

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on November 9, 2020. 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 while attending the meeting virtually. Council Member Ecker offered prayer.

Senter presided for Council Members Greg Compton, Duane Culp, Don Ecker, Randy Longanecker and Shiloh Milner. As allowed by Governor Holcomb’s Executive Orders, Council Members Robert Listenberger and Randy Longanecker attended the meeting virtually. Council Member Jeff Houin was absent. City Attorney Sean Surrisi and Clerk-Treasurer Jeanine Xaver attended the meeting.

Members Ecker and Compton moved and seconded to approve the minutes of the Common Council regular session of October 26, 2020 as presented. The motion carried.

The following legal notices were advertised on October 29, 2020.

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NOTICE OF A HEARING ON PROPOSED RATES AND CHARGES

Property owners, ratepayers, and other interested parties in or served or to be served by the Water Utility of the City of Plymouth are hereby notified that Ordinance No. 2020-2173 establishing rates and charges for services to be rendered by the Water Utility, was introduced at a meeting of the City Council held on October 26, 2020. At a meeting of the City Council to be held at 6:30 p.m. on the 9th day of November 2020, in the City Council Chambers, 124 N. Michigan Street, Plymouth, Indiana 46563, there will be a public hearing on the matter of rates and charges, and consideration of adoption of said Ordinance No. 2020-2173 which provides in part as follows:

40. Deposits

(A) The City Clerk-Treasurer shall collect the payment of a customer deposit of One Hundred and Fifty Dollars (\$150.00) from the prospective residential customers of the City Waterworks for water service prior to the furnishing of such services. Such customer deposit shall be refunded to the customer upon the payment of the final charges for water service after the discontinuance of such services to the customer.

(C) The customer deposit of One Hundred and Fifty Dollars (\$150.00) required in division (A) of this section shall not accrue interest and therefore no interest on the One Hundred and Fifty Dollars (\$150.00) deposit shall be payable to the customer on return of the deposit to the customer after utility services are terminated by said customer.

(D) New accounts opened for non-residential water users are hereby required to first make a deposit with the Water Utility in the amount equal to the billing for one and one-half (1½) times the highest monthly utility bill based upon a review of the past year's billings for the property, or the anticipated amount of one and one-half (1½) months utility service based upon the nature and character of the customer's use of the property for properties connected for the first time, or One Hundred and Fifty Dollars (\$150.00), whichever is greater. This deposit must be made prior to the water being turned on for said user. However, the Plymouth Common Council is hereby given the authority, after a petition is presented to it, to waive all or any part of the deposit as required and as calculated in this subchapter.

41. Schedule Generally

(C) Fire Hydrants

	Per Month	Per Annum
Private fire hydrants, per hydrant	\$38.16	\$457.90
Flushing hydrants	No Charge	No Charge

(D) Public fire hydrants, per meter, per month

Size	Rate Per Month	
	Inside Corporate City Boundaries	Outside Corporate City Boundaries
5/8" – 3/4"	\$ 3.49	\$ 4.01
1"	8.73	10.03
1 1/2"	13.96	16.04
1 3/4"	17.45	20.05
2"	27.92	32.08
3"	52.35	60.15
4"	87.25	100.25
6"	174.50	200.50

At such public hearing and prior to final adoption of said Ordinance, all interested parties may appear and be heard. A copy of Ordinance No. 2020-2173 may be examined at the office of the Clerk-Treasurer.

S/ Jeanine M. Xaver, Clerk-Treasurer

City of Plymouth, Indiana

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Legals

NOTICE OF A HEARING ON PROPOSED RATES AND CHARGES

Property owners, ratepayers, and other interested parties in or served or to be served by the Sewage Works of the City of Plymouth are hereby notified that Ordinance No. 2020-2174 establishing rates and charges for services to be rendered by the Sewage Works, was introduced at a meeting of the City Council held on October 26, 2020. At a meeting of the City Council to be held at 6:30 p.m. on the 9th day of November 2020, in the City Council Chambers, 124 N. Michigan Street, Plymouth, Indiana 46563, (Garro Street entrance) there will be a public hearing on the matter of rates and charges, and consideration of adoption of said Ordinance No. 2020-2174 which provides in part as follows:

50.085 Stormwater User Fee

(a) The user fees for stormwater shall be \$5.00 per month per Equivalent Runoff Unit.

(b) Equivalent Runoff Units shall be determined as follows:

	Square Feet	ERUs
For Impervious Area	1 - 12,000	1
For Impervious Area	12,001 - 24,000	2
For Impervious Area	24,001 - 96,000	8
For Impervious Area	Over 96,000	32

At such public hearing and prior to final adoption of said Ordinance, all interested parties may appear and be heard. A copy of Ordinance No. 2020-2174 may be examined at the office of the Clerk-Treasurer.

S/ Jeanine M. Xaver, Clerk-Treasurer

City of Plymouth, Indiana

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Council Members Culp and Ecker moved and seconded to open the public hearing. The motion carried, and the mayor declared the public hearing open.

Eric Walsh from Baker Tilly Financial Advisors was present to answer questions. He stated that this rate increase is due to the yearly look at cost/spending for the city and how to raise additional revenues. The increase in the storm water fee from \$2.05 to \$5.00 this would move \$180,000 in cost from the General Fund and put that to on to the storm water utility cost which would allow for this process to be self-sufficient. The increase would then free up \$180,000 in the General Fund. The fire hydrant fee would free up \$240,000 and move that fee onto the water bills. When looking at the 5-year plan, he estimated there to be a 500,000 to 800,000 in negative cash flow per year. The additional fees would be able to stem that considerably. He referred to the graph that compared the utility fees to surrounding areas.

Council Member Ecker asked if the rates that he shared with the council were based on the residential impact. Walsh confirmed this. Ecker asked if we would know how this would impact the commercial customers. Walsh stated that it is dependent on the meter size that the commercial property has because the fee is based on the water meter size and how many meters they have.

Council Member Compton asked if this fee is covering the cost that has been paid previously from the General Fund. Walsh stated that he was correct and that in the past it was common for the General Fund to pay for water utility for the cost of fire suppression. More recently this had changed, and it is now more common for this cost to be shifted to the consumer. Compton asked if this new fee would be due to the circuit breaker caps. Walsh stated that it is typically a community decision, but it could have been due to the circuit breaker caps. Before the circuit breaker caps there were no tax cap laws now in 2020 approximately \$760,000 are lost from the General Fund in 2020.

Council Member Listenberger asked if it would be safe to say that a consumer would be saving more now with the tax cap even with the new fees. Walsh stated that it is not always the case, but it could be determined at a case by case basis.

Surrisi explained that the council should open up public hearings for both the water utility and sewage rate discussions since the conversation was so broad so far.

Council Members Culp and Milner moved to open both the water utility and sewage rate public hearings. The motion carried.

Compton asked Walsh if the council could look at these rates and inflation rate. Walsh stated that he could get that information easily by looking back 10 years and adjusting for that rate.

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Ecker asked if there was a change to the sewer rate itself. Walsh explained that the changes did not affect the sewer rate itself. The only change would be an increase to the storm water fee and a new fire hydrant fee.

Ecker said that he was concerned that the city does not do regular reviews on the rates.

Xaver stated that Baker Tilly does a yearly review of these rates. The reason for the sewer rate increase was due to a mandate and they were trying to be proactive. The city is currently losing \$1.6 million city wide due to property tax cap losses. The loss to each individual property tax funded fund is dependent how the city is funding projects. Xaver reminded the council that they had set 2021 as the year to look at all user fees to determine rate increases.

Walsh explained that the tax rate is based on city growth rate as well. If the assessed value is lower than the expected value, the tax rate goes up with the amount of income for the city. Plymouth's expected growth rate is about 4% while the city has only been ranging from 1.1 percent to negative growth. This meant that the city tax rate keeps going up steadily and when people hit the tax cap it would just be growing the loss for the city.

Compton asked how the circuit breaker has affect the General Fund so far. Walsh explained that the loss for the General Fund is \$763,000 in losses in 2020. The MVH fund has also lost approximately \$330,000 as well in 2020 alone. Xaver added that the property tax rate is based on Net Assessed Value of all properties within the city limits. When the AV goes up, tax rates typically decrease. But when the AV is not increasing this creates a loss for the city.

There being no further comments or questions, Council Members Ecker and Listenberger moved and seconded to close the public hearing. The motion carried.

City Attorney Surrisi presented Ordinance No. 2020-2173, The Water Rate Ordinance of the City of Plymouth, on 2nd reading.

Council Members Ecker and Houin moved and seconded to approve Ordinance No. 2020-2173, The Water Rate Ordinance of the City of Plymouth on second reading. It passed by roll call vote.

AYES:	Compton, Culp, Ecker, Listenberger, Longanecker, Milner
NAYS:	None
ABSENT:	Houin

City Attorney Surrisi presented Ordinance No. 2020-2173, The Water Rate Ordinance of the City of Plymouth, on 3rd reading.

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Council Members Culp and Listenberger moved and seconded to pass Ordinance No. 2020-2173, The Water Rate Ordinance of the City of Plymouth on third reading. The motion passed by roll call vote.

AYES: Compton, Culp, Ecker, Listenberger, Longanecker, Milner
NAYS: None
ABSENT: Houin

City Attorney Surrisi presented Ordinance No. 2020-2174, The Sewage Rate Ordinance of the City of Plymouth, on 2nd reading.

Council Members Ecker and Milner moved and seconded to pass Ordinance No. 2020-2174, The Sewage Rate Ordinance of the City of Plymouth on second reading. The motion passed by roll call vote.

AYES: Compton, Culp, Ecker, Listenberger, Longanecker, Milner
NAYS: None
ABSENT: Houin

City Attorney Surrisi presented Ordinance No. 2020-2174, The Sewage Rate Ordinance of the City of Plymouth, on 3rd reading.

Council Members Ecker and Milner moved and seconded to pass Ordinance No. 2020-2174, The Sewage Rate Ordinance of the City of Plymouth on third reading. It passed by roll call vote.

AYES: Compton, Culp, Ecker, Listenberger, Longanecker, Milner
NAYS: None
ABSENT: Houin

Mayor Senter urged the citizens of Plymouth to wear masks when in public. Ecker added that Marshall County is considered to be in the yellow which is showing that as a whole the county is doing okay with the spread of the coronavirus. He would like this to continue. Council Members Milner, Listenberger, and Compton stated that they completely agree with these statements.

Xaver said that the city has received a donation from Zeta Zeta Beta Alumnae Association in the amount of \$100.00 for the Safe Haven Baby Box. She asked if the council wished to accept the donation with the restricted terms, conditions, and purposes attached to the donation. If so, the donation would be receipted into the Monetary Gift Fund.

Council Members Ecker and Compton moved and seconded to accept the donation with the restricted terms, conditions, and purposes. The motion carried.

Surrisi presented Ordinance No. 2020-2176, An Ordinance Regarding Garbage Fees for the City of Plymouth on 1st, 2nd, and 3rd readings.

Surrisi explained that last year the city renegotiated another five years of garbage service with Republic Services. There had not been a fee increase for the previous 10 years. This new

negotiation included a fee increase which included a \$0.55 increase in November. The recycling component originally started at \$1.86 and was dependent on performance of the residents providing clean and correct materials at pickup. After entering into the contract, the city provided public education on recycling. This seemed to have worked as this rate had decreased by \$0.04 per month. Overall, for the public this increase would net out to a \$0.49 increase on the garbage fee.

Senter added it is a pretty good rate for only adding a couple of dollars in the past 12 years.

Compton raised the concern that Republic Services had just recently reduced the services for the city moving recycling pick up down to every other week rather than weekly. Surrisi stated that residents had adjusted well and only frequent recyclers use to fill the bin weekly but a vast majority did not. The city could afford to make that change and it saved the city from incurring additional increases of this rate. Compton agreed and mentioned that the city needed to continue to provide this public education since a tremendous amount of what is put into the bins is still not being recycled. He believed that there needed to be better communication between Republic and the people on how much is being recycled. He would like to see a majority of these items being recycled in the future. Surrisi agreed and stated that the city should push that message again after the holidays. Ecker added that providing the sustainability of this information is important due to of all of the changes over time.

Surrisi mentioned that originally, he had written the ordinance to be retroactive. Xavier had advised him that he needed to have the rates published before going into effect. In turn he had removed the line that made it retroactive before presenting it to the council. He added that the city would be responsible for the fees if they did not pass the fees on to the customers. The new rates in turn would take effect in December.

Council members Ecker and Culp moved and seconded to waive the rules and consider the ordinance on second and third reading. The motion carried by unanimous aye vote of members present.

Surrisi presented Ordinance No. 2020-2176 An Ordinance Regarding Garbage Fees for the City of Plymouth on second reading.

Council Members Ecker and Compton moved and seconded to pass Ordinance No. 2020-2176 An Ordinance Regarding Garbage Fees for the City of Plymouth on second reading. The motion passed by roll call vote.

AYES:	Compton, Culp, Ecker, Listenberger, Longanecker, Milner
NAYS:	None
ABSENT:	Houin

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Surrisi presented Ordinance No. 2020-2176 An Ordinance Regarding Garbage Fees for the City of Plymouth on third reading.

Council Members Ecker and Culp moved and seconded to pass Ordinance No. 2020-2176 An Ordinance Regarding Garbage Fees for the City of Plymouth on third reading. The motion passed by roll call vote.

AYES: Compton, Culp, Ecker, Listenberger, Longanecker, Milner
NAYS: None
ABSENT: Houin

Surrisi presented Resolution No. 2020-924, 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. (AK Industries, Inc.).

Greg Hildebrand with Marshall County Economic Development Corporation was present to speak on behalf of the project. He mentioned that AK Industries have been a long-time corporate citizen and had been in front of the council last year for a tax abatement. Currently the company is up to one hundred and fifty-five employees. MCEDC supported the tax abatement for this company. Surrisi added that this tax abatement is due to the purchase of a new piece of plastic molding equipment at their original location.

Council Members Milner and Compton moved and seconded to pass Resolution No. 2020-924, 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. (AK Industries, Inc.). The motion passed by roll call vote.

AYES: Compton, Culp, Ecker, Listenberger, Longanecker, Milner
NAYS: None
ABSENT: Houin

Surrisi updated the council on the proposed ordinance prohibiting parking in front yards. He mentioned that he still owed the council a draft of this ordinance and that he would have it before the council at the next meeting. He did receive a call from a citizen who was interested in the status of this ordinance.

Ecker asked if this citizen was just interested in this topic or if they also had opinion on this topic. Surrisi stated that this citizen wants to make sure that the council takes into account unique property situations. They did not have a particular opinion just that they ant the council to take into account these situations so that they are not completely restricted from parking.

Senter then opened the discussion on the updated BIS Quote for video conferencing for the council chambers.

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Michael Morin was present virtually to talk about the updated BIS Quote. He went over the updated quote. A major concern presented was that the cameras recording the meeting would need to be handled by someone other than the Clerk-Treasurer or the recording secretary. Also, Morin authorized striking out the line stating the additional cost for additional AC power since none would be needed in the council chambers. There were a few other questions presented about this quote. Morin stated that he would be in contact with Council Members Milner and Longanecker for these questions on the quote.

Surrisi gave an update on the Stellar Communities project. He stated that there was a meeting for the project on 11/10/20 at 9:00 a.m. and that he would have a good update on the project at the next council meeting.

Mayor Senter offered the privilege of the floor.

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

- Minutes of the Board of Public Works and Safety meeting of October 26,2020
- Combined Utility Bill Comparison of Indiana Communities

The motion carried.

There being no further business to come before the Council, Councilmen Milner and Compton moved and seconded to adjourn the meeting. The meeting was declared adjourned 7:42 p.m.

Jeanine M. Xaver, IAMC, CMC
Clerk-Treasurer

APPROVED

Mark Senter, Mayor