

REGULAR SESSION, COMMON COUNCIL, NOVEMBER 8, 2021

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on November 8, 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 members Duane Culp, Greg Compton, Don Ecker, Jeff Houin, Shiloh Carothers Milner, Robert Listenberger and Randy Longenecker, all of whom attended the meeting in person. City Attorney Surrisi was also present. It is unclear if the public was able to see and hear the meeting through Microsoft Teams.

Council Members Compton and Ecker moved and seconded to approve the minutes of the last regular Common Council session on October 25, 2021, as presented. The motion carried.

Mayor Senter announced that there was a Safe Haven Baby Box Blessing on Wednesday, November 10<sup>th</sup> at 1 pm.

City Attorney Surrisi presented Executive Order 2021-08, Riverside Commons Building Permits.

Surrisi stated that this situation was presented at the last meeting. This would be authorizing the city to issue the building permits for Riverside Commons Project so that they could complete their financing. The city staff would continue to work with the Riverside Commons staff to complete the drainage plans and other items. He asked for ratification of the executive order.

Council Members Ecker and Culp moved and seconded to ratify Executive Order 2021-08, Riverside Commons Building Permits. The motion carried.

City Attorney Surrisi addressed the council members regarding updates to the ADA Transition Plans. He stated that this was just to be announced tonight. The next day would begin a review period by the public for thirty days. The updates to the ADA Transition Plan would be available for review by the public on the city website and at the Clerk-Treasurer's office. They will be taking written and verbal comments at the next Common Council meeting on November 22, 2021 where this would be acted upon by the Council.

City Attorney Surrisi presented updated job descriptions for multiple job descriptions at the wastewater plant as well as an updated job description for a part time paramedic at the fire department. The job descriptions presented are as follows:

- Wastewater Assistant Superintendent
- Wastewater Collection System Supervisor
- Wastewater Laboratory Technician
- Wastewater Laboratory Technician Supervisor
- Wastewater Laborer Treatment Collection System A
- Wastewater Laborer Treatment Collection System B

- Wastewater Laborer Treatment Collection System C
- Wastewater Maintenance Supervisor
- Wastewater Maintenance-Technician A
- Wastewater Maintenance-Technician B
- Wastewater Maintenance-Technician C

Human Resources Manager Klingerman stated that Utility Superintendent Davidson had been working on updating his employee's job descriptions. She added that she was also looking into updating the job descriptions for some other jobs around the city and had reached out to those department heads to ask if they would like to update those as well.

Surrisi stated that they were asking for the approval of these job descriptions, and they would be bringing forward more at future meetings.

Council Members Listenberger and Compton moved and seconded to approve the presented job descriptions. The motion carried.

City attorney Surrisi presented Resolution No. 2021-980, A Resolution of the City of Plymouth Approving Purchase of Handheld Radios for the Plymouth Fire Department.

Surrisi stated that from his understanding that this would allow for the Fire Department to take advantage of some pricing that was not available to Center and West Townships. He added that the townships had asked the city to purchase the radios and would reimburse the city.

Fire Chief Holm added that all of the old radios will be replaced, and the state will not be issuing signals to these model numbers over the next 2-3 years. He stated that they look to replace all of their radios over this period of time. The townships had agreed to replace 14 radios for their vehicles which would be about half of the radios needed to update the department. He stated that this would be a huge boost for the department as this would be about \$45,000 to replace these radios.

Ecker asked how long it would take for the Townships to reimburse the city for the radios.

Holm stated that it would be right after the city sends them the invoice.

Council Members Milner and Ecker moved and seconded to adopt Resolution No. 2021-980, A Resolution of the City of Plymouth Approving Purchase of Handheld Radios for the Plymouth Fire Department.

City Attorney Surrisi updated the council on the Stellar Communities Projects. He stated that last Thursday they had posted a request for proposals for the Greenway Trails Project. They have had several engineering consultants who have reached out. They will be receiving these proposals at the December 13, 2021 Board of Public Works Meeting.

Audrey Blessman was present to talk about the Alley Easement Near 114-116 S. Liberty Street. She stated that she was interested in having the Easement designated as an alley officially.

She stated that she does not think that it would need to be paved as it currently a gravel alley and it would prevent speeding down it. She stated that she would also like an agreement with Garden Court to have designated parking that could maybe be paved so to not block the alley.

Senter asked why she was suggesting this. Blessman stated that it was because she believes there were city ordinances that stated that they would provide whenever possible.

Compton asked about a fence that was built over an alley in this area. Blessman stated that she was given a permit for this by the city. Surrisi stated that this was due to the fact that the city could not readily produce the fact that the city owned it, it looked like she was eligible for the permit. A few months ago, she applied for the permit and it was granted to her. After the building of the fence this prompted some of the neighbors to complain, and for Garden Court to engage their attorney. Their attorney went through a title search and found that it was previously dedicated as an alley easement and turnaround. They also found that about 20 years ago this had stated to be mistakenly left off the property deed. This prompted a discussion with Blessman in order to have a resolution of that mistake. At that point Surrisi realized that he had made a mistake in telling the Building Commissioner's office that they would be allowed to issue that permit. He in turn had to notify Blessman that they would have to revoke that permit and have the fence removed. This prompted this request for the Council which was just presented. He added that in case they could not get resolution tonight he had already filed with the circuit court for an injunction to remove the fence and vacate the alley.

Listenberger asked if the title company was responsible for any of this for omitting that last sentence which included this information on the alley. Surrisi stated that title policy that Blessman purchased had an exception for easements which means that this will not be able to be a part of the insurance claim. But the title company can work to get a resolution with Blessman after this had occurred.

Compton asked if the fence was already there when the city revoked the permit. Surrisi stated that part of the fence was there, and Blessman continued to finish it after the city had revoked that permit.

Listenberger stated that he had his eye on the alley that this request was for, and nothing could ever be built there.

Compton asked what they were deciding on at this meeting. Surrisi stated that Blessman had two requests one at this meeting and one at the next. This request was for the easement in the back to be considered a city alleyway rather than an easement.

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Council Members Compton and Ecker moved and seconded to table the request until December 13, 2021 meeting when the situation would be settled in court and more information would be available.

Michael Delp voiced that he used this alley, and can see the concerns about plowing and maintaining the alley for the people who use it.

Listenberger asked if the city had ever plowed this alley. Marquardt stated that they have never plowed that alley. He assumed that Garden Court had been maintaining it.

The motion to table the request carried.

Building Commissioner Hammonds asked if the Council wanted to reappoint him to the Unsafe Building Board for the County.

Council Members Ecker and Compton moved and seconded to reappoint Building

Commissioner Hammonds to the Unsafe Building Board for the County. The motion carried.

Mayor Senter offered the privilege of the floor.

Council Members Longanecker and Ecker moved and seconded to accept the following

communications:

- Minutes of the Board of Public Works and Safety meeting of October 25, 2021
- 11.08.21 Check Register
- November 9, 2021 Fire Pension Board Agenda
- IDEM Notice Dated November 1, 2021 re: Composite Technology Assembly, LLC
- October 4, 2021 Park Board Minutes
- November 9, 2021 TRC Agenda and application

The motion carried.

There being no further business to come before the Council, Council Members Culp and

Ecker moved and seconded to adjourn, Mayor Senter declared the meeting adjourned at 7:28 p.m.

APPROVED

*Jeanine M. Xavier*  
Jeanine M. Xavier, IAMC, CMC, ACPFIM  
Clerk-Treasurer

*Mark Senter*  
Mark Senter, Mayor