

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on July 10, 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.

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 Compton and Ecker moved and seconded to approve the minutes of the regular session of the Common Council on June 26, 2023 as presented. The motion carried.

City Attorney Surrisi introduces PC 2023-08, Certified Proposal to Amend the Official Zoning Map for the City of Plymouth. He states Plan Consultant Ralph Booker is here with a presentation.

Plan Consultant Booker reviewed the findings of fact and the request from the applicant. He explains there was one addendum he will explain later that should have been in his report to the Plan Commission. He read the applicant's letter aloud. See attached letter below.



architecture

120 South Buffalo Street • Warsaw, IN 46580 • 571-983-1296 • info@srkmarch.com

June 15, 2023

Plan Commission
City of Plymouth
124 N. Michigan St.
Plymouth, IN 46563

Re: Garden Court Multi-Family Housing
Berkley Street Cottages

To whom it may concern,

Garden Court wishes to apply for a re-zoning of the site currently owned by Market Development Corporation, Grand Rapids, Michigan, lying between Jefferson Street and Berkley Street just west of the current Marinas' Store location. The site is currently zoned C-1 (General Commercial) and we would like to change the zoning to R-4 (Multi-Family).

Garden Court wishes to build a series of buildings that contain 1-, 2-, and 3-bedroom apartment units for low income and permanent supportive housing individuals. They also wish to build an office to house supportive services and a new medical clinic operated by Bowen Center on site.

Type 1 - Building 100 - Support services office and Bowen Center medical clinic
Type 2 - Buildings 200-400 - each have (2) 1-bedroom, (4) 2-bedroom and (6) 3-bedroom apartments (only - 12 apartments per building)

Total - 36 apartment units

All 1- and 2-story buildings

50-62 Parking spaces can be provided (1.5-2 spaces per apartment)

3 accessible apartment units will be provided (1 for each unit size)

City water will be accessed from Berkley Street

City sanitary will be accessed from Jefferson Street

Electrical and gas utilities will be accessed as well

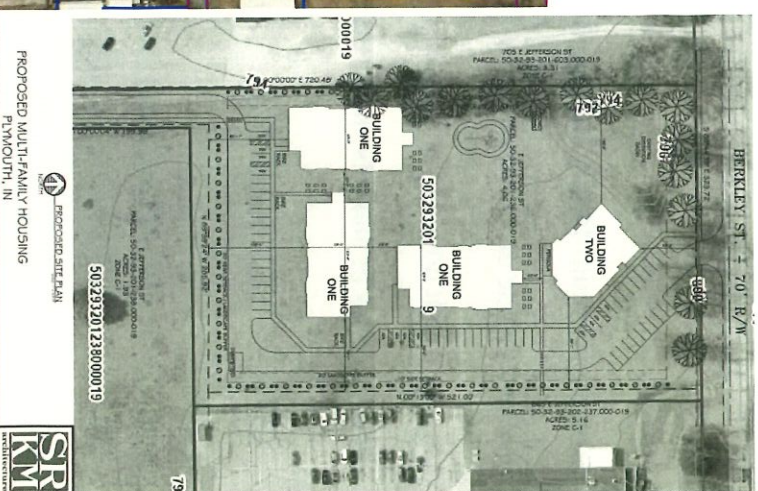
The project will be funded by multiple sources, all in accordance with the Corporation for Supportive Housing (CSH) Institute and Indiana Housing and Community Development Authority (IHCDA). Namely, the funding sources are Low Income Housing Tax Credits, IHCDA Development Funds, Housing Trust Fund, and HOME funds.

The property will be managed by Bradley Corporation, which currently manages all Garden Court apartment units in Marshall County.

The project will provide much needed housing in Plymouth and will develop a commercial site that has sat vacant since the original store next door was built in 1989.

Kind regards,

Jeff Kuntzer, Project Manager
SRKM Architecture



Booker adds that the Plan Commission makes a recommendation to the city council and you have the final decision with anything to do with zoning or the zoning ordinance. He states this is next to Martin's and the Church of the Heartland. He states it was found out during the Plan Commission meeting that the applicant may or may not want to put Bowen Center in that office building.

Booker reads off what is allowed in both a C-1 and an R-4 zoning district.

C-1

General Commercial District

- | | |
|--|---|
| Permitted Uses | <ul style="list-style-type: none">• Automotive Mechanical Repair and Maintenance• Bowling Centers• Carpet and Upholstery Cleaning Services• Caterers• Electronic and Precision Equipment Repair and Maintenance• Exterminating and Pest Control Services• Fitness and Recreational Sports Centers• Full-Service Restaurants• Funeral Homes and Funeral Services• Hair, Nail, and Skin Care Services• Home and Garden Equipment Repair and Maintenance• Hospitals• Hotels (except Casino Hotels) and Motels• Landscaping Services• Laundries and Drycleaners (Contract)• Libraries and Archives• Medical and Diagnostic Laboratories• Motion Picture Theaters (except Drive-Ins)• Museums• Offices of Physicians• Passenger Car Rental• Personal and Household Goods Repair and Maintenance• Photofinishing• Photography Studios, Portrait and Related Support Activities• Private Clubs and Organizations• Publishing Industries (except Internet)• Religious Organizations• Rental and Leasing Services• Resubstory and Furniture Repair• Telephone Call Centers• Travel Arrangement and |
| Residential Uses | <ul style="list-style-type: none">• Accessory Structure |
| Agricultural Uses | <ul style="list-style-type: none">• Crop Production• Forestry and Logging• Nursery and Greenhouse |
| Finance, Insurance, and Real Estate | <ul style="list-style-type: none">• Commercial Banking• Insurance Carriers and Related Activities• Offices of Real Estate Agents and Brokers• Offices of Real Estate Appraisers• Securities, Commodity Contracts, and Other Financial Investments and Related Activities |
| Public Administration | <ul style="list-style-type: none">• Government Parks and Recreation• Community Center / Building for Govt Service |
| Retail Trade | <ul style="list-style-type: none">• Automobile Sales• Automotive Parts, Accessories, and Tire Stores• Building Material and Garden Equipment and Supplies Dealers• Clothing and Clothing Accessories Stores• Electronic Shopping and Mail Order Houses• Electronics and Appliance Stores• Florists• Food and Beverage Stores• Furniture and Home Furnishings Stores• Health and Personal Care Stores• Office Supplies, Stationery, and Gift Stores• Pet and Pet Supplies Stores• Retail Bakeries• Sporting Goods, Hobby, Book, and Music Stores |
| Services | <ul style="list-style-type: none">• Appliance Repair and Maintenance |

R-4

Multi-Family Residential District

- | | |
|---|--|
| Permitted Uses | <ul style="list-style-type: none">• Accessory Structure• Child Day Care Services (in home)• Home Occupation• Manufactured Home - Type B• Modular Home• Multifamily residential• Single Family Residential• Two-family residential |
| Special Uses | <ul style="list-style-type: none">• Assisted Living Facility• Condominium• Group Home• Home Based Business• Residential Mental Retardation, Mental Health and Substance Abuse Facilities |
| Residential Uses | <ul style="list-style-type: none">• Assisted Living Facility• Condominium• Group Home• Home Based Business• Residential Mental Retardation, Mental Health and Substance Abuse Facilities |
| Agricultural Uses | <ul style="list-style-type: none">• Crop Production |
| Public Administration | <ul style="list-style-type: none">• Community Center / Building for Govt Service |
| Services | <ul style="list-style-type: none">• Bed-and-Breakfast Inns• Cemeteries and Crematories• Child Day Care Services• Churches• Colleges, Universities, and Junior Colleges• Elementary and Secondary Schools• Libraries and Archives• Nature Parks and Other Similar Institutions• Nursing Care Facilities |
| Transportation/Communications, Utilities | <ul style="list-style-type: none">• Wind Turbine (micro) |

Booker states the manholes and the fire hydrant are all private and have nothing to do with the city. He states there is a drainage area in the northwest corner of the property and if it has the capacity for multi-family housing facilities is to be determined. He states the one thing he wanted to mention that he did not mention at the Plan Commission meeting was that they have a future land use map and it does say on that this could be neighborhood commercial. He reads aloud the characteristics of Neighborhood Commercial Mixed-Use from the Comprehensive Plan.

*Character Images:
Neighborhood Commercial
Mixed-use*



Neighborhood Commercial Mixed-Use

Neighborhood-compatible scale and pedestrian friendliness are key design components of Neighborhood Commercial Mixed-Use development. Development should complement the character and scale of adjacent neighborhoods.

Characteristics These commercial centers are typically located at significant intersections and contain small- to medium-scale commercial development. These areas may include medium to high density multifamily residential uses with convenience stores, cafes, dry cleaners, and personal care shops. It is desirable to have neighborhood connectivity via walking or bicycling. These developments set the tone for the community image, reinforcing the need for high quality development standards for site design, building materials, landscaping, and architectural features.

Infrastructure Neighborhood Commercial areas should be fully connected to municipal utilities. Of added importance is the scale and design of infrastructure such as streetlights and street trees, which should enhance the pedestrian nature of these developments. Sidewalks, curbs and gutters are required, and the use of on-street parking should be considered as an alternative to off-street parking lots.

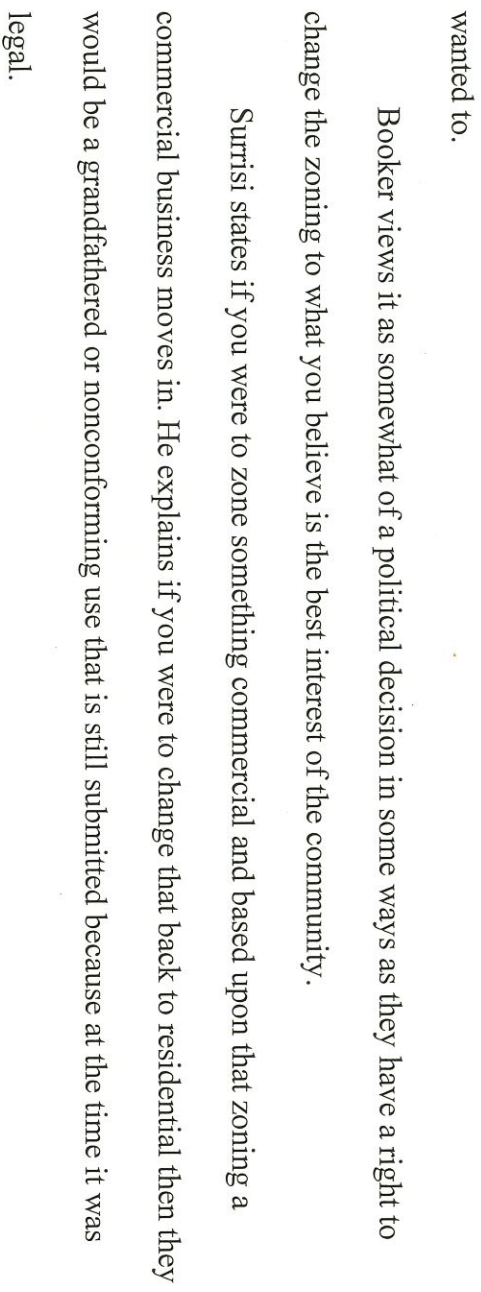
Booker states this did go through the Plan Commission. He explains by State Law they have 11 people on the Plan Commission and for any motion to pass they need six votes. He states there was a 5-3 vote for an unfavorable recommendation so that did not pass and they do not officially have a recommendation for you. He states that is just the rules of procedure by state law. He states it is not the majority who shows up but the majority of the membership.

Mayor Senter asks if there was one abstention.

Booker responds in agreeance because they were on the Board of Directors for the Bowen Center.

Mayor Senter asks if the panhandle that sticks out of the property will be a driveway onto Jefferson Street.

Surrisi responds by stating at the Plan Commission meeting they agreed that would not be a necessity for them and they were open to removing the driveway. He states they have since developed an alternate site plan to do away with that. See attached site plan below.



John Myers (8302 SR 17, Plymouth, IN 46563)

Myers states he is president of Garden Courts which is the developer on this project hopefully on this land. He states the strip that comes out to Jefferson Street will not be used as a driveway. He states the plans they brought tonight show that so it will be green space that will be maintained the same as all of their other properties. He explains he was shocked to find out it was part of the property they were buying. He states what they are asking for the north four acres to be rezoned and the two acres on the south side would remain commercial. He states it is still for sale as the sign is still out there. He states the property they are hoping to buy has been for sale actively listed for four years now. He states during conversations with the owners they found out they had a couple other offers and he is unsure the types of businesses or anything but they had turned them down. He states the owners of the land had reserved the right to turn down any offer if they did not like what was going to go in there. He states they have looked at what they are going to do and they feel it would be a positive thing for them so they are looking forward to selling it to them. He states there are some other things that came up during the Plan Commission and they were asked if their permanent supportive housing was bringing in candidates from other counties. He states there will be twelve units in there that will be supportive housing and the list of people comes from Area Two which is Elkhart County, Marshall County, Kosciusko County and Fulton County. He states they have had enough people on there from Marshall County and have not taken anyone from any other counties and will probably never need to. He states he cannot guarantee someone from Kosciusko or Fulton County might wind up here.

Mayor Senter asks if he is referring to Serenity Place.

Myers responds in agreement and states this new project will have twelve permanent supportive housing units that will be scattered in between the three buildings. He believes that will be a good thing even though the others are affordable housing and the people are not having to fall below the median income in certain ranges that they are still good people. He states they are hoping there will be some education from one family to another in the living areas so that maybe the people who come from a lower socio-economic situation may have not been trained to or taught in the way you and I have been. He states maybe they will see how other people are living and learn. He states one of the other things with supportive housing is they offer services to help them improve themselves. He states this location is one of eight locations they looked at. He states a number were not for sale and one was way out of bounds as far as price. He states this would provide for the individuals who would live there and families. He states this is probably the best spot we could find for them in that there are all kinds of amenities close by with Martin's Supermarket close by with

food and a pharmacy. He states there is intermediate school, junior high school and the high school nearby in walkable distance. He states there is the parks, the trails and lots of things. He states there is work available for those who can work and a lot of them do work. He states it is a commercial corridor and if they have the skills, then hopefully there are people who will hire them if they are not already employed. He states it really is an ideal spot for us to build this. He asks if Plymouth needs another low-income housing. He responds by stating it really does. He states when he looked on their Garden Courts list for just senior citizens, they have over 100 people still waiting for an apartment in Garden Courts. He states they 258 apartments in Plymouth and they have 351 apartments in the Marshall County area. He states that is a significant amount of older people and he is aware there are not a lot of people who meet that threshold they cannot put in those apartments that need housing. He states Plymouth has done a great job and he is amazed at the amount of housing that has been built in Plymouth.

Mayor Senter asks other than Serenity Place if the other Garden Courts apartments have permanent supportive housing as well.

Myers responds by stating they are not. He explains they are under two different types of federal programs and they are completely different as far as the rules and regulations they fall under.

Ecker asks if they are talking about three buildings with 12 units.

Jeff Kummer (7170 S. Washington Road, Columbia City, IN 46725)

Kummer responds by stating they have two building types. Building Type 1 is an apartment building and each one has twelve units in it. He states the bottom three are all the same building with the same footprint. He states Building Type 2 is their office space for their support services for the Bowen Center should they choose to go in there and commit to it. He states they are still in negotiations with them for it and that would essentially be a commercial space from all aspects as it would be an office open to the public and open to the tenants. He states since the last meeting they added a potential commercial building on the vacant lot that would front on Jefferson Street to show with the landscape requirements plus the buffer that is required from the separation of multi-family housing to commercial. He states it has to be visually very separate from anything on Jefferson Street. He states the drive was originally on there as another way to get out of the facility but after last week's meeting they are willing to give that up if that helps their cause.

Milner asks what the current wait list for both the supportive housing as well as your regular Garden Court.

Myers responds by stating he wishes Zach was here from the Bowen Center as he was at the Plan Commission meeting. He states he could answer that better than he can. He explains from the

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

Area 2 waiting list that he has no idea on the size of the list because they do have Elkhart County and they have a real problem there. He states Kosciusko County would probably be pretty close to Marshall County as far as the number of people they have on it. He states he does not know Fulton County so he does not have a number but he can get a number for you. He restates at the beginning for Garden Courts that this is not including Serenity Place that they have over 100 individuals looking for apartments and that is not duplicates.

Mayor Senter asks about duplicates.

Myers responds by stating sometimes someone will say they would like to be in one or another so they keep track of them on each apartment building. He states he looked and saw they keep track of individuals as well. He states they could almost fill up a third of their apartments again if they were empty.

Culp asks for clarification that this is not just for elderly and that this would be just for anyone.

Myers responds in agreeance that this is for all ages.

Mayor Senter asks for clarification they are vetted by the Bowen Center.

Myers responds in agreeance.

Listenberger asks if some of their units are just elderly.

Myers responds by stating the Garden Courts they have had for years, aside from the Hurford House are elderly. He states the Hurford House takes people from all ages that have disabilities. He states they have a few other apartments and some of them can also take those with disabilities but for the most part all of their Garden Court apartments you will have to be a certain age to apply.

Culp asks if this will be fenced in or anything or if it will be just the bushes.

Myers responds by stating at this point they would plan on just the bushes. He states they were not planning on having a fence but that is not saying they couldn't if the council thought they should. He states a fence in some spots may make sense but he would not want to fence the whole property.

Culp asks if there will be a playground there.

Myers responds by stating they are planning on putting a playground for small children. He states they do not have enough room to put a ball diamond and all that. He states they are in the process of putting playground equipment out at Serenity Place but they are waiting on it to get installed. He adds there will be swings and slides.

Listenberger asks if they have thought about a sidewalk on Berkeley Street.

Kumfer responds by stating there is one on Berkeley Street and they also have one on the short 30-foot distance of Jefferson Street. He states they still have a sidewalk showing one end of the property going to the other.

Compton asks the police and fire department if not having the Jefferson Street entrance if there will be any issue with having access to these apartments for emergencies.

Fire Chief Holm asks if that is just one way in and one way out off of Berkely Street.

Kumfer responds by stating on this plan yes.

Holm states that may be a problem.

Myers states this is a preliminary plan and if the city said we need wider entrances and exits that they could be worked in at this point.

Booker states if this was approved that those buildings would still have to go through the Technical Review Committee before a building permit can be issued. He explains all they are looking at tonight is multi-family housing technically.

Kumfer asks if these were market-rate apartments that they would still have to go through this process. Booker agrees.

Compton states he has a completely different drawing for their plans.

Surrisi states that was his mistake as he provided an older version of the plans that had six buildings on it.

Kumfer explains that the plan has been revised quite a few times.

Ecker states there has been a concern at Serenity Place, the security and the incidents that have been going on out there. He believes that will be addressed later. He asks what the plan is to correct Serenity Place to ensure it is in compliance with the rules and regulations that have been established and what is the plan if this were to go through to ensure they have tighter controls that are maintained.

Myers responds by stating they had problems in the beginning and since the Police Chief and the Fire Chief are here tonight that he would like to apologize to them as it was not their desire to have those types of problems there. He explains they have moved in eighteen mostly families as there were a couple single people who moved in there. He states in the process of picking those they had several who were not the right people to live in an apartment style living and it took a while to get some of them out. He states once they are in there, they cannot just call Police Chief Bacon to come throw them out as they have to go through the court system. He states they have evicted maybe

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

three from that original group over a period of time and he believes things have settled down now. He asks if they are still getting the calls that they used to.

Bacon responds by stating it is better than what it was.

Longanecker states it may be better but he asks if it is still continuing.

Bacon responds by stating it is not nearly as bad as it was. He states he explained at prior meetings that it was bad when it opened and through the Fall. He states since that time it has been better.

Myers states he wouldn't mind sitting down with Bacon and Holm to find out exactly what types of things they dealt with.

Bacon states he does not know much about the EMS side.

Holm states it has slowed down a little bit and so have the fire alarms. He explains there was a lot going on there for a while.

Longanecker asks if it is false alarms or true alarms.

Holm responds by stating the detectors work correctly but not for the right reasons.

Myers states another thing is that Serenity Place is one building and all of the apartments are entry/ exit into the common area. He states these will not be that way and he believes that will help with the situations they have with the kids getting in the hallways and running around and whether on purpose or accident hitting the fire alarm. He states the Bowen Center people have now had the chance to get to where they can see what type of people, they can put in here that won't create the kind of havoc they had with the first one. He explains that was their first try at that and again it was not successful at the beginning.

Houin asks for clarification that Bowen Center is a part of this project.

Myers responds by stating they are one of our partners in this project in that they provide an individual who picks from that Area 2 list and goes through it. He calls the people to see if they are still looking for housing and brings them in, interviews them and then talks to them to make sure they still qualify for the permanent supportive housing. He states after all that he approves them for entry. He states that is only going to be 12 of those units while the other 24 will be taken by Bradley Company who has managed all of their apartments.

Houin asks other than screening and approving the residents what part does Bowen Center play. He addresses that it was stated earlier that they were not sure yet if they wanted to locate a facility there.

Kunfer responds by stating they have not committed yet to putting a medical clinic in their office section yet. He states they have committed to providing the support services for the permanent supportive housing program just like they have at Serenity Place. He states as someone who was involved with Serenity Place from the beginning that he can speak to the fact that Bowen Center did not provide that support service initially and the people who went to the training with them were not involved with Serenity Place when it opened from both Bradley Company and Bowen Center. He explains they have been in place now, been through the training for permanent supportive housing clients and they are looking forward to taking that next step and incorporating what they have learned into this environment.

Compton asks for clarification that Bowen Center will make recommendations for that one building from their client list.

Myers responds by stating it would be from the Area 2 list.

Compton asks if the other two units have qualifications such as low income. Myers agrees.

Compton states those would be low-income qualifications to live there.

Surrisi states in addition to what Myers said as far as Bowen Center's role for being the gatekeeper for the permanent supportive housing for individuals that are on that coordinated entry list. He states one of the key qualifications to be on the list is to have experienced some term of more long-term homelessness and the definition of that is a technical one. He states they also provide for those that are willing to after they made it into one of those twelve units, they are the service provider if that resident is willing to engage with a service. He states Bowen Center would set them up with a Case Manager and get them into counseling for mental or physical health services they might need and meet with those folks regularly. He states it connects them with other service providers that can provide educational or other supports. He states that is the second role that Bowen Center provides. He states in terms of the other 24 units that those residents are qualified by meeting certain thresholds of the area median income and so the highest threshold for certain units would be for those that are at 60% of the area median income while there are others at 50% and 30%. He states he has a chart here with a couple of examples that ranges from a single individual all the way out to an eight-person family. He adds that he does not think with three-bedroom units that you would not have any families that big. He states a single person at the area median income at 60% would be \$33,180.00 and a family of four at 60% of area median income is \$47,340.00. He states between four and one that it is range there of the incomes of the people who would be in the other 24 units that would not be in supportive housing.

Longanecker asked for clarification because it was brought up for intermingling that there would be one dedicated building for Serenity Place.

Myers responds by stating in the Building Type 1 that they are going to have in the apartment buildings they will intersperse. He explains they have not worked out the numbers for each building yet.

Listenberger asks for the low-income portion how rent will look for those people.

Myers responds by stating it will be determined on where people fall in that category. He states if they are 60% of the median income then there will be a rent scale. He states if you ask for the dollars that he can not give you the dollars right now.

Surrisi states that Kevin Berger is here with Easterday Construction and Sandhill Farms who has developed other facilities like this and he may be able to speak to those questions.

Myers states even if this is approved tonight that it is probably going to be 2024 before they have everything right if they get their funding this year to have those built and occupiable. He states by that time numbers are going to change but that is a good question that he wishes he can answer.

Houin asks for clarification the reason they are asking for this now is that there is a grant application deadline.

Myers responds by stating they have a grant application that they have to have in to IHCD by July 31st if we want funding this year. He states they will take that application, look at it and address any changes they want in there. He states they should know by November 1st if they have funding.

Houin asks if that is a one-time grant opportunity or is that an annual grant.

Myers responds by stating it could be an annual grant. He states if they miss the July 31st deadline unless the Board fires him that they would apply next year for the grant. He states the grant is not guaranteed from year to year as the federal money shifts and majority of this is being done with tax credits. He states they are pretty sure this year they can get those but they are not sure how it will be next year.

Surrisi wished to clarify on that. He states the grant cycle is once a year to apply but the various components of the grant are only a one time shot thing to finance the construction of the facility. He states the ongoing supports are for the people in the permanent supportive housing as they qualify based on their situation and income a rent voucher that helps pay for their rent. He states the other rents are set based upon the income levels of the individuals. He states there is that rent

component that is ongoing but the main part of the grant that deadlines at the end of the month is to help with construction.

Compton asks Kevin Berger if he could explain if the renters are going to be similar to the facility he is building nearby.

Berger responds by stating it will be. He states he had to do a market study and they are still in the process of doing a market study. He states this is double what he has and he has forty going in there. He explains his market study that he did two years ago shows there is a need for this.

Compton asks for clarification that he is not looking at the Bowen Center but rather low-income families for housing.

Berger responds in agreeance that his is not looking at any of the permanent supportive housing and it is only the affordable housing which would be the tax credit housing. He states this is set up on a similar basis and that is why he got involved to help them through the IHCD A process and as Surrisi said you can apply every year but currently they have an advantage having gone through the institute and doing those things. He states it is similar to what they did when they got Stellar and were able to go through. He states it doesn't just automatically give it to you but it is a leg up. He explains it is a little bit of extra support to get extra points and that it is a point system that are competing with people to get through it.

Longanecker states he knows he is still going through his project and asks if all of his apartments are already spoken for.

Berger responds by stating they are not filling the ADA units as quickly as they hoped but as for the regular units, they are not having any trouble lining those up. He states it is at the point now where they are getting a waiting list so as they are opening up people are moving in. He states the location thing was similar to him. He states it is in walking distance of the stores, it is on the trail to get to the park or to get down to Kroger's or CVS. He states having Martin's Supermarket right next door is huge and there has already been discussion about having a sidewalk right across there. He states all of the blocks going from Martin's Supermarket to the west to Michigan Street is split in half. He states they are residential on the back side and commercial on the front side.

Longanecker states he lives in Neidlinger Subdivision and he does not enjoy the commercial traffic that comes by his property. He states he knows he built there after the fact but Bowen Center clientele have not been the kindest to his neighborhood. He states he knew that was a possibility building there and he is not a fan of it.

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

Berger responds to Listenberger's earlier question that he cannot answer it either as it is not a chart because it depends on how many earners are in the family, what different types of income come into that and it is then divided up on how that works. He states for these it is going to be 60% and his were 60% and 40%. He states they judge on that basis and the nice thing is once they get in the rent does not change so there is no incentive not to improve yourself. He states when they discussed this initially that this is workforce housing. He states it is not how they rented it out before where there isn't an incentive because you cannot make more money or you have to cut your hours short or you are kicked out. He states you do not get kicked out but the hope is when you improve yourself that you are going to want to move on to the next step. He states it isn't like any of these are bad but it is that they are small and efficient.

Compton asks if there are any properties in this vicinity that are under the same low-income housing besides these two.

Berger responds by stating there are a couple of other IHCDAs developments and he cannot say their names but they showed up in his market study.

Compton expresses this concerns him.

Berger states not in that area.

Gorski asks if there is one on Madison Street.

Berger responds by stating he believes so. He clarifies they are not in that area but they are in our area.

Compton states he is concerned about the whole area going into low-income housing.

Berger responds by stating he would be unsure on where they would go without getting some pushback.

Surrisi states that is one thing they talked about in the Comprehensive Plan Steering

Committee meetings. He states at the most recent one they were looking at the future land use map and if they should designate any areas for multi-family development and the decision was that it was too hard to pick something but currently there is no vacant land or available land in the entire city that is zoned multi-family. He states whether this was permanent supportive housing, just the affordable housing or a just an apartment building that was market rate that it would require rezoning or a planned unit development to allow any apartment structure in the entire city. He states whether it was this neighborhood or some of the other lots considered by Garden Court that they would be going through the same process any private developer would be going through with a market rate apartment.

Mayor Senter states he assumes there are people here in support or not in support of this. He states he has a rule of three minutes a piece and they have to watch out for redundancy.

Linda Yoder (901 S. Michigan Street, Plymouth, IN 46563)

Yoder states she wanted to have a chance to talk to you a bit about how this project got started. She states as the Director of the Community Foundation and United Way that they were part of the team that went down the Housing Institute. She states it actually started with a conversation about the Red Rock and Economy Inn. She states because of Stellar they were invited to have a discussion with IHCD and the Corporation for Supportive Housing and they made a visit to Plymouth to talk about those two properties. She states as it was mentioned before there were several properties that were looked at and some of the complicated factors with the Red Rock and Economy Inn was a lack of response from the owners and the cost of the property from the other. She states there was also displacement of the current renters during their renovation and they really did look at that property as well as a gateway into the city and if it was appropriate for that to go to residential or if that would be better suited for commercial. She explains all those factors were a part of the discussion. She states they went into the housing institute and talked some of those gaps they saw with Serenity Place and building a relationship with the residents that are there to help connect them to supportive services. She states one of the things they talked about with the community health workers at the hospital with St. Joseph Health System and Beacon Health System are recruiting community health workers to do the same thing of connecting people with the resources they need to be more stable. She states it was interesting as they were having conversations with the hospitals about potentially locating their community health workers basing them out of those facilities like Serenity Place and this new place as well to better build those relationships. She states that would get them connected to Bowen Center and others that can help provide support. She states the other thing she would want to mention is schools being close. She explains that you all just invested \$600,000 in the Career Innovation Center and it is really appealing as one of the amenities as it will be across the street from that opportunity to upscale the workforce. She states the other thing that is appealing about this is that permanent supportive housing is that once they are able to stabilize and improve their financial situation that maybe they drop off the eligibility for permanent supportive housing that now they can move into that next stage or in the case of this project it is redefining what type of housing that unit becomes. She states they don't actually have to move as they drop off that subsidized program but will be able to stay in that same unit as part of the supportive housing initiative. She states they all know the housing needs are high but what they are experiencing on an

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

antidotal level is they are getting calls over the last few weeks or are interacting with homeless individuals. She states there was a Hardee's employee that approached them at Love's Truck Stop that told her she was contacted by a homeless woman and if they had any resources for her. She states a business in Bremen found out that one of their employees was living in his truck and they reached out as well. She states right now it is an issue and she appreciates your time in considering this.

John Oliver (11219 Timber Lane, Plymouth, IN 46563)

Oliver states in one of the slides shown earlier one of the premises was for the council to help protect property values in the area and the other was to make good planning decisions for the future and he believes that was number five if he remembers right. He states he is going to go back a few years to the year 1998 when they were trying to close an alley next to their old dealership and it was not able to be done due to zoning requirements. He understands it could not be done so they ended up looking for another location. He explains they had three locations chosen around town but what was appealing to this location was the businesses that were there and coming into that corridor. He explains when he says corridor because 9A Road turning into Jefferson Street is a main corridor coming into Plymouth. He states they were looking for the drive by traffic, other supportive businesses that would have like-minded ideas on what a property should be and how a property should be maintained and what their community is looking for. He asks if it would be a good idea for Oliver Ford to put a dealership in a residential area. He responds by stating he does not think so because that is a round peg in a square hole. He adds that it just doesn't work. He believes that the zoning that is set up right now is for commercial specifically and it is not for residential. He explains that it isn't like Serenity Place and Garden Courts are not amazing ideas but this location does not seem to be the most appropriate choice as commercial property is surrounding all the way around. He states for the other businesses that made significant improvements and monetary upgrades to their facilities because they want to fit in with who is around them. He states they want this part of the community to have a collective look and he does not believe it was planned to be residential and he does not believe it is the best fit for what they are looking for right now.

Fred Webster (320 Roy Street, Plymouth, IN 46563)

Webster states he was Center Township Trustee from 1983 to 1990 and he was the Chairman of the Housing Authority for twenty years before it folded up. He explains he has owned, managed and operated rental property for the last 42 years. He states he has dealt with the clientele we are looking at and Garden Court's original purpose was senior housing. He states anyone can move in there and when the Mayor walks out of office in January he can get an apartment in there but it is not

that way anymore as it has changed a lot. He states this is a commercial property in a four-acre lot and it pays \$2,400/ year in property taxes while the front lot pays \$1,137/ year. He states if Garden Court buys this then that vanishes and it is off the tax rolls. He states we get nothing for it and we lose the opportunity if someone wishes to develop a piece of commercial property on this. He states when this development goes through with 36 units and an office building that they are going to at least have \$4 million in this. He states regardless of what pocket the money comes out of that it will at least be a \$4 million project and we get nothing. He states if this was Collins putting in a \$4 million project then they would get \$80,000/ year in property taxes paid off that. He states Garden Court was great when it got set up and it is great for old people. He states they have so many spaces around this town that no longer pay property taxes because they are off the tax rolls. He expresses that his property taxes went up 50% in the last few years and he is not really happy about it. He states he didn't really do anything to the house and that they just went up 50%. He asks who benefits from this. He responds by stating the architect is going to benefit as he gets a cut off it, the builder is going to get a cut off of it with a few short-term construction jobs and Bradley Company has got it made as they get a 10% cut off of all the rent of all the Garden Courts. He states there are going to be over 250 units in this town that do not pay property taxes and when this gets put in it will be a motel with a kitchen. He lists Northgate Mobile Home Park with Terry Bloom, Tom Parkhurst and Merton Snyder started those and they were great places. He states as time went on, they turned into dumps. He is sure the Police Chief would love to tell you how many trips they have made out there. He states this is what this is going to develop into in time. He states he is absolutely not in favor for this at all as this is not the right place. He states you are all up for election this year and his question is who you are going to support. He asks if you are going to support the people who actually pay taxes and all of your salaries or if you are going to support a special interest group.

Kevin Bridgman (718 E. LaPorte Street, Plymouth, IN 46563)

Bridgman states for the whole meeting tonight you put the cart before the horse. He states all the you are here to do today is decide whether they will support rezoning or not. He states all the questions about Garden Court and all the question and answers about Serenity Place are not why you are here. He states this meeting is about rezoning. He tends to agree with Webster as far as the property tax goes. He states it produces property taxes at this point and asks if it is going to produce property taxes if this project goes through. He states that is up to you guys. He asks if you guys are going to support tax abatements then. He states the other concern he has is the drainage issue. He states that was a swamp at one point and it was terrible. He asks Utility Superintendent Davidson if private drains are in there. Davidson agrees. Bridgman asks about the fire hydrant. Davidson

responds by stating private. Bridgman asks where the water is going to go if they blackout all of that. He states that is basically a dry well and a cistern with the water draining into that and then eventually goes away. He states those are the concerns they should have tonight is all the zoning concerns and not all that other stuff.

Chris Morrow (920 Angel Street, Plymouth, IN 46563)

Mrs. Morrow states everyone must be surprised to see her talking since she has already sent all of you an email already. She states additionally listening to tonight's comments that there were a couple more things to add. She states she is opposed to rezoning this. She states to Myers, Bridgman, Surrisi and Yoder that nobody is selling them that low-income housing and low-income households are a sad reality. She states they already know all of this. She states one of the things Booker mentioned for the basis of rezoning is would rezoning this lot from commercial to residential if that would be responsible growth. She does not believe it would be responsible growth. She states as Surrisi mentioned all of those commercial properties along there are trying to promote commercial growth and not residential growth.

Dave Morrow (920 Angel Street, Plymouth, IN 46563)

Mr. Morrow states there isn't much else to say other than he has lived here his whole life and their two main corridors east and west used to be US 30 which is Jefferson Street and US 31 which was Michigan Street. He states that central hub was always their commercial district and that is how the town grew around that. He states that property there is in his opinion one of the most marketable commercial lots in Plymouth and his fear is if two-thirds of it is developed that nobody is going to want to go in front of it so it is going to sit empty. He states he also fears about the number of issues that might develop from such a property. He explains there are a lot of building owners and business owners that came out here this evening to listen to this that it would maybe hurt the values of their properties moving forward. He states he feels strongly it is not the right place and he agrees with Mrs. Morrow that there is a need for this. He states we mentioned Stellar early and that is a Marshall County project. He states currently in Marshall County there are ten Garden Courts and there are six of them located in Plymouth. He states there is one in LaPaz, one in Argos, one in Culver, one in Bourbon and none in Bremen. He states he thinks the number of services that their police and fire departments are offering is misappropriated compared to other communities. He states he would the Garden Court folks to find a better location.

Sean Surrisi (455 N. Liberty Street, Culver, IN 46511)

Surrisi states he is speaking with two hats on as City Attorney and as himself personally. He states he attended the institute with the project team with the Mayor's support on behalf of the city

and it was a very educational process for him. He explains as Mrs. Morrow stated it is not news to anybody that there is a need for affordable housing or for supportive services out there. He states the things he learned at the institute he believes are very sobering and the need for it is very intense when it comes to the supportive services. He had sent an email just today about someone who has some measure of mental health issues and he has spent some time with the prosecutor today about homeless people on the street. He states finding and getting folks into services is an important thing. He states he has been pleased to work for the city the past twelve years and he has been involved in a lot of development. He states he has never lived here but his wife does own a business here on West Jefferson Street. He states he would agree with Bridgman that what you are here to talk about is just the rezoning but he believes that is wrong to a degree in that you cannot separate the technical rezoning from what is going in there. He states this room would not be filled if it wasn't a low-income housing development and one that has supportive services. He explains that is the kind of thing that raises all the questions for people to think about in if this is responsible development and how it is going to affect your property values and whatnot. He states it was definitely hard decisions for you and he is certainly in support of this. He states when it comes to the zoning, he thinks what Booker had shared about the land-use map showing the neighborhood commercial does contemplate mixed uses of residential and commercial. He believes if you look to the west with all the residential on the north side of that block with commercial along the Jefferson corridor that in his opinion it fits the character of that neighborhood as well as from the zoning perspective.

Adam Souder (1201 E. Jefferson Street, Plymouth, IN 46563)

Souder believes there is no question if you look at what developed in the Biggby Coffee lot for the retention and detention there that they are going to have to move a lot more dirt than they are portraying for sure if they are going to have to follow some standards there for the zoning side. He states they have a bunch in front of their business and Oliver Ford has a bunch in front of his business. He states from seeing there plan he would expect their plan to change again. He mentions the comment about this being if it was or was not about low-income housing is that all of us have a lot of questions in regard to that and it comes down to if it fits our area and fits our neighborhood in what they see there. He states he has been here ten years so he is probably the youngest compared to anybody in Marshall County as a business owner. He explains it is fun to see other commercial opportunities come into our neighborhood because he will be behind James Stone and a couple other guys at Biggby on July 18th when they open. He believes this detracts from the lot that is going to be left in front and he believes that is going to be a hard sell. He states he owns a growing business with his wife and a growing business of his own and he would love to break into this side of town. He

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

states he will be up front in stating he probably cannot afford that for a while but he does believe it changes the landscape when you move east towards them and it is not what we want to see in that part of the world from what he and his wife have discussed.

Mayor Senter comments on his shirt and asks what 3130 is.

Souder responds by stating it is a large equipment agriculture production focused but the business he speaks of that he owns with his wife is Plymouth Veterinary Clinic. He states he is inside the circle of Plymouth as a resident and business owner on the corner of Richter Road and E. Jefferson Street.

Compton comments that Surrisi brought up that this was a low-income issue and he did not catch that. He states he understands we talked about that but he was under the assumption this was more of a residential versus commercial issue. He asks those opposed if that is correct.

Mr. Morrow responds by stating he believes it is both whether it was regular or low-income. He does not believe it would necessarily fit in there but the low-income does add an element from the residents and the neighborhood that might be affected. He mentions that people keep bringing up Serenity Place and the problems that has presented the city.

Bridgman states the thing for him is that the issue is not low-income or no-income but rather the tax base. He asks if you are going to support tax abatements for a project that goes in there and that is his concern.

Eric Holsopple (12727 20B Road, Argos, IN 46501)

Holsopple states he just wants to share a personal story as well. He states we have been discussing the low-income side of this as well but if they look at where they are going with their workforce is that they are upscaling their workforce. He states a lot of people are coming in entry-level and they may not be making the greatest amount of money. He states he can tell you from personal experience as he lived in government subsidized housing for a period of a year and that got him to the next level which got him to keep moving forward. He states as they are talking through this, he just wants to challenge that thinking. He explains if it is done right and well that it could be very impactful for our community to bring in workforce and house them appropriately as a part of our community.

Charles Houin (13981 11th Road, Plymouth, IN 46563)

Houin states he is a business owner directly across the street from this proposed property. He states he does have some concerns about oversaturating that area and that corridor of the city with that type of low-income housing. He states there is a trailer park and there are several of these types of facilities in that area anyway. He states there are no sidewalks in this area for people to walk up

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

and down on. He explains people are currently cutting across all the businesses anyway with what is currently there going back and forth between the housing development directly across Lincolnway and some of the ones down to the east there off of Kingston Road. He states they are walking everywhere and from time to time you will still see people with motorized wheelchairs running up and down the streets. He does not believe this is the right fit and he does agree there is a problem with that in our city and he does not believe this is the right place for it. He explains we did talk about the dry wells and so forth in that area and even right next door to Mr. Morrow's property that it is normally a wetland pretty much all the time. He states the property they are looking at with the drywells was pretty much designed for stormwater runoff from Martin's Supermarket and parking lot. He states if you take away that and make it hard surface area then where is all of this water going to go. He states Martin's Supermarket does not have a retention pond as all the water was running to there. He states he does know for a fact for the Discount Muffler that every time it rains, he has to bail out two inches of water from his building. He states when they have these hard rains where is all of the water going to go. He states the water runs across the front of his building like a river and it runs right into his building. He states he does agree with the project but he does not believe it is the right location. He states he is for keeping that corridor a commercial property.

Councilman Houin states the drainage is something he has heard mentioned by several people and when talking before the meeting that it was brought up at several meetings. He asks if he is correct if someone wanted to purchase this property and wanted to build a commercial structure that they would not need any zoning person as long as they complied with the current zoning ordinance that they would not need any special permission.

Booker responds by stating that is correct and states they would need a drainage plan.

Councilman Houin asks for clarification that this development would also need a drainage plan. Booker agrees. Houin states whether this is used for commercial or residential use that the drainage is going to be the same issue either way.

Surrisi asks Myers to correct him if he is wrong but this property is being sold subject to easements for Martin's to still use that detention area that was built when Martin's expanded their store 15-20 years ago. He states the detention area would have to be sized appropriately to handle Martin's runoff as well as this new development.

Booker adds if you can't meet the drainage plan that you cannot be issued a building permit.

Julie Sweeney (19312 4B Road, Walkerton, IN 46574)

Sweeney states she is probably one of the newest aside from Biggby and Dollar General on Jefferson Street. She states she is the newest owner of Essence Spa & Salon and when she was

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

looking for a business that everywhere downtown was full and it wasn't the right fit for her downtown with what she wanted. She states when Jack gave her that building to make his shop that it was perfect and she wouldn't want it anywhere else in Plymouth, Indiana. She states it had to be a perfect place and that is her perfect place. She states she made this place for hundreds of people to come and do what they want at Essence Spa & Salon as they do a variety of things to help people in many different ways. She expresses it is not your typical salon or your typical spa and it does a lot of different things there. She restates it had to be a perfect place and this project has to have its perfect place. She explains that it is just not there and if they look at their future of what could be there that they could have so much commercial businesses come in there. She asks you to look at Bigby Coffee and see what they just did in that tiny little spot. She asks you to look at Dollar General and they are booming to the point where she can hardly find a spot when she goes there. She states when you look at the possibilities of what that spot could be for commercial then you have so much you could have there. She explains in having commercial there it would bring more business to our downtown and not just this downtown. She asks if they are uptown or downtown. She responds by stating we are in our town. She states they want that to remain commercial to bring more people to our section of our town.

Thomas Pedavoli (112 Pearson Place, Plymouth, IN 46563)

Pedavoli states his dental office is just a few blocks from the proposal and he guess he would prefer to see that property be commercial. He states one of the things that attracted him to build his practice in this area was that it was starting to develop more into commercial businesses. He states he is competing with his neighbors for lawn upkeep and he is losing but he is competing. He states his concern is that he would much prefer to see commercial there and he understands there is a need for low-income housing but he does not think this is the right place. He states he would like to see another commercial business to help his business grow and other businesses in that area.

Kevin Ziessler (14673 Lincoln Hwy, Plymouth, IN 46563)

Ziessler states he is also speaking on behalf of 1040 E. Jefferson Street which is the American Legion. He states they are also in agreeance that this is not a good fit. He states he is a computer geek and this seems like a bad Sim City game and you are placing housing in the middle of everything else that doesn't fit. He states there is land over there on Pennsylvania Avenue and Liberty Street and why can't they develop that. He states it has been sitting empty for how many years now and it is all leveled off so wouldn't it fit in there also. He states he goes by Serenity Place and he did not even know the name of the place until now. He states he has almost hit the woman he does not know how many times in her wheelchair because she flies across traffic. He explains there

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

is a lot of issues he can see happening and it is not a good fit for housing where there is enough traffic already.

Councilman Compton and Longanecker moved and seconded to deny PC 2023-08, Certified Proposal to Amend the Official Zoning Map for the City of Plymouth as presented. The motion passed by roll call vote.

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

Councilman Opposed: Ecker

Mayor Senter states this is what democracy is all about and he appreciates everyone coming out and speaking tonight. He states they went through the same thing with Serenity Place six-seven years ago and it wasn't perfect and it never will be perfect but he wanted to thank everyone for speaking their mind tonight because that is what this is all about.

Surrisi hopes the Garden Court people will try again with other grant opportunities in the future and as he mentioned any site, they would find would require rezoning. He hopes when that opportunity arises that they can find a good site for this development.

City Attorney Surrisi introduces:

- Resolution No. 2023-1063, A Resolution of the Common Council of the City of Plymouth Approving Resolution No. 2023-1059, A Resolution by the Plan Commission Which Approved Resolution No. 2023-1056, A Declaratory Resolution by the Plymouth Redevelopment Commission Amending the Economic Development Plan for the US 30/ Oak Road Economic Development Area (TIF #1).
- Resolution No. 2023-1064, A Resolution of the Common Council of the City of Plymouth Approving Resolution No. 2023-1060, A Resolution by the Plymouth Plan Commission Which Approved Resolution No. 2023-1057, A Declaratory Resolution by the Plymouth Redevelopment Commission Amending the Economic Development Plan for the East Jefferson/ Central Business District (TIF #2).
- Resolution No. 2023-1065, A Resolution of the Common Council of the City of Plymouth Approving Resolution No. 2023-1061, A Resolution by the Plymouth Plan Commission Which Approved Resolution No. 2023-1058, A Declaratory Resolution by the Plymouth Redevelopment Commission Amending the Economic Development Area for the US 30/ Pine Road Economic Development Area (TIF #3).

Surrisi reminds the board that the process for the Redevelopment Commission to approve changes to the economic development plan for various TIF districts involves first an adoption of a declaratory resolution by the Redevelopment Commission. He states it is then sent to the Plan Commission for consideration of whether the proposed projects are supported by the Comprehensive Plan and then it is sent to you for your concurrence with the Plan Commission that they are supported by the Comprehensive Plan. He states it is then sent back to the Redevelopment Commission for a public hearing. He states there are three projects of issue here and they are all ones that were initially considered for READI Grant proposals last year. He states one is the Water Street Townhomes which did receive READI Grant funding and this would be added to TIF District #2. He

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

states all three of these projects would be added to TIF District #2. He states the Entrepreneurship Center is still in development and last year at the READI Grant proposal stage it was proposed at the old Montgomery Ward building where the Downtown Discounts Center is. He states there is not anything final with that. He states the third project is the proposed restaurant and brewery at 101 S. Michigan Street. He restates that all three of those projects would be added to the project list for TIF #2. He states the Entrepreneurship Center and Community Center would be proposed to being added to TIF District #1-3. He states it would be because the location of the project is not yet finalized but two that it is envisioned that it could have a community wide impact such that you could justify funding a portion of that with TIF funds from other TIF districts that would also have a benefit from the project.

RESOLUTION NO. 2023-1063

A RESOLUTION OF THE COMMON COUNCIL, OF THE CITY OF PLYMOUTH APPROVING RESOLUTION NO. 2023-1059, A RESOLUTION BY THE PLYMOUTH PLAN COMMISSION WHICH APPROVED RESOLUTION 2023-1056, A DECLARATORY RESOLUTION BY THE PLYMOUTH REDEVELOPMENT COMMISSION AMENDING THE ECONOMIC DEVELOPMENT PLAN FOR THE US 30/OAK ROAD ECONOMIC DEVELOPMENT AREA (TIF # 1)

WHEREAS, on June 20, 2023, the Plymouth Redevelopment Commission adopted Resolution No. 2023-1056, which amends the Economic Development Plan for The US 30/Oak Road Economic Development Area (TIF # 1) and its Project List, to include:

- 1) Support for the development of an entrepreneurship/community center.

A copy of Resolution No. 2023-1056, 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(a) requires the Plan Commission to review Resolution No. 2023-1056 and determine whether it "conform[s] to the plan of development for the [City of Plymouth]". On July 5, 2023, the Plymouth Plan Commission adopted Resolution No. 2023-1059, which confirmed that the amendments to TIF # 1 conform to the City's plan of development. A copy of Resolution No. 2023-1059 is attached hereto; and,

WHEREAS, now, pursuant to Indiana Code § 36-7-14-16(b), 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 # 1. 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/Oak 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(b)(2), the Common Council approves Resolution No. 2023-1059 and the Plan Commission's written order and finding that Resolution No. 2023-1056, 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 # 1.

PASSED AND ADOPTED this 10th day of July, 2023.

ATTEST:

Lynn M. Gorski, Clerk-Treasurer


Mark Senter, Presiding Officer

RESOLUTION NO. 2023-1064

A RESOLUTION OF THE COMMON COUNCIL, OF THE CITY OF PLYMOUTH APPROVING RESOLUTION NO. 2023-1060, A RESOLUTION BY THE PLYMOUTH PLAN COMMISSION WHICH APPROVED RESOLUTION 2023-1057, A DECLARATORY RESOLUTION BY THE PLYMOUTH REDEVELOPMENT COMMISSION AMENDING THE ECONOMIC DEVELOPMENT PLAN FOR THE EAST JEFFERSON/CENTRAL BUSINESS DISTRICT (TIF # 2)

WHEREAS, on June 20, 2023, the Plymouth Redevelopment Commission adopted Resolution No. 2023-1057, which amends the Economic Development Plan for The East Jefferson/Central Business District (TIF # 2) and its Project List, to include:

- 1) Support for the development of an entrepreneurship/community center.

- 2) Support for the Water Street Townhomes Project; and

- 3) Support for the development of a restaurant/brewery located at 101 S. Michigan Street.

A copy of Resolution No. 2023-1057, 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(a) requires the Plan Commission to review Resolution No. 2023-1057 and determine whether it "conform[s] to the plan of development for the [City of Plymouth]". On July 5, 2023, the Plymouth Plan Commission adopted Resolution No. 2023-1060, which confirmed that the amendments to TIF # 2 conform to the City's plan of development. A copy of Resolution No. 2023-1060 is attached hereto; and,

WHEREAS, now, pursuant to Indiana Code § 36-7-14-16(b), 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 # 2. 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 East Jefferson/Central Business District 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(b)(2), the Common Council approves Resolution No. 2023-1060 and the Plan Commission's written order and finding that Resolution No. 2023-1057, 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 # 2.

PASSED AND ADOPTED this 10th day of July, 2023.

ATTEST:

Lynn M. Gorski, Clerk-Treasurer


Mark Senter, Presiding Officer

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

RESOLUTION NO. 2023-1065

A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF PLYMOUTH APPROVING RESOLUTION NO. 2023-1061,
A RESOLUTION BY THE PLYMOUTH PLAN COMMISSION WHICH
APPROVED RESOLUTION 2023-1058, 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 June 20, 2023, the Plymouth Redevelopment Commission adopted Resolution No. 2023-1058, 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 the development of an entrepreneurship/community center.

A copy of Resolution No. 2023-1058, 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(a) requires the Plan Commission to review Resolution No. 2023-1058 and determine whether it "conform[s] to the plan of development for the [City of Plymouth]". On July 5, 2023, the Plymouth Plan Commission adopted Resolution No. 2023-1061, which confirmed that the amendments to TIF # 3 conform to the City's plan of development. A copy of Resolution No. 2023-1061 is attached hereto; and,

WHEREAS, now, pursuant to Indiana Code § 36-7-14-16(b), 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(b)(2), the Common Council approves Resolution No. 2023-1061 and the Plan Commission's written order and finding that Resolution No. 2023-1058, 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 10th day of July, 2023.

ATTEST:


Lynn M. Gorski, Clerk-Treasurer


Mark Senter, Presiding Officer

Councilman Houin and Longanecker moved and seconded to approve all three resolutions as presented. The motion passed by roll call vote.

Councilman in Favor: Compton, Culp, Ecker, Houin, Listenberger, Longanecker and Milner
Councilman Opposed: None

Surtisi states he had sent a memo in regards to the discussion of refreshment areas. He states this is a new law that was just passed by the General Assembly this last session and went into effect the first of the month. He states it allows for the city council to designate an area by ordinance that would be specifically mapped out as a designated refreshment area. He states you can adopt up to seven of these areas in your city and what it basically is would be a defined area where alcohol permittees that are located within the area can dispense alcohol at their bar. He states this would allow the patrons to not be confined to the premise of the licensed permittee and it would allow them to exit and go out into the world in this designated area. He states as this was on his radar when the legislation was being passed that he was approached by some downtown business owners that were

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

interested in developing some kind of area where people could get a beer at their bar and enjoy that outside. He states he spoke to Jim Vinnall at Opies Deli & Office and Randy Danielson with the Rees Theatre both being interested. He adds he has not had time to reach out to the other alcohol permittees in the downtown. He states if this is something we wished to discuss of coming meetings then we could address or form a committee to look at this more carefully. He states this does seem to be something that downtown business owners at least have expressed interest in.

Compton asks if this would just be on their sidewalk or if they could take a to-go cup and drive around in their car.

Surrisi responds by stating this would allow for a to-go cup but they could not drive around with it in their car. He states for example they have the downtown and say it included Opie's and all of River Park Square that someone could have dinner at Opie's and buy a to-go margarita and go down to the Mayor's Month of Music. He states wherever you decide this would be that you would have to approve an ordinance with a map and a plan for how it will be laid out with physical signage so people that are out in the world know it is okay to have their beer here but if they cross the street then it is not okay. He explains this would also have to be sent down to the Alcohol & Tobacco Commission and approved by them before this can take effect.

Longanecker asks what liabilities come back on the city.

Surrisi responds by stating all they are doing is affording the opportunity for it to happen and they would not have anything in it past that. He explains that the alcohol permittees still have their obligations to not serve people that are impaired or anything like that.

Houin clarifies that it is basically an exemption to the open container law in that designated area. Surrisi agrees. Houin states he looked at the statute but did not have time to go back and look at it again. He asks if you can designate certain times when it is in effect.

Surrisi responds by stating you can do that.

Houin asks if it can be designated for certain dates and not others so for example during ART in the Streets so you can open up the designated area and allow for open container use. He explains it wouldn't be for every Saturday but rather just on those designated dates.

Surrisi responds by stating that is certainly possible. He states there are certain things that you need to have such as the map and the signage. He explains it talks about the option of setting times and since it is brand new and as far as he knows the Accelerate Indiana Municipalities (AIM) that a lobbying and education group for cities and towns shared a model ordinance that someone has

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

prepared and some other guidance. He states as far as he knows since this was adopted a week ago has actually got one of these pushed through by the Alcohol & Tobacco Commission (ATC).

Compton asks if nobody in Indiana.

Surrisi responds by stating nobody in Indiana under this new law. He states there are certainly other state's that have similar laws but he is just referring to in terms of what limitations and the scope of what you would decide to put on it and whether it would be approved by the ATC has yet to be seen. He believes those types of limitations should certainly be available.

Mayor Senter states ART in the Streets has had a beer garden in the past.

Houin agrees but you had to be confined to the beer garden and you could not walk down and look at the art work while drinking a beer. He states he does not believe anyone is really clamoring to push this through right away and be the first to blaze a trail. He believes it would be prudent to watch and see how it works in other places and if you become aware of any other cities and towns adopted this if he can update them on that and let them know what has been done. Surrisi agrees.

Compton asks if when they had an event at the Rees Theatre and it was fenced in if there was alcohol there.

Surrisi responds by stating it was and they had designated vendors that already permits similar to catering permits.

Compton asks if you could leave the fenced in area.

Surrisi responds by stating you could not as it was a temporary permit that has to be approved and reviewed by the Police Chief.

He states there is nothing to add for Stellar Communities tonight.

Street Superintendent Marquardt states on their Community Crossings they were awarded \$632,030.50 from INDOT and City Share of the bid would be \$689,164.50. He states in looking at this and how they are going to fund this that he was under the impression with past talks we had that we may have to additionally appropriate or move stuff around. He states in talking with Gorski and Surrisi that they were looking in Local Bridge Matching Grant fund where Community Crossings Projects came out of that he believes there was \$64,000 available in there and it did appear that \$800,000 was listed but it was never funded.

Surrisi believes it was \$807,000. Gorski agrees.

Marquardt states it was listed in the budget but it was never funded and they were not sure where that funding would come from. He states they started talking and looking at some of their stuff and in local road and street they have \$100,000 set aside as they have not done any contracts

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

yet. He states with preservation that would be crack sealing and rejuvenating roads and they try to do that each year up to \$100,000. He states that would come up with \$100,000 and they show \$78,000 left in curb and sidewalk after they signed their contracts with other paving. He states they show \$26,000 roughly in street and alley projects after they did the other paving contracts. He states with that being said he would worry about if they get into their paving projects and they open up Adams Street, being one of the contracts, and find it needs to be totally milled out that they would be opening a can of worms if they have to have money for that. He assumed that money would be a cushion from what he was thinking. He states they would still need to come up quite a bit and one thing they also talked about was and he is aware this is not a popular subject but after your last meeting it was talked about with the Blue Zones money. He states at that point you took away \$75,000 and there is still \$100,000 there. He states if you feel like that is not going anywhere then that could be another \$100,000.

Compton asks if he said he was going to take some of the money away from redoing the streets and put it over to the Gibson Street project.

Marquardt responds by stating looking at his line items he shows a little over \$200,000 available if they do not crack seal or rejuvenate any roads and as long as their current projects don't run into any problems.

Compton asks what happened to the \$807,000.

Gorski states it was put into the budget but was never funded.

Compton thought it was brought up in the Complete Streets that the funds were available.

Marquardt responds by stating he thought they had looked at this and had money in the bridge matching grant fund.

Listenberger asks if all of these funds will be needed this year or next year.

Marquardt responds by stating the whole project has to be finished by June 14th, 2024.

Surtisi believes it was substantial completion by May 31st and final completion by June 14th.

Listenberger asks for clarification if that would mean it would have to be a part of this year's budget and next year's budget.

Marquardt states it depends on the contractor how it gets done.

Surtisi states the contract would have to be signed by August 10th of this year.

Compton believes we are short \$807,000.

Marquardt states what they are talking about is they need to figure out \$689,164.50.

Compton asks if that is if we do not fix some streets that they already plan on fixing.

Marquardt responds by stating they are already under contract to fix those streets. He states the money he is talking about that comes up to around \$200,000 is still money he has in his line items but he has not signed any contracts to do preservation as in crack sealing or rejuvenating. He states they have been trying to put \$100,000 into that every year. He states if they forego that and not knowing if their current projects under contract will have something go wrong. He states if something goes wrong, they would have to figure out how to pay for that more if they come across something big.

Compton states the Gibson Street project was already beyond their original budget for this year.

Marquardt states it was talked about that it would be beyond their original budget.

Surrisi states they had intended to budget \$807,000 and it was actually published and, in the budget, but in the back end it was not funded.

Compton asks why it did not become funded.

Houin asks where the funding was supposed to come from.

Gorski responds by stating it was her first budget and she has no idea.

Compton thought this was discussed and all the planning was done at the Complete Streets Committee.

Listenberger responds by stating it has nothing to do with the Complete Streets Committee.

Surrisi states peripherally the discussions at the Complete Streets Committee were about how they could make more connectivity with the bump out on Gibson Street and the sidewalks but this project has been in the works for over three years.

Marquardt responds by stating Rick Gaul talked about it because he has one person call him on Gibson Street about every month saying Rick Gaul told her the street was going to get paved.

Surrisi states six to seven years ago the State created Community Crossings Matching Grant Program and they have probably utilized it three times. He states in all of those years they have not done a project since 2020 and that was probably driven by Rick Gaul knowing in 2021 that he knew he was going to be retiring and he was not going to be able to do the engineering. He explains in all of those years in the past when they did these that they realized it was going to be over and above their regular street budget but they identified additional funds as it was a great opportunity to get a street for half price.

Listenberger wants clarification that we need to have these funds secured before we go under contract.

Surrisi responds by stating they would have to identify tonight where they will be pulling the money from so that tomorrow Gorski can tell the newspaper to advertise for an additional appropriation at your next meeting. He states you can have a hearing on that.

Houin interjects and asks that they have to decide tonight where they are pulling the money from. He states it would have been nice to have a little information coming in then so they have an idea. He asks if there is recommendation from the administration or from the department. He states you are telling them a lot of options.

Marquardt responds by stating when they sat down and talked about this the other day on how they were going to fund this that they came up that one was not a funded line item but it showed it. He states when they were looking at what money was available that he knew from looking in the past when it was started that some of the money came from Rainy Day Fund.

Surrisi states that originally the Community Crossings Matching Grant fund said it had limitations on where you can draw the money from and it said it had to be from the Motor Vehicle Highway (MVH) fund or Rainy Day were the two main ones. He explains they have since done away with that limitation and he would assume when they thought they would be budgeting this in the budget that this would have been drawn from the General fund for the \$807,000.

Compton asks if anyone has a proposal from where they would get the money from.

Surrisi responds by stating the General fund or the Rainy Day fund are the most obvious targets. He states you could say to do the whole amount or otherwise you can take a little bit from what Marquardt has appropriated or reduce the amount and appropriate from another fund.

Marquardt states the first few rounds of this were that they had to fund the whole thing and then INDOT paid back. He states one time when they did it on Rainy Day they put a \$1 million in because they upfronted it and he would assume the money went back to that. He states so far into this they have spent a little over \$100,000 in engineering and that is paid for. He states if they do not have everything done by August 10th then they would lose their Community Crossing Matching Grant.

Compton asks if they do not have what done.

Surrisi responds by stating if they do not have a signed contract with E & B Paving. He states they have been trying to advance this as quickly as they could in the four months since they got, the award. He states they only did preliminary designs enough to be able to apply for the grant so they did not spend all the engineering money for final designs and not get the grant. He states when they

found out on April 10th that they got the grant that they cut VS Engineering loose to do that work and they got the plans done. He states they got the bids last meeting.

Houin asks Marguardt if he can give a quick rundown again on the sources you have identified.

Marguardt responds by stating if you look at his line items you have local road and street with \$100,000 sitting there for preservation.

Houin asks if he typically spends that whole \$100,000.

Marguardt responds by stating they do. He states when they came up with doing the whole preservation stuff that they spent \$50,000 on crack sealing and \$50,000 on rejuvenator. He states when it is all said and done it may come up to \$48,000 here and \$49,000 there by the time they end because they are not going to end in the middle of a street. He states he does not have those under contract as far as this year.

Longanecker asks if there is no plan for it.

Marguardt responds by stating he wanted to be sure the projects were going before they signed contracts with those.

Longanecker asks if there was any idea where they would use it.

Marguardt responds by stating they would go off their Pavement Surface Evaluation and Rating (PASER) ratings and look at the streets. He explains with rejuvenating you look at the streets from anywhere between 1-3 years old and you do not see a lot but it does work out in the end. He states if you treat a road and it puts more into the asphalt that is not there anymore and rejuvenates it then your roads last longer.

Longanecker asks if they know what roads need it.

Marguardt responds by stating just about every road needs it in the city. He states they try to figure out which roads receive the highest amount of traffic where they can pay for it to get more for their money.

Compton asks what the Clerk-Treasurer has to say.

Gorski responds by stating the \$807,000 that was put in the budget line item when the budget was prepared last year about this time. She states the money is budgeted to spend but there is no fund there to spend it. She explains it was her first budget and that is her only excuse.

Surrisi states to clarify that they never would have budgeted if they didn't have reserve funds.

He states the budget is essentially an appropriation of it as they have the money.

Houin states there are reserve funds in the General fund and he asks if they have an estimate in how much they are holding as cash reserves.

Gorski responds by stating off the top of her head she does not.

Houin states if there are efficient cash reserves not appropriated then it is not really a problem but without knowing how much that is that they are unaware if that is efficient.

Surrisi states they definitely have enough to cover this and in the Rainy Day fund they have enough.

Houin states he doesn't doubt there is enough to cover the check but he doesn't know the best way to currently appropriate that.

Ecker asks Surrisi if they need to have the numbers for them today or if they can advertise tomorrow and maybe have an executive session or something to discuss this further.

Houin responds by stating if they appropriate it out of the General fund and then they later want to un-appropriate something else to cover that then they can make those adjustments letter.

Surrisi responds by stating Gorski will have to specifically identify for the newspaper ad where they are going to make those appropriations from.

Compton asks Gorski when she will have the number for the General fund.

Gorski responds by stating she has to send it to the paper tomorrow to have it advertised on Thursday in order for you to be able to have a public hearing for it at your next meeting.

Culp states since we are in a time crunch, why doesn't this money just get taken out of the Rainy Day fund and allow you time to do your research. He states we can then turn around, find where it is at and then reappropriate it but only because we are under a time crunch.

Gorski states unless she has time tomorrow morning to crunch some numbers and find it in the General fund then she will advertise it for the General fund. She asks if that works.

Houin states with the expectation that we are going to reimburse the Rainy Day fund as soon as possible.

Gorski states if they have to do the Rainy Day fund.

Surrisi states the engineers estimate is what they based their grant application on and the actual numbers of the bids came out to \$57,134.00 higher than the engineer's estimate so it is just under half of the total cost they will be getting a check back from INDOT to put wherever you want.

Houin states when he read your email, he thought we would be looking for the \$57,134.00 not the other amount.

Compton asks how much are we looking for.

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

Marquardt responds by stating \$689,164.50 for the city share.

Houin asks if they don't have to pay in full.

Marquardt responds by stating when they are under contract then from what MACOG told them that INDOT sends them their share. He states years ago you had to finance it all and then they pay you.

Houin asks if they need to have it available even.

Gorski responds by stating they just need to have the \$689,164.50.

Compton asks if the proposal is to advertise it out of Rainy Day unless you can find it tomorrow morning. He asks once they advertise it if they can grab it from other places. He states he does not like to do the stuff about where they say they will do this if that happens.

Houin states if we advertise it comes out of Rainy Day that it takes the pressure off of you to come up with it by tomorrow morning. He explains this will be under the anticipation that they are going to reimburse Rainy Day but they will just have a little time to figure out where the money is available to reimburse Rainy Day.

Gorski responds in agreement as they will just do an appropriation transfer from wherever back into Rainy Day.

Compton asks if they have a choice in this. He states if they want to do the project, they can either lose the money they have coming or not do the project.

Marquardt responds by stating they would have to figure out another year to do Gibson and LaPorte Streets.

Gorski asks if they are taking the money that they have available out of Marquardt's budget or will it be strictly out of Rainy Day.

Compton responds by stating he does not think they have to touch his budget now.

Gorski asks for clarification they are taking the full amount of \$689,164.50 out of Rainy Day.

Surtisi apologizes for setting this on your lap as they sat down to figure out where exactly in the budget, they were pulling the money from and realized the \$807,000 was not there so that prompted when they needed to have the appropriation advertised and them being here tonight.

Council Members Culp and Longenecker moved and seconded to let Gorski decide where to locate the money and then let Gorski do an additional appropriation back into Rainy Day fund. The motion carried.

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

REGULAR SESSION, COMMON COUNCIL, July 10, 2023

- Minutes of the Board of Public Works and Safety meeting of June 26, 2023
- July 10, 2023 Check Register
- Council Memo 7-6-23 – Garden Court Rezoning Request
- June 27, 2023 Technical Review Committee Minutes
- June 6, 2023 Plan Commission Minutes
- June 6, 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 8:24

p.m.


Lynn M. Gorski
Clerk-Treasurer

APPROVED


Mark Senter, Mayor