

Dates (First Saturday of each month):

May 6, 2023  
June 3, 2023  
July 1, 2023  
August 5, 2023  
September 2, 2023

Signed 

\_\_\_\_\_  
574-780-6885  
Phone Number

John Montgomery  
\_\_\_\_\_  
10548 King Road  
Address

In-Office Only:

Determination of Request

*Approved by Board of Public Works Safety April 10, 2023*

Return original form to Clerk-Treasurer's office after determination is complete.

Signed  Clerk-Treasurer  
\_\_\_\_\_  
Title

Board Members Culp and Milner moved and seconded to approve the street closure request from John Montgomery for Cars & Coffee as presented. The motion carried.

Clerk-Treasurer Gorski presented a request for Veteran's Banner placement from Daughters of the American Revolution (DAR). Helen Johnson was present to speak on the request.



## REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, April 10, 2023

REQUEST FORM  
CITY OF PLYMOUTHDate: 03/17/2023

Notice to BOARD OF PUBLIC WORKS AND SAFETY, CITY OF PLYMOUTH, INDIANA

Kindly review of the following request:

The DAR would like to place the Veterans' Banners back up for the months of May,

June, October and November, 2023.

Signed

Phone Number 574-780-8489

Print Name Helen Johnson

Address 506 Randolph Dr., Plymouth, IN 46563

In-Office Only:

Determination of Request

*Approved to place banners year round unless there is another request for banners.**Board of Public Works Safety, April 10, 2023*

Return original form to Clerk-Treasurer's office after determination is complete.

Signed *Angie Birchmeier*Title *Clerk-Treasurer*

Johnson wished to thank everyone so very much in the first place as the city was behind them on this and it was such a huge success and she could not thank them enough. She states that Cheryl Ball, who is the DAR State Historian, will speak for a couple minutes. She asks for this request only if there is available space and she understands with other people wanting to hang their banners up from various organizations as well.

Street Superintendent Marquardt explains that currently they have work-zone awareness banners up for this month and his suggestion would be if this goes from the new banners, they had up last year that he believes they are very nice. He states they do have some art banners that they put up for show because they are nicer than our old banners. He states that his suggestion would be to have them up all Summer as they had a lot of good comments and they will move banners around as needed for other things if that is okay with them. He believes they would look nice.

Houin asks if these banners are stored.

Angie Birchmeier states they are currently stored at her house.

Marquardt thought that some were given back to their owners.

Johnson states that if they wanted them then yes.

Houin asks for clarification that these banners are in better condition than their standard ones they put up most of the time.

Marquardt responds by stating our standard ones are originals and they have all the original businesses that supported them and a lot of those businesses are no longer here.

Houin states that when he considered this last year, he walked down the street to a meeting and all of the ones that he passed were no longer in business.

Marquardt adds they are nostalgic.

Houin states they were around the Historical Museum so it makes sense. He states that his thought on this is they make these banners their standard banners and just leave them up except when other events or organizations request. He states they can put other banners up temporarily and then put the Veteran's banners back up instead of Birchmeier having to store them.

Mayor Senter believes that is a good idea.

Johnson believes that would be an excellent idea and very kind. She states that she knows so many folks who had come in with family members who had taken pictures with their family member on the banner and there is lots of good things about it.

Culp explains that he has received at least five separate phone calls asking if they can expand it and make it bigger. He asks if there is room in the city for any of that.

Marquardt responds by stating they have it set up to have 26 banners on the streets and he is unsure the amount the park has exactly. He states they had enough banners last year for this and with giving some banners back to people he would be unsure on the quantity they currently have. He restates they could load up to 26 on the street.

Culp asks if there is any possibility, they could do any of the side streets downtown.

Marquardt responds by stating that 26 is the limit they can have downtown. He believes it is a good thing and he is open to what can be done.

Mayor Senter states he had a 103-year-old veteran yell at him during the Memorial Service last year because he wasn't at that ceremony downtown and a 99-year-old was. He explains how he said he was four years older than him and he wasn't invited.

Johnson explains if they are more interested parties which obviously there were after the fact, because she was amazed how many people do not pay attention to the paper. She states that perhaps it would work and she does not mind taking down her family members to put someone else that is up.

Mayor Senter adds they can even rotate it once they get to a certain point.

Board Members Houin and Milner moved and seconded to approve the request for

Veteran's Banners from Daughters of the American Revolution (DAR). The motion carried.



Cheryl Ball explains they have had a few businessmen come in and say they should expand it down South and North Michigan Street a way to greet people as they come into Plymouth. She states that is another possibility they can think about and if they need more brackets, she knows the DAR Chapter would be willing to give back some of the money that came through the banner program to help purchase that. She states that if it were a problem with the city finances that they can raise the funds for that. She states she appreciates everyone saying how nice the banners are and the fact that they want them left all year and rotate them. She states that if you travel to towns nearby like Wabash, Warsaw and so on that they have been left up year-round and they have really begun to show their age so when they are given back to the family they are not in a very good condition. She believes their process is a very well thought out process and she appreciates them to allow DAR to do this. She states she did see the gentleman's name in the paper who is 103-years-old and they are going to recognizing him. She explains that is where word of mouth is helpful. She states if you know some of these veteran's she wants you to contact them because they do not stand up and say they are a veteran but they want to reach out to every veteran they can and thank them for their service.

Marquardt states on the North and South Michigan poles like the antique street light ones he does not recommend putting anything on those due to their age and how they are. He states they actually need to talk about poles some day as they are down to one now after the storm last week. He states being down to one they have to talk about what they can do. He states there are poles down by the park that are better and could be looked into. He just highly recommends not attaching anything to the "Do not hitch" poles.

Clerk-Treasurer Gorski presented a street closure request for the Heartland Artists Gallery for their ARTS in the Street Festival. Anna Kietzman was present to speak on the request.

Kietzman states this will be their ninth annual ARTS in the Street Festival and it will be scheduled for Saturday, July 29<sup>th</sup> from 10 am - 3 pm. She states that has been pretty consistent and hasn't changed for the last few years. She states she would still like to request that Michigan Street be closed down between Laporte and Washington Streets. She states outside of some new partnerships and some anticipated growth they have already had 20 new artists registered which is almost double and she is still a little overwhelmed by it. She requests a little bit of assistance from the city for trash at the end of the day as it has got to a point based on last year's event that they are in and over their heads in dealing with the trash but she believes they have a solution in place. She states they have some new partnerships in place as they have a three-day pleinair invitational event

REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, April 10, 2023

leading up to the day of the festival. She states that it is already in place and they talked to nearly 24 artists from around the country who are going to be painting in and around Marshall County for the three days leading up and the REES Theatre will have their works on display during the festival.

REQUEST FORM  
CITY OF PLYMOUTH

Date: MA<sup>2</sup> 27, 2023

Notice to BOARD OF PUBLIC WORKS AND SAFETY, CITY OF PLYMOUTH, INDIANA  
Kindly review of the following request:

The Heartland Artists Gallery is requesting to close down Michigan Street between Laporte & Washington to hold their 9th annual ARTS in the Street Festival on Saturday, July 29, 2023 from 10am - 3pm. The event will include artists' booths, food vendors, art-making activities & competitions, live performances, and a beer and wine tent- all to celebrate local and regional art.  
We would like to request Michigan Street be closed down from 6AM - 5PM on July 29th to allow for ample time to setup and teardown vendor booths and performance equipment.  
Portable toilets will be made available for visitors. Additionally, given the growth of the festival, we are also requesting the city's help with trash. It's become increasingly difficult for Heartland to handle as the amount of visitors has increased significantly.

Signed *Anna Keltman* Phone Number 219-477-0747  
Print Name Anna Keltman Address 101 N. Michigan Street, Plymouth, IN 46583

In-Office Only:  
Determination of Request  
*Street closure approved by Board of Public Works & Safety*  
*Requester was given options for trash removal will not*  
*be provided by the City. April 10, 2023*  
Return original form to Clerk-Treasurer's office after determination is complete.  
Signed *John Gorski* Title *Clerk-Treasurer*

Board Members Milner and Walters moved and seconded to approve the street closure request for the Heartland Artists Gallery for their ARTS in the Street Festival. The motion carried.  
Clerk-Treasurer Gorski asks for clarification that the city will not be helping with trash.  
Houin responds by stating that the city has provided some suggestions and contact information and that is the extent of their help on this matter.

Mayor Senter introduces John Cannon from Attorney General Todd Rokita's Office to speak. He explains that he was on the Common Council Agenda but felt there was adequate time between the meetings for him to give his presentation as everyone from the Council was in attendance.

Cannon provided advice and assistance free of charge from the Attorney General's Office to the City Attorney and Council. Cannon provided information as follows:

- Unclaimed Property
- Scams



## REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, April 10, 2023

- Identity Theft
- Medicaid Fraud
- Robo Calls

Board Members Culp and Milner moved and seconded to allow the payroll for March 31, 2023 and the claims for April 10, 2023, as entered in Claim Register #2023-7. The motion carried.

Board Members Houin and Walters moved and seconded to accept the following

communications:

- April 10, 2023 Docket
- March 28, 2023 Technical Review Committee Minutes

The motion carried.

There being no further business, Board Members Walters and Milner moved and seconded to adjourn, Senter declared the meeting adjourned at 6:35 p.m.

  
Lynn M. Gorski  
Clerk-Treasurer

APPROVED:

  
Mark Senter  
Mayor