

## REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, APRIL 13, 2020

The Board of Public Works and Safety of Plymouth, Indiana, met in Regular Session on April 13, 2020. The meeting was held in the Council Chambers, on the second floor of the city building, 124 N. Michigan St., Plymouth, Indiana.

Mayor Mark Senter called the meeting to order at 6:03 p.m. Senter presided for Board Members Duane Culp. City Attorney Sean Surrisi and Clerk-Treasurer Jeanine Xaver were also present. As allowed by Governor Holcomb's Executive Order #20-04 and 20-09, Board Members Jeff Houin and Bill Walters attended the meeting electronically. Board Member Shiloh Milner was absent.

Members Culp and Senter moved and seconded to approve the minutes of the last regular session of the Board of Public Works and Safety on March 23, 2020. The motion carried.

City Attorney Surrisi made a last call for Proposals for Guaranteed Savings Contract for General Water and Wastewater Capital Maintenance Projects. The sealed proposals were opened from:

- Bowen Engineering Corporation, 8802 N Meridian St., Indianapolis, IN
- Kokosing Industrial, 3862 N. Commercial Pkwy, Greenfield, IN

Members Houin and Walters moved and seconded to take the bids under advisement. The motion carried.

Clerk-Treasurer Xaver presented an agreement between the Police Department and the Indiana Criminal Justice Institute. She said it is an annual agreement for Operation Pullover, one of the objects of the grant is to increase compliance with school bus safety laws. It is a \$5,000 grant. The city has to contribute about \$50.

Members Culp and Walters moved and seconded to approve the agreement as presented. The motion carried.

Police Chief Bacon submitted the following monthly report:

## PLYMOUTH POLICE DEPARTMENT

### Activity Report Summary 2020

Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Calls for Service, Complaints, Information	660	666	680										2,006
911 Hang-Up Calls	59	70	106										235
Alarms	58	47	74										179
Vehicle Checks	11	7	8										26
Assist Other Agencies	8	10	2										20
Animal Complaints	15	13	19										47
Traffic Stops	245	245	221										711
Citations Issued	102	118	182										402
Accident Reports	34	40	33										107
Case Reports	98	101	98										297
Arrests	36	30	23										89
Arrests (Adult)	30	19	16										65
Arrests (Juvenile)	6	11	7										24

Clerk-Treasurer Xaver presented the following sidewalk request:

### REQUEST FORM CITY OF PLYMOUTH

Date 3-26-2020

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

Kindly take care of the following request:

We would make a request to have our sidewalk at 403 Webster Avenue, Plymouth, Indiana repaired or replaced. It has been cracked and broken for some time and parts of the cement missing. The moles have dug under a section of the sidewalk leaving a large hole. While we continue to fill that area with dirt we are concerned that another portion will break off. We are treating our lawn to kill the grubs but moles have been a problem. Major concern is that we don't want anyone injured and we try to avoid the area. I have attached photos and if we could please be put on the list for possible future consideration. We appreciate your considering our problem. Thank you

Ralph & Betty Berkeyside Owner  
Signed Title

403 Webster Plymouth In  
Address

Phone number: 1-936-3902  
cell - 574-540-9395

Street Superintendent Marquardt submitted the following regarding this request:

**Board of Works:**

Reference sidewalk request at 403 Webster St .

The projects have already been planned with our current funding for 2020. After reviewing the request the sidewalk is cracked & broken but relatively flat ( No big areas are sticking up) . The adjacent intersection has previously been done with street projects , So I would feel we have other sidewalks is greater need of repair than this one at this time. I will look into patching a few of these holes in the photos . We will keep it in mind for the future if we are in this area due to financial restraints on small loads fees . This could be replaced by the homeowner at their own expense.

Thank you  
Jim Marquardt  
Plymouth Street Dept  
2124 Western Ave  
Plymouth, IN 46563  
PH 574-936-2017  
FX 574-936-3551

There was no action taken.

City Engineer Gaul presented a request from Comcast for work in the city's right-of-way at 537 N Oak Dr for directional boring with a \$15,000 financial guarantee (UT-20-013). He also presented a request from Comcast for directional boring at 128 Candy Lane with a \$5,000 financial guarantee (UT-20-017). Lastly, he presented a request from Choice Light Fiber for directional boring at 1400 Pidco Dr. with a \$5,000 (UT-20-018).

Members Houin and Walters moved and seconded to approve all three requests as presented, subject to the terms, notes and conditions outlined in the correspondence provided by City Engineer Gaul and the placement of the financial guarantees. The motion carried.

City Attorney Surrisi presented Executive Order 2020-05, 2020-06, 2020-07, 2020-08, 2020-09R, and 2020-10; all related to the COVID-19 response.

Board Members Houin and Walters moved and seconded to ratify Executive Orders 2020-05, 2020-06, 2020-07, 2020-08, 2020-09R, and 2020-10. The motion carried.

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City Attorney Surrisi notified the board that there have been requests for expedited Work in the Right-of-Way approvals due to the COVID-19 pandemic. Those companies are stating that the governor has declared their services as essential and there is an increased demand of service during the pandemic in relation to remote work and online / e-learning with the schools. Surrisi responded to those requests by stating that the city recognizes that they are essential and we want to work with them, however none of the Governor's executive orders preempt local regulation of underground right-of-way access. He said in response to the pandemic and in order to keep these essential services going, should a project not have the ability to wait two weeks until the next board meeting, Utility Superintendent Davidson and City Engineer Gaul can sign off on those and present them to Mayor Senter for potential approval through an executive order.

Clerk-Treasurer Xaver discussed her recommendation to establish a hiring freeze and capital spending freeze. She detailed concerns regarding unknown effects of the COVID-19 pandemic and how the extension of property tax deadlines will affect the city's revenue.

**From:** Clerk-Treasurer Xaver

**Date:** April 9, 2020

**Re:** Recommend Hiring Freeze and Capital Spending Freeze

All,

As the Fiscal Officer of the City of Plymouth, I must again voice my concerns regarding spending. As we have discussed in past meetings, I have concerns that we will not be able to meet the 2021 budget without having to use the city's cash on hand.

I base this on

- having the same shortfall last year
- increasing property tax cap losses
- the current COVID pandemic
  - o see letter from Eric Walsh of Baker Tilly
  - o delayed property taxes

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Historically, 70% of the city's income comes from property taxes. The state has mandated that the counties extend the deadline for non-escrowed property taxes two months. It is estimated that only 40% of property taxes state-wide are escrowed. I cannot stress to you enough how much this will burden our levy funded departments. This includes the Tax Incremental Financing Funds. With the delayed payment of property taxes, we likely will not receive our property taxes until the end of August, as we always receive the property tax distribution six weeks after the due date. Not knowing how long this pandemic and the after-effects (financial hardships due to layoffs, business closings, unemployment, etc.) will continue, at this point I am simply praying that we receive our fall tax distribution before the end of the year.

I understand that the park and cemetery departments have a need for seasonal employees; and that all departments need to continue operations.

I request that you adopt a hiring freeze for full time employees and a capital spending freeze until after Baker Tilly helps us complete our five-year comprehensive capital plan and we have received our first tax draw. At that time, we will have a better idea of loss of revenue due to COVID-19. We can re-visit the need to extend the freezes at that time.

This action was taken in 2005 when there were concerns about meeting the budget and the hiring and spending freezes were kept in place until after the first reading for 2006 budget. It was noted then that all department heads must receive board permission before hiring new personnel. That practice seems to have been dropped by some departments and needs to be put back into practice.

Xaver also presented a letter that was received from Baker Tilly:

Mayor Mark Senter  
Ms. Jeanine Xaver, Clerk Treasurer  
Mr. Donnie Davidson, Utilities Superintendent  
City of Plymouth  
P. O. Box 492  
Plymouth, Indiana 46563-0492

Re: Plymouth (Indiana) Utilities – 2019 Financial Management Reports (Covid-19 Memo)

Dear Mayor, Jeanine and Donnie:

At this point I am sure you have been inundated with news regarding the Covid-19 (coronavirus) pandemic. We have been answering questions and working with clients daily on potential financial impacts from the pandemic. These potential issues range from property tax and income tax revenues to the collection of utility payments and everything in between. You may have had a chance to review the utility financial management reports ("FMRs") we sent a few weeks ago (dated March 18, 2020). As additional information continues to become available regarding the pandemic, we thought it would be prudent to send a follow up letter to those reports.

Both the water and wastewater FMRs include a five-year forecasted financial schedule (page 10 in water and page 11 in wastewater). Historically we have forecasted utility revenues to stay relatively flat in future years unless there was a rate increase being considered or a change in customer base like the food processor shut-downs a few years ago. We used this same methodology for the 2019 reports. However, since the 2019 FMRs were issued more information has come to light, such as extension of stay at home orders and closing schools for the remainder of the school year. These (and other) results of the pandemic are likely to have financial impacts on the forecasts contained in the FMRs. We do not have an exact estimate of what the financial ramifications will be, but I will use Plymouth Schools as an example. Plymouth Schools is the second largest water customer and third largest wastewater customer of the City; accounting for approximately \$70,000 in annual combined utility revenue. Reducing the school year and school functions by almost 1/3 could have a revenue shortfall impact to the utilities of \$20,000 or more. Similar analysis could be performed for industrial and commercial customers who may be sitting idle or have materially reduced operations during this time. On the flip-side, with more people staying at home the utilities may see an uptick in residential customer usage. However, with the Governor's order of no shutoffs or evictions during this period there is increased risk for bad debt write offs later if renters fail to pay, etc.

Again, the above is meant to be a follow up to the FMRs, not a definitive prediction of impact. Many signs point to the potential of lower utility revenues for at least 2020. How much lower? That will likely depend on the length of the pandemic and how quickly commercial customers open back up following. Even though there are too many unknowns to accurately predict impact at this time, I thought it necessary to follow up the FMRs with this letter. Both utilities have healthy cash reserves and are in good shape to weather this storm in the short-term, but a proactive discussion regarding weakened 2020 revenues is likely warranted.

If you have any questions or comments or if we can be of further assistance, please do not hesitate to call.

Baker Tilly Municipal Advisors



Eric J. Walsh

City Attorney Surrisi noted that he, Mayor Senter, and Clerk-Treasurer Xaver had discussed this earlier in the day. He wanted to wait until more information could be gathered and department heads consulted before putting together a blanket resolution to cover any freezes. Surrisi feels it would be beneficial to meet with department heads prior to budget time to try and proactively plan the budget rather than retroactively attempting to cut down the budget.

Houin asked if there is a city requirement to ask the board's permission for approval to hire employees or if that is just a practice that was implemented. Surrisi said he is not aware of a requirement related to hiring employees and state statute does not require this, but he does feel if it would be good practice to keep the board informed about who is being hired.



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Surrisi said there will be a discussion with the department heads and a proposal brought before the board at their next meeting.

City Attorney Surrisi discussed the three identical letters that were received regarding the request to freeze the small cell permitting process. There was no action taken.

Board Members Culp and Houin moved and seconded to allow the payroll for April 15 and the claims for April 13, 2020, as entered in Claim Register #2020. The motion carried.

Mayo Senter referred to the following communications that were received in the board's packets:

- Gibbons Tree Request
- Blackburn Tree Request
- Czarnecki, Shanel & Milton Requests for a Moratorium on Small Cell Permitting Process

There being no further business to discuss, Board Members Culp and Walters moved and seconded to adjourn the meeting. The motion carried and the meeting was declared adjourned at 6:33 p.m.

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Jeanine M. Xaver, IAMC, CMC  
Clerk-Treasurer

APPROVED:

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Mark Senter  
Mayor

The following requests have been submitted to the proper committee to act:

4/9/2020 – Tree Request: Need to have tree in front yard near side walk looked at. Looks like it might be Dyeing. S/ Robert Blackburn, 308 S Michigan St, Plymouth, 708-275-4709

4/9/2020 – Tree Request: Ms. Gibbons called this morning and would like the tree at the corner of Michigan and Webster, which she stated is in the city's right-of-way, looked at. She feels it needs to be removed – it appears to be in bad shape with dead limbs that she fears will fall. S/ Joyce Gibbons, 525 S Michigan St, 574-936-3510