

REGULAR SESSION, COMMON COUNCIL, April 28, 2025

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on April 28, 2025. 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 6:48 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 Longanecker moved and seconded to approve the minutes of the regular session of the Common Council on April 14, 2025 as presented. The motion carried.

Longanecker listed the following:

- Update on Fire Station Roof Quote. Holm stated the purchase order was submitted, and A&M was scheduled for the beginning of May to do the work.
- Golf Cart Update. 57 permitted.
- Golf Carts seen going up and down Greenways Trail. Police Chief John Weir stated he has only noticed one violation personally. Gorski stated that people are being instructed to put the sticker in the center of their slow-moving vehicle sign to be easily seen. Not to be anywhere else but in the center of the slow-moving vehicle sign.
- Starr stated that flood lights were installed across the street from her that were aiming outward across the street into their homes. Manuwal to investigate.

City Attorney Houin introduced Ordinance No. 2025-2241, An Ordinance to Amend the Drug and Alcohol Policy and Testing Procedures of the City of Plymouth, Indiana on second reading.

Houin stated the reason for this was that within their policy it currently did not distinguish between the DOT required drug testing for CDL license holders and any other city employees. He stated the requirements were more stringent for DOT so to avoid the extra expense and complication for other city employees that may be subject to a drug test, this was intended to separate those procedures.

Longanecker asked if those with a CDL are put into a state random test.

Houin replied that there was that and the requirement of two samples. He stated it was not necessary for a standard drug test. He stated for DOT licenses with a CDL, that was required, but it was not necessary for other city employees who were subject to a drug test.

Culp referenced page six where it read as follows:

Non-DOT or instant drug screens will require one (1) sample be taken and tested. If there is a positive result, the MRO must contact the employee to determine if there is an alternative medical explanation for the results before reporting a positive result to the Mayor or Human Resources Manager.

Culp asked if the test should not just include the Mayor and the Human Resources (HR) Manager but the City Attorney and Clerk-Treasurer as well.

Houin replied that they spoke about it a little bit because the policy currently stated that a positive result would go to the Mayor or HR Manager, but the practice was that they all go to the HR Manager. He explained the reasoning for why the Mayor was included in that was because it was a DOT regulation, and he was listed as the responsible party for DOT purposes. He stated the portion added to this was simply copying the language above. He stated for non-DOT drug screens, they could change that, but the practice was that all reports go to the HR Manager. He added if she needed him to be involved that he certainly could or if she needed a department head to get involved that she could contact them, but she was the point of contact.

Culp stated he would like to see the City Attorney and Clerk-Treasurer listed so there was no dispute over it.

Houin replied that he would not want it to go directly to him and he did not want to get involved unless it was necessary. He stated that for personnel matters, the fewer people that are involved the better. He stated if it was an employee in the Clerk-Treasurer's office, then he would understand that she should be notified. He stated they could pass this on second reading that night and work on some language for third reading at the next meeting.

Longanecker stated for where he works it listed only Human Resources and the President of the company.

Houin stated if he was going to make a change to this, he would remove the Mayor from the non-DOT drug screens, but he was included on the DOT drug screens because that was a DOT registration requirement.

Culp stated his thought was with everyone working in the same area, that they needed to be aware of what was going on.

Houin replied that they all did not need to be aware, and it was sometimes better if it was kept with fewer eyes.

Council members Longanecker and Starr moved and seconded to approve Ordinance No. 2025-2241, An Ordinance to Amend the Drug and Alcohol Policy and Testing Procedures of the City of Plymouth, Indiana on second reading. The motion passed by roll call vote.

Councilman in Favor: Culp, Ecker, Krathwohl, Longanecker, Milner, Morrow and Starr

Councilman Opposed: N/A

Houin stated before the third reading he would look for their guidance. He explained they could make a change now, wait, or simply pass it as is.

Ecker stated he would like to see the Mayor and HR Manager stay there as they were the two that would be involved.

Clerk-Treasurer Gorski stated that they were not in charge of the Clerk-Treasurer's office as her employees were her responsibility.

Houin stated that the HR Manager worked for the entire city and that included all city employees. He stated that all city employees fell under the same policy regardless of whether they report to a department head under the Mayor or whether they report to the Clerk-Treasurer. He stated the policy applied to all employees the same. He stated the only question would be if there was a positive result of a drug screen, who that got reported to. He explained that he would argue that all drug screens should be reported to the HR Manager as part of the personnel file kept by HR. He stated the question then was whether any non-DOT employees drug screens should be automatically reported to the Mayor or Clerk-Treasurer or simply go to the HR and it be their responsibility to notify department heads or Mayor/Clerk-Treasurer. He stated his recommendation would be if there were to be a change would be to remove the Mayor and have it be one point of contact with the HR Manager.

Culp stated that the Mayor and Clerk-Treasurer are both elected officials so they would need to add the Clerk-Treasurer so everyone who was elected was in the loop.

Ecker stated he was leaning to what Culp was saying as it behooved them to put a separation between the Clerk-Treasurer's Office and Mayor. He stated that the HR Manager had to be involved in every incident. He stated he would like to see the Clerk-Treasurer included whenever an employee in her office was involved.

Houin stated they could change the language to say something to the effect of, "before reporting positive results to the HR Manager, Mayor, or Clerk-Treasurer as applicable."

Longanecker asked for clarification that this was for non-DOT. Houin agreed.

Human Resources Manager Jennifer Klingerman stated that the reason it was put in there for non-DOT's in her aspect was because a different policy they have for the 77 pension fund positions that go to randoms or pre-employment which involves the Board of Public Works and Safety for a random screen, which in turn involves the Mayor. She stated that she was not saying one way or another that they should add or not add the Clerk-Treasurer but she was saying that as the executive of the city the Mayor was put in there, however, if they do get a positive drug screen for any



employee, they do involve the department head in which they did have one Clerk's Office drug screen come back inconclusive that they would involve her whether it be inconclusive, positive, or anything because she was that person's department head. She stated she was worried if they put in too many people that it would look as if all non-DOTs could be sent to the Clerk-Treasurer so she would recommend leaving it as is because practice right now was, she would receive all the screens and then discuss with the department head.

Houin believed it would be best to make the change they discussed so that all reports go to the HR Manager and either the Mayor or Clerk-Treasurer as applicable. He stated instead of doing that now that the recommendation would be to not move this onto a third reading at this point and let them work on the language, so everyone was comfortable for the final approval.

Mayor Listenberger asked if clerical received random drug tests.

Klingerman replied that none of the clerk's office employees were in the random policy so this would only be for pre-employment that she would be put in for.

Houin stated it did include pre-employment or if there were an incident, injury, or reasonable suspicion at the request of the department head. He stated they would take no action at that time and bring it back for a third reading at the following meeting.

City Attorney Houin presented CF-1's for tax abatements submitted as follows:

- CF-1 RP & PP American Containers 2014
- CF-1 RP & PP American Containers 2017
- CF-1 RP & PP American Containers 2023
- CF-1 RP & PP Pretzels Inc. 2016
- CF-1 RP & PP Bomarko Inc.
- CF-1 RP & PP DAC Enterprises LLC
- CF-1 PP American Containers 2018
- CF-1 PP Plymouth Molding Group
- CF-1 RP Pretzels Inc. 2013
- CF-1 PP Pretzels Inc. 2018

Houin stated that he did review these and had a couple concerns with some not filled out completely, however, the applicant had to submit multiple CF-1's and in comparing all of them, all the information was there but not on the same page.

Council members Longanecker and Milner moved and seconded to approve all CF-1's as presented. The motion passed by roll call vote.

Councilman in Favor: Culp, Ecker, Krathwohl, Longanecker, Milner, Morrow and Starr

Councilman Opposed: N/A

City Attorney Houin introduced Resolution No. 2025-1155, A Resolution of the City of Plymouth to Create a Fund Entitled "TIF 8 Water Street Allocation Area Fund."

Council members Krathwohl and Ecker moved and seconded to approve Resolution No. 2025-1155, A Resolution of the City of Plymouth to Create a Fund Entitled "TIF 8 Water Street Allocation Area Fund" as presented. The motion carried.

RESOLUTION NO. 2025-1155

A RESOLUTION OF THE CITY OF PLYMOUTH TO  
CREATE A FUND ENTITLED  
"TIF 8 WATER STREET ALLOCATION AREA FUND"

WHEREAS, the Plymouth Redevelopment Commission established the Water Street Allocation Area in Resolution No. 2023-1082, with initial projects including support for the construction of a new townhome/commercial development and the development of a brewery/restaurant. The purpose and intent of this resolution is to establish a new fund for all TIF 8 money.

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

**Section 1.** There is hereby created City Fund #4452, which shall be called the TIF 8 Water Street Allocation Area Fund (the "Fund").

**Section 2.** In the future, any TIF money collected from the Water Street Allocation Area tax increment financing allocation area shall be placed in the Fund.

**Section 3.** Expenditures from the Fund shall be for Redevelopment Commission's use and purpose associated with the Water Street Allocation Area, or other related purposes as authorized by Indiana law.

**Section 4.** The duration of the Fund shall be perpetual until terminated by subsequent resolution or ordinance, or by operation of Indiana law. The Fund balance shall be non-reverting at year end.

**Section 5.** Upon termination of the Fund, any balance remaining shall be transferred in accordance with Indiana law and as specified in the termination resolution or ordinance.

PASSED AND ADOPTED this 28<sup>th</sup> day of April, 2025.

  
Robert Listenberger, Presiding Officer

ATTEST:

  
Lynn M. Gorski, Clerk-Treasurer

City Attorney Houin stated the next subject was regarding the IT Committee. He stated the current service agreement they had with PC Source for IT services was a three-year contract set to expire on August 1, 2025. He stated it had a provision for automatic renewals, and he did not like automatic renewals so he had already sent them notice that they would not automatically be renewing the contract. He stated that it would mean they need to either renegotiate that contract or consider other options. He stated at the time when it was considered three years ago that they had an IT Committee consisting of three council members which included himself, Greg Compton, and Shiloh Milner. He stated since two of those three no longer served as members of the council, he would ask them to consider forming a new IT Committee designating three council members alongside himself and a couple other city representatives. Culp, Milner, and Krathwohl volunteered.

City Attorney Houin updated the board on ONE Marshall County. He said during the grant process for READI 2.0, there was money set aside for Arts and Culture. He explained that it was discovered during that process that nearly nobody in the state was prepared to apply for a economic development grant based upon Arts and Culture except Marshall County who had already done a plan. He stated unfortunately for them the state decided to pull back and require every region to

complete an Arts and Culture plan, and for them it could just be updating it. He added that every region would have to complete their plan before any region would be eligible for grants. He stated it was disheartening as they had to wait for all the other regions to get their act together, but the good news was that it had spurred leadership from Heartland Art Center within the region. He added there would be a new sculpture in River Park Square that was part of the grandfather stones of the Potawatomi Tribe sponsored by a grant from Moon Tree Studios. He stated the plan was to set it in a temporary location in River Park Square and when the Greenways Trail was built, they would identify a permanent location.

Mayor Listenberger hoped that this would be the first of many sculptures.

Plan Director Ty Adley updated the board on the Comprehensive Plan Committees. He said they should expect exciting news coming May 12<sup>th</sup> at their next meeting.

Clerk-Treasurer Gorski explained that the city had received one donation in the amount of \$1,250.00 from Kuhn Dillon Umbaugh LLC for sponsorship decals to be used by the Plymouth Police Department. She asked if they wished to accept the donation with the restricted terms, conditions, and purpose attached to the donation. She added that the donation would be receipted into the Monetary Gift Fund.

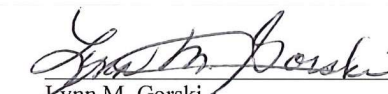
Council members Ecker and Longanecker moved and seconded to approve the donation as presented. The motion carried.

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

- Minutes of the Board of Public Works and Safety meeting of April 14, 2025
- April 28, 2025 Check Register
- March 2025 Clerk-Treasurer Financial Reports
- 2025 Q1 Council Report – Baker Tilly
- March 18, 2025 Redevelopment Commission Minutes

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 7:19 p.m.

  
Lynn M. Gorski  
Clerk-Treasurer

APPROVED

  
Robert Listenberger, Mayor