

REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, May 8, 2023

The Board of Public Works and Safety of Plymouth, Indiana, met in Regular Session at 6:00 p.m. on May 8, 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 Houin and Shiloh Milner who were physically present. Board Member Bill Walters was absent. 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 Milner moved and seconded to approve the minutes of the regular session of the Board of Public Works and Safety meeting of April 24, 2023. The motion carried.

Police Chief Bacon wished to update the board that they have sworn in Jakub Mark this morning. He states this is their 22nd officer and they still have three openings. He states on April 29th they had the physical agility and written testing for the ten that applied. He states ten were invited and six showed up, five of those have gone onto the background investigation that is being done right now by detectives. He states on the other side of that their lateral process is ongoing and he may have a request at their next meeting with that.

City Attorney Surrisi asks if there is anyone here tonight for Street Bid Paving Projects. He states in consultation with VS Engineering and some of the feedback they were hearing from contractors that Street Superintendent Marquardt made the decision to delay acceptance of bids until your next meeting. He explains that Chris Waidner has been in communication with all of the contractors who had requested the bid packets and they believe by allowing that extra time they will get more favorable bids for the project. He states in order to do that he will read them the statutory authority which is I.C. 36-1-12-4 subpart (b) 7 (B).

(7) The board may not require a bidder to submit a bid before the meeting at which bids are to be received. The meeting for receiving bids must be open to the public. All bids received shall be opened publicly and read aloud at the time and place designated and not before. Notwithstanding any other law, bids may be opened after the time designated if both of the following apply:

(A) The board makes a written determination that it is in the best interest of the board to delay the opening.

(B) The day, time, and place of the rescheduled opening are announced at the day, time, and place of the originally scheduled opening.

Surrisi asks for the Board to make a determination that is in the best interest of the city to delay the bid opening until 6:00 p.m. on Monday May 22nd at their next regularly scheduled board meeting.

Commissioners Houin and Milner moved and seconded to delay the bid opening as requested. The motion carried.

Houin asks if they are expecting to have more bidders because of that or would it just be better terms for those who have bid.

Marquardt responds by stating he would hope for more because there was a problem with not everyone getting the attachment of actual plans so in talks, they figured people were not going to have time to get a feel of the project and submit the right bid. He explains they wouldn't want the bids rushed and he believes there was at least three that had requested that V.S. Engineering had contacted and said they would have two more weeks if this passed tonight.

Surtisi states V.S. Engineering also sent this information to another contractor that regularly submits bids who had yet requested a packet.

Parking Space Lease

This Parking Space Lease is by and between the City of Plymouth, 124 N. Michigan Street, Plymouth, IN 46563, as Lessor, and Santiago Taqueria, LLC, 801 W. Garro Street, Plymouth, IN 46563, as Lessee. The parties agree as follows:

The Lessor agrees to lease to the Lessor the two parking spaces in the southwest corner of the Water Street parking lot, immediately adjacent to the northwest corner of the building located at 201 E. Garro Street. The purpose of the lease is for the placement of a food truck/trailer to be operated in support of the Lessee's planned taqueria to be operated in the 201 E. Garro Street building. The Lessee is permitted to obtain at its own expense electric service from NIPSCO from adjacent power poles, so long as said service connections do not obstruct the nearby sidewalk area. The term of this lease shall be for one (1) year from the date of its execution. Thereafter, upon the mutual agreement of the parties, the lease may be extended on a month-to-month basis. In consideration for said lease, the Lessee shall pay the Lessor rent of Forty Dollars (\$40.00) per month, with the entire year's rent payable in advance in the total amount of Four Hundred Eighty Dollars (\$480.00). Payment shall be made to the Plymouth Clerk-Treasurer at 124 N. Michigan Street, Plymouth, IN 46563.

The parties have executed this Parking Space Lease this ____ day of May, 2023.

Lessee: Santiago Taqueria, LLC Lessor: City of Plymouth

Signature _____	Signature _____
Juan Cantero, Authorized Representative	Mark Seiter, Mayor
Print Name	Print Name

Surtisi presented the Renewal of Water Street Parking Space Lease for Santiago Taqueria, LLC. He explains he received a request from Juan Cantero of Santiago Taqueria to renew their parking space lease at the Water Street Parking Lot for another year. He reminds the Board that last year this request was made and they followed the leasing procedure that is laid out in the State Code and put an advertisement out that the city was considering a lease of parking spaces and would accept proposals. He states he received this from Cantero and the lease last year contemplated extensions of the lease and specifically it said in the lease that it could be extended to a month-to-month basis going forward and they would like to extend it for a whole year. He states they are continuing to work on improving the space within that building and he believes it is the storefront where Reese's Ribs used to be and eventually would like to have that ready inside but, in the meantime, they have had success with the food truck outside and would like to renew that. He states the terms for that are remaining at \$40/month for a total of \$480.00 with all rent payable in advance.

Commissioners Houin and Milner moved and seconded to approve the lease renewal as presented. The motion carried.

Commissioners Houin and Culp moved and seconded to take the crosswalk request at Trinity United Methodist Church off the table. The motion carried.

Street Superintendent Marquardt states after last meeting there was the recommendation to check with Chris Marshall on this and they spoke. He states he looked into it and what he found was put in your packets. He reads his response aloud.

Jim,

I have looked into the request to place a crosswalk across William Street in order for pedestrians to cross the street midblock. Per the Federal Highway Administrations Manual on Uniform Traffic Control Devices (MUTCD) "Crosswalk lines should not be used indiscriminately" and an engineering study should be done before placing a crosswalk that is located away from an approach controlled by a stop or yield sign. For further information I have included section 3B-18 of the MUTCD. See 3B-18 paragraph 09 for more information outlining the engineering study considerations for midblock crosswalks. If an engineering study warrants the proposed midblock crossing, then the Americans with Disabilities Act (ADA) accessibility will need to be addressed. Modifications may need to be made to both public and private property in order to meet ADA requirements.

Thank you,

Chris Marshall
Engineering / GIS

Houin states as he reads this, he does not feel like it answered his question. He completely agrees and appreciates Marshall's input. He states he reads this as suggesting that if they are going to put a crosswalk that they should follow engineering standards and maybe do an engineering study to see if they should do a sidewalk. He states the question was is it possible because they know they have to follow the ADA requirements and the question was if they decided to do it if it were even possible to follow the ADA requirements. He asks if there is any way to get any more information.

Marquardt responds by stating he believes his last sentence answers that question. He reads, "Modifications may need to be made to both public and private property in order to meet ADA requirements."

Houin states it may but he feels like the point he makes in the last sentence is exactly the question they were trying to get answered and he does not know the answer yet.

Marquardt states Marshall is online he believes.

Marshall states in order to determine whether or not ADA will be feasible that they will probably need to do surveys of that area to see what the slopes are and whether they can actually get a midblock crossing at. He states right now to put one in they are going to run right into the steps leading into the church but if it is pulled to the west then you are running into areas where you may have to eliminate the handicap parking spaces along the south side of the street.

Marquardt states you would also have to adjust the slopes on the south side of the street to get over the six-inch curb at the sidewalk. There would have to be adjustments to bring it down to get the proper slopes. He states if you line it up with the ramp to across from the church.

REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, May 8, 2023

Mayor Senter asks what kind of traffic they have there. He states William Street probably has six houses.

Marquardt responds by stating they may have 6-8 but he hasn't been there in the time when the kids are crossing back and forth. He explains he is unaware if adults are out there with the kids as well.

Mayor Senter asks Holcomb when the girl scouts are there if there are adults with them.

Holcomb responds by stating there are adults there even when other children are there but kids are kids. She states the church is already ADA compliant and they have those standards set. She states she would hate to think someone would get hurt without the crosswalk just because they have to do something more for the ADA as they are already compliant.

Marquardt responds by stating they would also have to be ADA compliant on the south side where there is the curb to get up over.

Holcomb states this is for the children and not for the ADA as they are already ADA compliant. She believes they do not have to be ADA compliant for the children so she does not understand.

Houin states if they put a crosswalk there that everybody has to be able to use so that is why it has to be ADA compliant.

Surrisi states everything since 1990 when the ADA was adopted that if they built anything new it has to be ADA compliant.

Holcomb states she likes Houin's suggestion if there was a crosswalk to the ADA compliant ramp they have.

Marquardt states it would still have to include something on the south side being changed.

Culp states one of the things Marquardt is saying is on the south side they would have to cut a portion out and make it 5-6 feet and put that little bumpy thing in to make them compliant. He states without doing that they are not compliant.

Marquardt adds the slopes can't be over 8%.

Houin suggests there are obviously some challenges here and he is unsure if they can do it but he does not want to give up yet as he thinks they can still talk about some possible creative ideas. He states the Complete Streets Committee meets tomorrow and they can talk about it then to see if they can come up with some type of solution or compromise to make this happen. He states if he would move, they table this request again and do some more investigation as he does not want to give up on it yet. He states the meeting will be at 1:00 tomorrow at the Street Department.

CITY OF PLYMOUTH

Date 04/06/2023

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

Kindly take care of the following request:

Plymouth Trinity United Methodist Church is located on the corner of S. Michigan and William Streets.

Our parking lot is across the street from the church on William St.. Children and adults cross the street often during

the day and evenings. We have several troops of Girl Scouts using the church on Thursdays. The children play in the

parking lot and cross back and forth in good weather. We are requesting a crosswalk to be placed on William Street

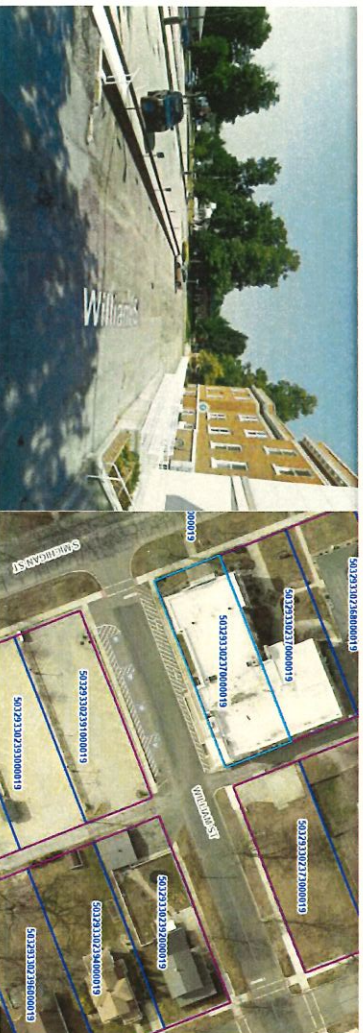
to provide safety especially for the kids and also for the adults. Please consider our request and let us know.

Barbara Holcomb, Council on Ministries Chairman

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10523 Del Lo Me Lane, Plymouth, Indiana

Address _____
Phone number _____
574-276-6217



Board Members Houin and Culp moved and seconded to table the crosswalk request from

Barbara Holcomb for Trinity United Methodist Church as presented. The motion carried.

Board Members Culp and Houin moved and seconded to allow the payroll for April 28,

2023 and the claims for May 8, 2023, as entered in Claim Register #2023-9. The motion carried.

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

communications:

- May 8, 2023 Docket
- April 25, 2023 Technical Review Committee Minutes
- Engineer's Review of Crosswalk

The motion carried.

There being no further business, Board Members Milner and Houin moved and seconded

to adjourn, Senter declared the meeting adjourned at 6:15 p.m.

APPROVED:

Lynn M. Gorski
Lynn M. Gorski
Clerk-Treasurer



Mark Senter
Mayor