

REGULAR SESSION, COMMON COUNCIL, February 14, 2022

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on February 14, 2022. 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 Councilmen Ecker offered prayer.

Mayor Senter presided for Council members Robert Listenberger, Shiloh Carothers Milner, Duane Culp, Greg Compton, Don Ecker Jr, Randy Longanecker, and Jeff Houin. City Attorney Surtisi and Clerk-Treasurer Gorski were also present. The public was able to see and hear the meeting through Microsoft Teams.

Council Members Ecker and Compton moved and seconded to approve the minutes of both the regular Common Council session and the Joint Executive session on January 24, 2022, as presented. The motion carried.

City Attorney Sean Surtisi presented the Civilian Paramedic Training Instructor Job Description. He describes that this allows for flexibility in the base requirements for this job. He states that the job currently has an age restriction due to pension related problems.

Councilmen Compton asks what happens to the person in this job position when they reach the age of 35 which is the current base requirement for the position. He asks if they would transition from this job to a different position.

Surtisi states that ideally, he would like to recruit those who have already been admitted to the fire pension or coming from a city where they were already a part of the pension. He states that it wouldn't be a transition based solely upon age.

Council Members Culp and Ecker moved and seconded to approve the Firefighter Inspector Position. The motion passed.

City Attorney Surtisi presented Ordinance No. 2022-2189, An Ordinance to Amend Ordinance No. 2021-2182 The Salary Ordinance on first reading.

City Attorney Surtisi presented Resolution No. 2022-992, A Resolution of the Common Council of the City of Plymouth, Indiana Establishing the Plymouth Riverfront Development District.

Councilman Compton asked how many licenses that are currently in use in the City of Plymouth. Councilmen Listenberger said that he was unaware of how many but that all were as of this moment taken.

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Councilman Compton had a follow up question of how many of these licenses were actually being used. Surrisi stated there is a 5-year period after acquiring an alcohol license that you have to put it to use and utilize it.

Marshall Clevenger read this letter of support from the President of the Economic Development Corporation (PEDC) Jack Davis while also voicing his own support for this Resolution.

To: The Common Council of Plymouth

From: Jack Davis, President of Plymouth Economic Development Corporation (PEDC)

Re: Resolution 2022-292 ESTABLISHING THE PLYMOUTH RIVERFRONT DEVELOPMENT DISTRICT

Date: 2/11/2022

On behalf of the PEDC Board, I would like to extend our support of Resolution 2022-292. PEDC has most recently directed our efforts towards the promotion and growth of small businesses in the Plymouth downtown. We recognize that the downtown is vital in the strength of a community, continued efforts to promote and expand our current businesses, while being part of the efforts to grow new business is built within our mission. Through our own small business loan program and the cooperative efforts of the City of Plymouth and PEDC in the distribution of \$70,000 in grants and loans in Covid support we have met some of these needs. We are committed to continue that support as our community climbs out of the Covid pandemic.

This resolution will strengthen the tools available to those interested in economic development of not only the downtown area of Plymouth and the Riverfront District, but in effect our whole community. The PEDC Board strongly urges passage of this resolution. We look forward to continued cooperative efforts with the city and others to promote positive economic development steps forward.

Sincerely,

Jack L. Davis

President of the PEDC Board of Directors

Mr. Clevenger went on to explain that many businesses around the city have already been voicing their support for this Resolution and to end the stalemate on businesses that have held some of these limited licenses for a while. He explains that it does not help the downtown business and this Resolution would help fix that.

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RESOLUTION 2022-992

A RESOLUTION OF THE COMMON COUNCIL
OF THE CITY OF PLYMOUTH, INDIANA
ESTABLISHING THE PLYMOUTH RIVERFRONT DEVELOPMENT DISTRICT

WHEREAS, Indiana Code § 7.1-3-20-16.1(b)(5) authorizes the legislative body of a city to designate and establish the boundaries of a Municipal Riverfront Development Project within its territorial boundaries; and

WHEREAS, once a Municipal Riverfront Development Project area is so designated, Indiana Code § 7.1-3-20-16(d) allows the legislative body of a city to recommend to the Indiana Alcohol and Tobacco Commission sites that are eligible to be a permit premises, for a non-transferrable three-way, two-way, or one-way permit to sell alcoholic beverages for on-premises consumption within the project area, without regard to any permit quotas as required by Indiana Code § 7.1-3-22, all in furtherance of economic development; and

WHEREAS, the historic commercial district in the downtown has been recognized for its architectural and cultural heritage through its listing on the National Register of Historic Places as the Plymouth Downtown Historic District and the Plymouth Northside Historic District; and

WHEREAS, the City of Plymouth and the State of Indiana have invested public funds through the Stellar Communities Program, the Regional Cities Initiative, and other grant programs, to upgrade and improve public and private amenities in the downtown; and

WHEREAS, the City of Plymouth continues to invest public funds to provide new amenities and upgrade existing public infrastructure; and

WHEREAS, in an effort to redevelop and revitalize its downtown, the City of Plymouth has established a Tax Increment Financing (TIF) district that includes, among other areas, the historic commercial district, and which is overseen by the Plymouth Redevelopment Commission.

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

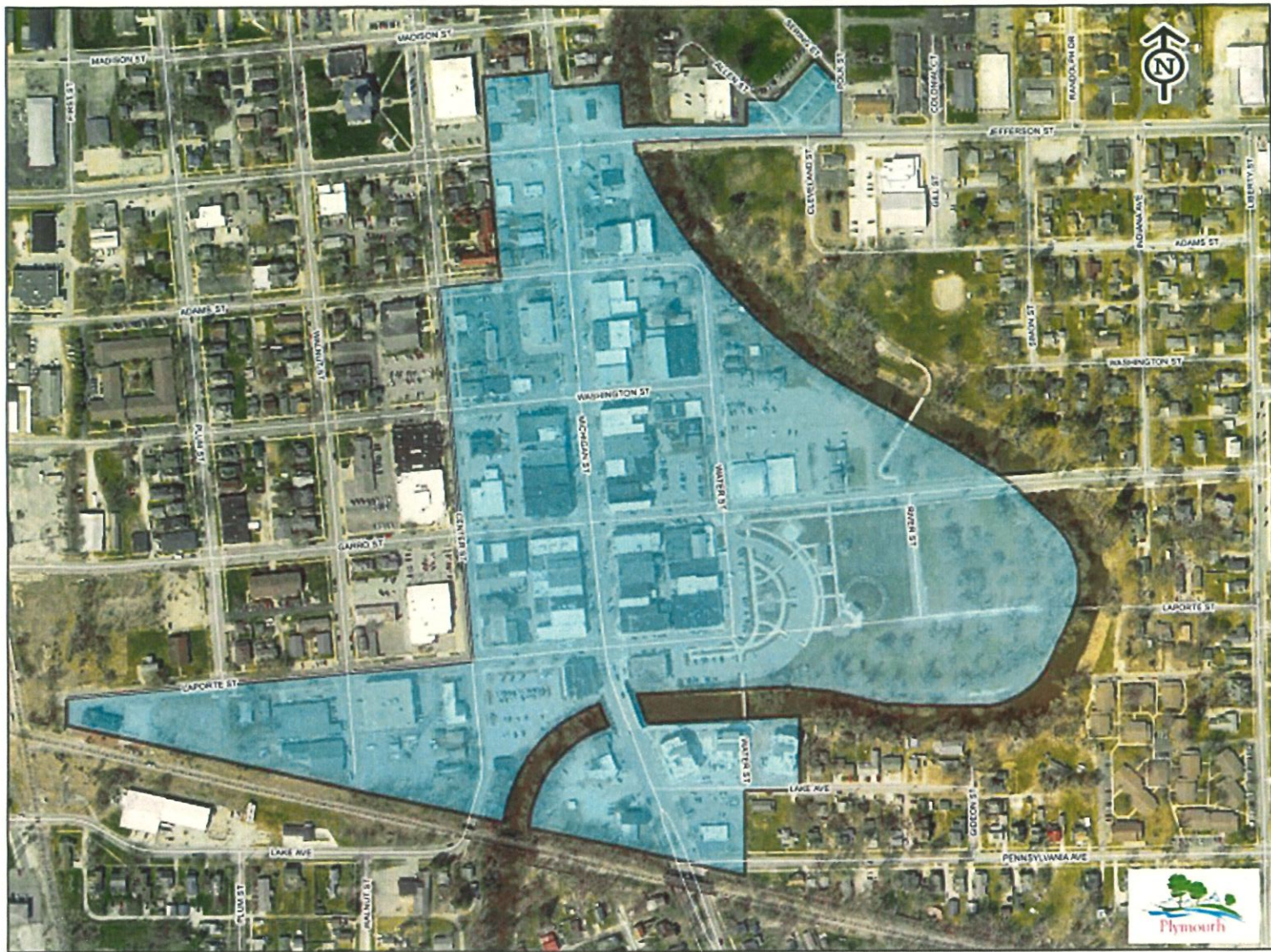
Section 1. The area shown on the attached map labelled "Plymouth Riverfront Development District" is hereby designated a Municipal Riverfront Development Project, pursuant to Indiana Code §§ 7.1-3-20-16, 16.1, Rule 47, Article 1, Title 905 of the Indiana Administrative Code, and other applicable laws as they may be amended from time-to-time.

PASSED AND ADOPTED this 14th day of February, 2022.

Mark Senter
Mark Senter, Presiding Officer

ATTEST:

Lynn Gorski
Lynn Gorski, Clerk-Treasurer



Plymouth Riverfront Development District

Councilman Houin asked for clarification that this Resolution really only removes the quota restriction. He states that any applicant who may want an alcohol license will still have to meet all the state requirements, and they will also have to get support from the Common Council and the Mayor. He states that the only thing this does is remove that restriction on the number of licenses within this district. Surrisi agrees with this.

Council Members Houin and Ecker moved and seconded to adopt Resolution No. 2022-992, A Resolution of the Common Council of the City of Plymouth, Indiana Establishing the Plymouth Riverfront Development District. It passed by roll call vote.

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Councilmen in favor: Compton, Culp, Ecker, Houin, Listenberger, Longanecker, Milner

Councilmen opposed: None

City Attorney Surrisi presented Resolution No. 2022-993, A Resolution Recommending the Rees Theatre Inc. for Issuance of a Permit to Sell Alcoholic Beverages at the Premises Located at 100 N. Michigan Street Within the Plymouth Riverfront Development District.

Council Members Ecker and Milner moved and seconded to adopt Resolution No. 2022-993,

A Resolution Recommending the Rees Theatre Inc. for Issuance of a Permit to Sell Alcoholic Beverages at the Premises Located at 100 N. Michigan Street Within the Plymouth Riverfront Development District. It passed by roll call vote.

Councilmen in favor: Compton, Culp, Ecker, Houin, Listenberger, Longanecker, Milner

Councilmen opposed: None

RESOLUTION 2022-993

A RESOLUTION OF THE COMMON COUNCIL
OF THE CITY OF PLYMOUTH, INDIANA
RECOMMENDINGTHE REES THEATRE INC.
FOR ISSUANCE OF A PERMIT TO SELL ALCOHOLIC BEVERAGES AT
THE PREMISES LOCATED AT 100 N. MICHIGAN STREET WITHIN
THE PLYMOUTH RIVERFRONT DEVELOPMENT DISTRICT

WHEREAS, Indiana Code § 7.1-3-20-16.1(d) authorizes the legislative body of a city to recommend to the Indiana Alcohol and Tobacco Commission sites within a Municipal Riverfront Development Project for issuance of a permit to sell alcoholic beverages. The purpose and intent of this resolution is to recommend The Rees Theatre Inc. for issuance of an alcoholic beverage permit at 100 N. Michigan Street.

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

Section 1. Pursuant to Indiana Code § 7.1-3-20-16.1, the Common Council of the City of Plymouth recommends The Rees Theatre Inc. for issuance of an alcoholic beverage permit at 100 N. Michigan Street, and in support thereof finds as follows:

- a. The Plymouth Riverfront Development District, which was established by the adoption of Resolution No. 2022-992, meets all the requirements for a Municipal Riverfront Development Project under Indiana law.
- b. The Rees Theatre Inc. premises is depicted in the map of the Plymouth Riverfront Development District with a red square noting its location, all of which is attached as Exhibit a hereto.
- c. The Rees Theatre Inc. premises is located within 1,500 feet or 3 blocks of the Yellow River.
- d. The Rees Theatre Inc. premises is located within the East Jefferson/Central Business District (TIF #2) Economic Development Area, established under Indiana Code § 36-7-14 *et seq.*
- e. Within the Plymouth Riverfront Development District, the City and the State have invested significant funds in projects such as the development of River Park Square Phase I and Phase II, the Greenways Trail Phase II, the Historic East LaPorte Street Footbridge, the City Hall renovation project, the South Gateway development project, the River Gate South apartment development, the Marshall County Museum Historic Crossroads Center, and many more projects. Specifically, regarding The Rees Theatre Inc. premises, the City invested \$575,000.00 in the building's renovation. The State invested \$300,000.00 in the building's renovation through the Regional Cities Initiative.

Additionally, the State has invested \$750,000.00 in the building's renovation through the Stellar Communities program.

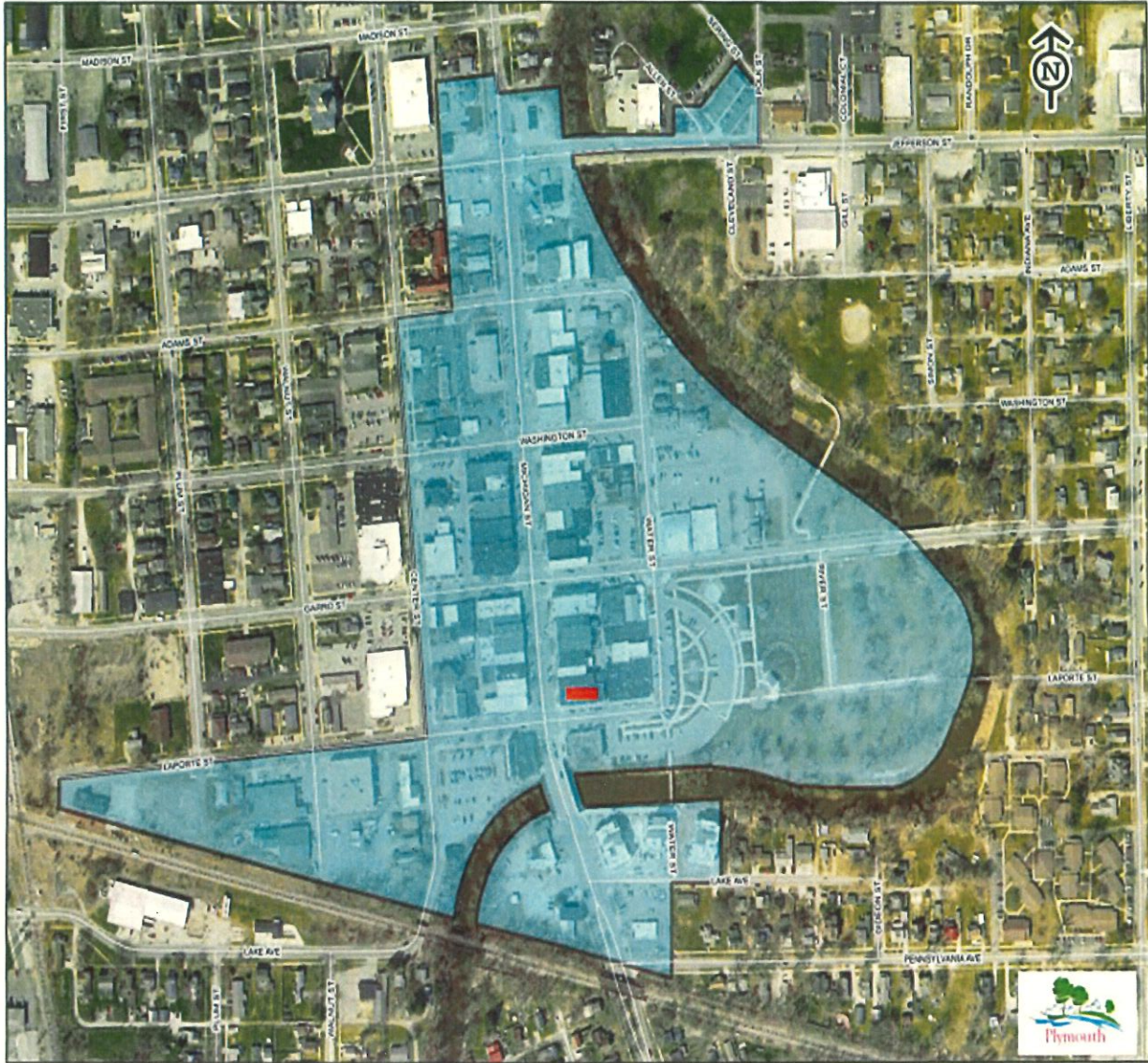
PASSED AND ADOPTED this 14th day of February, 2022.

ATTEST:


Lynn Gorski, Clerk-Treasurer


Mark Senter, Presiding Officer

Exhibit A



Plymouth Riverfront Development District

City Attorney Surrisi updated the board on Stellar Communities. He states that they will be discussing the River Park Square Phase 2 Project at the Redevelopment Commission Meeting tomorrow. He states that they completed the consultant selection process for the Greenways Trail Phase 3 and the Troyer Group was selected. He adds that all of that paperwork has been accepted by INDOT.

Clerk Treasurer Gorski presented an Application for Exemption from Licensing Requirements of Ordinance #1309. The applicant is John Oliver III from the Kiwanis Club of Plymouth. They are wanting to ask for donations for Peanuts & Gummy Bears at the corner of Michigan and Jefferson Streets on May 20th from 2-6 p.m. and May 21st from 8 a.m. – noon. All proceeds will go to Riley Children’s Hospital.

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APPLICATION FOR EXEMPTION FROM
LICENSING REQUIREMENTS OF
ORDINANCE NO. 1309

TO: All applicants for exemption from licensing requirements of Ordinance No. 1309.
The attached form should be completed and returned to the City of Fremont, 250 N. Michigan Street, Fremont, Indiana, 46765. If you have any questions concerning the application form, you should call 519 938-2124.

Please be aware that pursuant to Ordinance No. 1309, exemption will be granted where there is a substantial public interest in the proposed project.

You should also be aware that before an exemption can be granted, a hearing before the Common Council must be held. The hearing will be held on the 14th day of February at 6:56 p.m. in the Council Chamber. Applicants should be filed timely enough so as to allow such a hearing.

A copy of the Ordinance is printed on the reverse side of the application form for your convenience.

Name of Applicant Howard Club of Plymouth
Address of Applicant _____
Office held in application receiving exemption Board Chair Person
Name of Organization Howard Club of Plymouth
Address of Organization _____
Telephone Number of Organization 574-920-2406
What Proceeds will be used? Repair to & General Repair

At what location will proceeds be used? Seagraves Middle School
How will funds be collected? As follows
How will funds be collected? Donation

In what areas of this City will funds be collected? That is in Tipton

How many days will proceeds be sold or funds collected? 2

What dates will proceeds be sold or funds collected? Friday May 20th 2-6 PM
Saturday May 21st 8-noon

What will the proceeds from the sale of funds raised be used for? Riley Hall, Tol

Does this organization have an 80% tax exemption certificate? If so, what is the number and under what section of the IRS Code? 88-00109

I hereby swear that the answers given above are true, complete and accurate, to the best of my knowledge and belief.
Dated this 26 day of January, 20 22

John Oliver III
Signature of Applicant
Common Council approval exemption 21/1/2022
John Oliver III
City Clerk

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

- Minutes of the Board of Public Works and Safety meeting of January 24, 2022
- January 11, 2022 Technical Review Committee Meeting Notes
- January 24, 2022 Technical Review Committee Meeting Notes
- February 8, 2022 Technical Review Committee Meeting Notes
- February 14, 2022 Check Register
- IDEM Air Permit Renewal for Pregis Innovative Packaging, Inc.

The motion carried.

There being no further business to come before the Council, Council Members Longanecker and Milner moved and seconded to adjourn, Mayor Senter declared the meeting adjourned at 6:56

p.m.

Lynn M. Gorski
Clerk-Treasurer

APPROVED
Mark Senter
Mark Senter, Mayor