

REGULAR SESSION, COMMON COUNCIL, MAY 24, 2021

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on May 24, 2021. 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.

Senter presided for Council member Greg Compton, Duane Culp, Don Ecker, Jeff Houin, Randy Longanecker and Shloh Carothers Milner. As allowed by Governor Holcomb's Executive Orders and Resolution No. 2021-946 adopted by the Common Council, Council Member Robert Listenberger attended the meeting electronically through Microsoft Teams. Clerk-Treasurer Xaver was also present.

Council Members Culp and Compton moved and seconded to approve the minutes of the last regular Common Council session on May 10, 2021, as presented. The motion carried.

Paul Shumaker, 807 Cherrywood Ave., was present to voice the concerns of the residents with the situation at Briarwood Estates, Hoham Drive, which were first discussed at the Common Council meeting on March 22nd, and again discussed at the last Council meeting. Shumaker stated that he appreciated all of the people who voiced the concerns about shutting off the water for Briarwood Residents. He understood that they have policies that they have to follow in this type of case. He spoke about the issues with the change of management of the estates, and added that the residents were never made aware of the water bill being behind until it was on the agendas for the Common Council. Shoemaker stated that the new owners of Briarwood are now trying to pass on the cost of the rest of the deposit onto the residents and are charging each resident \$175 in order to cover the cost. Shoemaker stated that he did not believe that any of the residents were going to pay this fee imposed by the new owners for the deposit.

Utility Superintendent Davidson said that he recently spent a couple of hours going door-to-door to speak with the residents about the situation. He explained that the developers of Briarwood went with a master meter because they did not believe that it would be economical to install water laterals to city standards to give each home a meter. He noted that city standards are stricter than construction standards. Any water that is lost should be absorbed by the owner, and how they distribute their collections is not within the city's jurisdiction.

Compton stated that the Council and city was responsible to ensure that proper deposits and payments are made. If this was not done, proper repercussions needed to be enforced. He understands that in this case the city has done what they can, but the residents could still voice their

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concerns to the new owners and take action in their own way. Shumaker stated that they had hired a lawyer and will be working on this here soon.

Clerk-Treasurer Xavier stated the City received notification through Paygov that the remainder of the deposit has been initiated. Paygov will process the transaction and we should have the money within 3-4 days. In turn this would prevent the shutting off of the service for the residents.

Houin stated that the city should be very careful wading into issues with the association other than what affects the city. The main concern was that the water was going to be shut off and it seemed like now, this was no longer a concern.

Mayor Senter presented Ordinance No. 2021-2179, An Ordinance Regarding Various Fees for the City of Plymouth, for second and third readings.

Street Superintendent Marquardt stated that this ordinance was to include billing of per tire cleaned up, which had been creating an additional cost to the street department from code enforcement. Some of the other changes were to spell out the billing of clean ups clearly, and change the rates of equipment to FEMA rates.

Council Members Houin and Ecker moved and seconded to adopt Ordinance No. 2021-2179,

An Ordinance Regarding Various Fees for the City of Plymouth on second reading. The motion passed by roll call vote.

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

Council Members Culp and Ecker moved and seconded to adopt Ordinance No. 2021-2179,

An Ordinance Regarding Various Fees for the City of Plymouth on third reading. The motion passed by roll call vote.

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

Houin stated that last week he, the Mayor and Councilman Compton met with the Landlord Association to discuss the proposed ordinance regarding the registration of vacant buildings. After open discussion, the general consensus was that since the original was a broad draft provided by ProChamps, it did not cover all of the items that the city was concerned about. The idea was to form a small committee to adapt the draft ordinance or to draft a better ordinance that would suit the city and its needs.

Dean Byers and Brent Martin were present to update the council on the support of Habitat for Humanity and their agreement to provide funding if the PNC grant were to not be granted. They stated that as of the 20th of May their application for the PNC grant had been fully approved. In turn,

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they would not need funding from the city to complete their projects. They hope to put the project out for bid in the third week of June, award the bid a month later, sign contracts a month after awarding the bids, and start construction around Labor Day.

Mayor Senter addressed the council regarding the Adoption of the Marshall County Trails Master Plan. He stated that this was a formal adoption of the Marshall County Trails Master Plan that was presented at the last Common Council Session.

Council Member noted that the group presenting this plan is not asking for funding, this is simply an aspirational plan as to where they would like to be. Council Members Houin and Milner moved and seconded to formally adopt the Marshall County Trails Master Plan. The motion carried.

Mayor Senter presented the following CF-1 Forms for determination if the property owners have substantially complied with the Statement of Benefits.

- CF-1 for Tex-Tyler Corp – Real Property Res: 2016-716
- CF-1 for Composite Technology Assemblies LLC – Vacant Building Deduction
- CF-1 for Oasis Lifestyle, LLC – Personal Property Res: 2018-795
- CF-1 for Composite Technology Assemblies LLC – Real Property Res: 2014-623
- CF-1 for Composite Technology Assemblies LLC – Personal Property Res: 2014-623
- CF-1 for Oasis Lifestyle, LLC – Real Property Res: 2018-795
- CF-1 for American Containers, Inc. – Personal Property Res: 2018-826
- CF-1 for American Containers, Inc. – Personal Property Res: 2014-598
- CF-1 for American Containers, Inc. – Real Property Res: 2014-598
- CF-1 for American Containers, Inc. – Personal Property Res: 2017-765
- CF-1 for American Containers Inc. – Real Property Res: 2017-765
- CF-1 for CTE Properties Inc. – Real Property Res: 2020-894, 2020-899
- CF-1 for Culver Tool & Engineering, LLC – Personal Property Res: 2020-894, 2020-899
- CF-1 for CTE Properties Inc. – Real Property Res: 2019-862, 2019-858
- CF-1 for Culver Tool & Engineering, LLC – Personal Property Res: 2019-858, 2019-862
- CF-1 for Culver Tool & Engineering, LLC – Personal Property Res: 2020-893, 2020-898
- CF-1 for CTE Properties Inc – Real Property Res: 2020-893, 2020-898
- CF-1 for CAC Holdings, LLC – Real Property Res: 2020-896
- CF-1 for LA Poly, Inc – Personal Property Res: 2020-900
- CF-1 for Jingu North America Corporation – Personal Property Res: 2020-921
- CF-1 for Indiana Wheel Company, LLC – Personal Property Res: 2019-861
- CF-1 for Viking Paper Corp. – Personal Property Res: 2016-712
- CF-1 for Zenitis North America, LLC – Personal Property Res: 2012-485, 2012-486
- CF-1 for Zenitis North America, LLC – Personal Property Res: 2012-542
- CF-1 for Zenitis North America, LLC – Personal Property Res: 2020-889
- CF-1 for Westrock CP LLC – Personal Property Res: 2015-676

Council Members Ecker and Longanecker moved and seconded to approve the CF-1 Forms as presented. The motion carried.

Clerk-Treasurer Xaver presented a request for Exemption from the Licensing Requirements of Ordinance 1309 by the Plymouth Kiwanis Club to solicit funds at the corner of Michigan and Jefferson Streets on Friday, June 18th and Saturday, June 19th. Times requested were from 2-6 pm on Friday and 9-1 on Saturday.

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John Oliver III was present to address the council. He stated that the members who are soliciting funds will be wearing the proper safety equipment and have the cones out as they have all of the previous times that this event has occurred. This year's fund raising would be for Riley Children's Hospital and donators will get to choose from peanuts or gummy bears. There was not a rain date as this will occur rain or shine.

Council Members Ecker and Milner moved and seconded to approve the application for the Exemption From the Licensing Requirements of Ordinance 1309. The motion carried.

Mayor Senter presented Ordinance No. 2021-2180, An Ordinance Amending Ordinance No. 2020-2172, the Ordinance Fixing Salaries of Appointed Officers and Employees, Fire and Police Personnel of the City of Plymouth, Indiana for the Year 2021 (Commonly known as the 2021 Salary Ordinance), by title only.

Ecker stated that after COVID hit the Council decided to keep pay rates the same in order to operate soundly with all of the unknown with the pandemic. This ordinance would help with doing something for the employees effective July 1st after passage. He added that they were also looking at 2022 as promised.

Mayor Senter offered the privilege of the floor. No one accepted.

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

- Minutes of the Board of Public Works and Safety meeting of May 10, 2021
- 05.24.21 Check Register
- 2021-04-27 TRC Meeting Notes REV-2
- 2021-05-11 TRC Meeting Notes
- Excess Assessed Valuation Letters to Overlapping Taxing Districts
- 418 Charles St. Complaint (forwarded to the proper committee to act)
- April 2021 Clerk-Treasurer's Financial Reports and Depository Statement/ Cash Reconciliation.

The motion carried.

There being no further business to come before the Council, Council Members Milner and Longanecker moved and seconded to adjourn the meeting. Mayor Senter declared the meeting adjourned at 7:02 p.m.

APPROVED


Jeanine M. Xavier, IAMC, CMC, CPFIM
Clerk-Treasurer


Mark Senter, Mayor