

REGULAR SESSION, COMMON COUNCIL, September 23, 2024

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on September 23, 2024. 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 6:51 p.m.

Councilman Ecker offered prayer, and Mayor Listenberger led the Pledge of Allegiance.

Mayor Listenberger presided over Council members Duane Culp, Don Ecker Jr., Kayla Krathwohl, Randy Longanecker, Shiloh Carothers Milner, Dave Morrow, and Linda Starr, who were physically present. City Attorney Jeff Houin and Clerk-Treasurer Lynn Gorski were also present. The public was able to see and hear the meeting through Microsoft Teams.

Council members Starr and Krathwohl moved and seconded to approve the minutes of the regular session of the Common Council on September 9, 2024, as presented. The motion carried.

Council members Longanecker and Ecker moved and seconded to open the public hearing for the Bomarko Tax Abatement. The motion carried.

**NOTICE OF
PUBLIC HEARING**
Notice is hereby given to the citizens of Plymouth, Marshall County, Indiana, that a public hearing will be conducted by the Common Council of the City of Plymouth on a request for tax abatement on personal property by Bomarko, Inc., located at 2400 Waller Drive, Plymouth, IN. A statement of benefits is on file in the Clerk-Treasurer's office, 124 N. Michigan St., Plymouth, IN. The real estate has been designated within an Economic Revitalization Area pursuant to IC 8-1.1-12.1-1 on September 9, 2024. A description of the affected area is available and can be inspected in the County Assessor's Office. Said hearing will be held on Monday, September 23, 2024, in the Council Chambers of the City Building, 124 N. Michigan St., (Garro Street entrance), Plymouth, IN at the Common Council meeting at 6:30 p.m. Persons appearing at such public hearing shall have the right to be heard on the proposed project. Disabled persons needing special accommodations, please contact the ADA Coordinator at 574-936-2348. Dated this 10th day of September, 2024.
Lynn M. Gorski
Clerk-Treasurer
City of Plymouth, Indiana
September 10, 2024 PLY20240910HQA40

Houin stated at the last meeting the council adopted a declaratory resolution for this abatement request and on the agenda that night was a confirmatory resolution to approve the abatement. He explained that Greg Hildebrand of Marshall County Economic Development Corporation (MCEDC) was there to speak on behalf of the request.

Hildebrand stated this was a 7-year phase in abatement, but he did not have much else to add that night. He explained that Kimberly Birchfield was there to speak from Bomarko.

Ecker asked if they were still discussing an additional four positions. Hildebrand agreed. Ecker asked if this would be one or two shifts.

Birchfield replied that it would be three shifts.

Ecker asked if it would be four people.

Birchfield replied that it would be four to start out.

Hildebrand stated when MCEDC council people for tax abatements, that they should be conservative with their numbers as that was one metric people are held to on compliance forms each year. He stated with the State it would be opposite so she would be up here discussing 20 new jobs.

Ecker asked for clarification that this was an additional piece of equipment, and it would not be to replace anything.

Human Resources Manager Klingergerman introduced three different job descriptions that evening. She stated she partners with the department heads and write the job descriptions together. She stated those three job descriptions are all brand new positions and they start the possibility of

advertising but tonight was just the approval of the job descriptions as written unless they were suggestions to be made. She stated the first she planned to review was the Civilian Chief of Police, which was a mirror image of the current Chief of Police Job Description they have. She stated to put it simply, the current Chief of Police they had required them to be within the 1977 Pension fund (77 fund), while this would allow that position to also be an employee outside the 77 fund, which also opened up for future employment once that position was open for anyone who did not qualify for the 77 fund.

Culp asked what brought that subject up.

Klingerman replied that the current Police Chief who took over this year would not be eligible for the 77 fund after February of 2025, so they were hoping to transition him to the new position if established. She stated one of the requirements currently was that he had to be in the 77 fund to be the Chief of Police.

Culp asked if that was by state law.

Klingerman replied that it was not but rather just by the City of Plymouth.

Houin commented that the current job description by the city requires the Police Chief to be a part of that pension fund and this would add an additional job description to hire a Police Chief that was either a member or not a member of the fund. He stated they could allow the current Police Chief to continue in that position once he was no longer eligible for that fund.

Mayor Listenberger stated they have a similar situation with the Fire Inspector.

Klingerman agreed and stated they went through the same process with the Fire Inspector a few years ago when they created Civilian Fire Inspector. She stated the next job description would be the Engineering Technician and that would be for the Engineering Department. She stated they currently have an Engineering Technician in their salary ordinance, but that position was in the Wastewater Department. She stated she would defer any questions to City Engineer Dan Sellers as they worked on the position together.

Starr asked if this was more of a formality or if anything would be changing.

Klingerman replied that Sellers was looking for assistance. She stated she created the job descriptions and worked with the department heads and once they are approved by the council, that would be when they could start putting them into the Salary Ordinance, which would amend the ordinance to have the job descriptions, and they could advertise for them. She stated this would be creating a new position and allow for more employees.

Mayor Listenberger asked if that was for both the position they were discussing and the next job description. Klingerman agreed. Mayor Listenberger stated they were also budgeted for all those positions.

Gorski asked if he was to change from the current Police Chief to Civilian Police Chief if they would need to add another policeman.

Mayor Listenberger replied that would not be the intent.

Klingerman replied in agreement that they would not be adding another person.

Sellers stated the reason they needed an Engineering Technician was because of the extra workload with the MS4 program and the public works section that it had become an overwhelming task to stay on top of it. He stated IDEM suggested that MS4 related activities alone are about 30-40 hours a week and that does not include public works at all. He stated he would get burnt out rather quick doing that all by himself, and he intended for that position to bounce back and forth as needed. He stated he would oversee the position.

Ecker asked who the position would report to.

Sellers replied that the position would report to him. He stated he believed some of it would be funded by the Utilities Department.

Ecker stated it seemed like there were too many department heads telling this one position what to do. He asked if his position would be the one delegating the workload to that individual. Sellers agreed.

Klingerman replied that under personal work relations, they did have that position report directly to the City Engineer. She stated Sellers and Davidson would both be working together to utilize the duties of that position.

Longanecker believed that Ecker and he were thinking the same way as they do not want that position to not have guidance but rather have that duty to the City Engineer.

Ecker agreed and stated that whoever their supervisor was could help prioritize because if they are being pulled in 15 different directions that they would be getting 15 poor results.

Longanecker stated they needed to make that clear as he may not be reading it right as well. He believed it would need to be addressed as well that he would report directly to the City Engineer.

Klingerman referenced under personal work relationships that it does reference that already. She stated the last position was the Plan Director position and she had been working with both the City Attorney and Mayor on that position. She stated she would defer questions to the City Attorney and Mayor mainly.

Mayor Listenberger stated that Plan Consultant Ralph Booker had indicated near the beginning of the year that he was nearly finished.

Houin stated the city had operated with a Plan Consultant for as long as he was aware from what they found out that year with their City Engineer needed help that the position was a lot more than what one person could do, so supporting the Plan Commission and the Board of Zoning Appeals was more work than a part-time consultant could do effectively. He stated Booker suggested that a Full-Time Plan Director to replace him, so they had worked together and consulted with other municipalities to develop the job description for a Full-Time Plan Director.

Ecker stated he had discussions with Mayor Listenberger about there not being enough workload for a Full-Time position when discussing with other municipalities. He asked if that was still a possibility or not.

Mayor Listenberger replied that it was still a possibility, but they would rather someone become acclimated to them before they would offer any other services. He stated there were two other communities within the county that had somewhat said they were interested.

Houin stated he used the example of the Engineering Department as they went a few years without a City Engineer, and they anticipated that the new Engineer would need some additional support staff, but they wanted to wait to get an engineer into that position before determining what those needs were. He stated very similarly they anticipate there may be opportunities to contract with other municipalities. He stated at one time Booker was the Full-Time Plan Director for the County and the City had a contract with the County to utilize his services. He stated there may be an opportunity for something similar where the city had a Full-Time Plan Director and could contract with other municipalities to provide that service. He stated they did not want to jump into that before knowing exactly what the full duties are with the city and the time commitment, but that was certainly a possibility in the future.

Ecker asked if the position would report directly to the Mayor.

Longanecker replied that it read the position would report either directly to the Building Commissioner and/or Mayor.

Houin replied how it was structured currently, the salary was put into the Building Commissioner's budget, so technically the Building Commissioner would be the department head, but since all department heads report directly to the Mayor, they believed it would be a joint effort of the Building Commissioner and the Mayor to supervise the Plan Director. He stated in the future they may consider creating a separate department and making it a department head level position, but they first must get someone into the position for the first year. He stated the anticipation is that

the new Plan Director and the current Building Commissioner would share duties for Code Enforcement so that would take some of those duties off the Building Commissioner's plate, but he would still be involved with Code Enforcement.

Morrow and Longanecker believed there should be plenty of work.

Culp stated his concern with the Police Chief position would be the word Civilian written into it. He believed it needed to be reworded as they are a lot more than just a civilian.

Klingerman replied they do have a Civilian Fire Inspector, so she was not sure if the Civilian title was an issue. She stated they could change the wording Civilian, but they could not have it just say Chief of Police, as it would be the exact same as the 77 fund.

Culp replied that he would be the Chief of Police though, just without the 77 pension.

Houin stated that he understood what he was saying but at the same time the terminology was generally accepted for 77 fund positions that they are not a member of the pension fund, but still serving in the same role. He stated that was in their job descriptions and across other municipalities across the state as standard recognized terminology.

Council members Longanecker and Krathwohl moved and seconded to approve the job descriptions as presented. The motion passed by roll call vote.

Councilmembers in Favor: Ecker, Krathwohl, Longanecker, Milner, Morrow, Starr

Councilmembers Opposed: Culp

City Attorney Houin introduced Resolution No. 2024-1117, A Resolution of the City of Plymouth Confirming the Adoption of a Declaratory Resolution Designating Certain Real Estate to be Within an "Economic Revitalization Area" for Purposes of Personal Property Tax Abatement Pursuant to I.C. 6-1.1-12.1 et. seq. (Bomarko, Inc.)

RESOLUTION NO. 2024-1117
A RESOLUTION OF THE CITY OF PLYMOUTH
CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION
DESIGNATING CERTAIN REAL ESTATE
WITHIN THE CITY OF PLYMOUTH TO BE WITHIN AN
"ECONOMIC REVITALIZATION AREA" FOR PURPOSES OF
PERSONAL PROPERTY TAX ABATEMENT
PURSUANT TO I.C. 6-1.1-12.1 et seq.
(BOMARKO, INC.)

WHEREAS, on September 9, 2024, the Common Council of the City of Plymouth adopted Resolution No. 2024-1116, entitled a "Resolution of the City of Plymouth Declaring Certain Real Estate to be within an 'Economic Revitalization Area' Pursuant to I.C. 6-1.1-12.1 et seq." and;

WHEREAS, the Declaratory Resolution found that a certain area in the City of Plymouth was an economic revitalization area within the meaning of I.C. 6-1.1-12.1, (the Act) as amended, for the purpose of allowing deductions from the assessed value of real property improvements and the personal property acquisitions; and;

WHEREAS, pursuant to Sections 2-5(b) and 2-5(c)(2) of the Act, the Clerk Treasurer has filed the Declaratory Resolution, and related documents with other appropriate taxing units and the Marshall County Assessor; and;

WHEREAS, pursuant to Section 2-5(c)(1) of the Act, notice of the adoption and substance of the Declaratory Resolution has been published in accordance with I.C. 6-1.1-12.1, and;

WHEREAS, at a public hearing held by the Common Council on the 23rd day of September, 2024 at 6:30 p.m. in the Council Chambers, City Hall, 124 N. Mainway St. (Camp St. Entrance, Second Floor), Plymouth, Indiana, the Council heard all persons interested in the proceedings and received any written remonstrance and objections, and considered the same, if any, and all other evidence presented; and;

WHEREAS, the Common Council now desires to take final action and make the necessary findings in accordance with Section 3 and Section 4.5 of the Act

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

Section 1. After consideration of the evidence presented at the public hearing on the 23rd day of September, 2024, the Common Council finds the qualifications for an economic revitalization area have been met, and waives any noncompliance for failing to designate the area as an economic revitalization area before the initiation of the eligible improvements

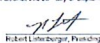
Section 2. Accordingly, the Common Council hereby confirms the Declaratory Resolution designating the area described as an economic revitalization area for the purposes of tax abatement. This designation is for personal property tax abatement and is limited to two (2) calendar years from September 9, 2024, the date of the adoption of the Declaratory Resolution

Section 3. Based upon the totality of benefits of this project, as evidenced in the currently submitted Statement of Benefits, and pursuant to Section 17 of the Act, the Common Council hereby determines the property owner is qualified for and is granted personal property tax abatement for a period of seven (7) years, according to the following schedule:


YEAR OF DEDUCTION	PERCENTAGE
1 st	100%
2 nd	80%
3 rd	75%
4 th	50%
5 th	40%
6 th	25%
7 th	14%

Section 4. By the Common Council determining the public utility and benefit of the proposed real and personal property improvements in the revitalization area, this resolution constitutes final action pursuant to Section 2-5(c) of the Act. Further, the resolution shall be in full force and effect from and after its adoption by the Common Council, approval by the Mayor, and due attestation

PASSED AND ADOPTED by the Common Council this 23rd day of September, 2024


Robert L. Lindberger, Presiding Officer

ATTEST


Lynn M. Girth, Clerk Treasurer

Council members Longanecker and Milner moved and seconded to approve Resolution No. 2024-1117, A Resolution of the City of Plymouth Confirming the Adoption of a Declaratory

Resolution Designating Certain Real Estate to be Within an "Economic Revitalization Area" for Purposes of Personal Property Tax Abatement Pursuant to I.C. 6-1.1-12.1 et. seq. (Bomarko, Inc.)
The motion passed by roll call vote.

Councilmembers in Favor: Culp, Ecker, Krathwohl, Longanecker, Milner, Morrow, Starr

Councilmembers Opposed: N/A

City Attorney Houin introduced Resolution No. 2024-1118, A Resolution of the Common Council of the City of Plymouth to Approve the Application of Rich-Mons Group LLC for a Commercial Revitalization Rebate Program Grant.

Houin stated the applicant had requested that this be moved to the following meeting as the applicant was not able to attend that evening.

Morrow asked why the application referred to Bob Richards, but it was signed by another person.

Houin replied that could have been Anthony Collins and he was acting as Richard's agent. He believed that signature may be better directed at the applicant. He believed that Collins was managing the property on behalf of Richards, which was his stepson whom the city had been dealing with primarily.

Morrow believed it was fine if he was a true representative of Richards.

Houin stated the property was owned by an LLC, so technically Richards would be signing it as an agent of the LLC.

Gorski stated she did look further into the application, and it did say Bob Richards, Sr. as the W-9 had the same signature.

Houin updated the board on ONE Marshall County and stated they had a board meeting that last week. He stated they are structured with board committees working on different focus areas and they did receive updates from those committees. He stated Marshall County Career Innovation Center was moving forward at full speed with the construction underway. He stated it was anticipated that some of the classrooms would be open in January for the CTE courses to move in and to add the adult education programs. He stated they had a great update from Lifelong Learning Network. He explained there were several different READI 2.0 grant submissions from Marshall County and all indications are that the quality of the submissions were excellent, and they are anticipated follow up from the Regional Development Authority (RDA). He stated they are hopeful that they would receive good news by November for those applications. He stated the County had also approved work on an updated Comprehensive Plan for Marshall County and it had been 20 years since they last updated their Comprehensive Plan. He stated that Ty Adley, the County Plan

Director, was at the board meeting to explain the process and enlist support from ONE Marshall County and all the communities throughout the county on that process. He stated ONE Marshall County would be supporting that process and participating as much as possible and it would be good to look for an opportunity to get involved to represent the interests of the City of Plymouth in that Comprehensive Plan process.

Houin updated the board on the Comprehensive Plan Committees. He said the Empowerment Committee had started some outreach to increase some communications throughout the committee. He stated the zoning subcommittee had proposed some amendments to the zoning ordinance for setback requirements and that would be on the agenda for the Plan Commission on their meeting of October 1, 2024, and if it was approved that it would come to the council for final approval. He stated he had a meeting that morning with the chair for the commercial revitalization grant subcommittee and the first step would be more of a revised and user-friendly application process, but they were also discussing some changes to that program to make it more transparent and provide the council more control on how the program was applied and maintain constraints within the budget for that grant. He stated they wanted it to become a successful program and to continue improvements to commercial projects in the city, but they also need to get a better handle on how it was applied.

Kathy Bottorff asked Culp for his reason on voting no for the three job descriptions and asked if it was only due to the title for the Police Chief's position. Culp agreed.


Council members Starr and Ecker moved and seconded to accept the following communications:

- Minutes of the Board of Public Works and Safety meeting of September 9, 2024
- September 23, 2024, Check Register
- August 2024 Clerk-Treasurer Financial Reports
- September 10, 2024, Technical Review Committee Minutes
- August 13, 2024, Board of Aviation Commissioners Minutes
- August 20, 2024, Redevelopment Commission Minutes
- Resolution No. 2024-5, Disposition of Surplus Equipment by Auctioneer – West Township

The motion carried.

There being no further business to come before the Council, Council members Longanecker and Krathwohl moved and seconded to adjourn. Mayor Listenberger declared the meeting adjourned at 7:25 p.m.


Lynn M. Gorski
Clerk-Treasurer

APPROVED

Robert Listenberger, Mayor