the City Building, session on April 11, 2022. Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular 124 N. Michigan St., Plymouth, Indiana and was called to order at 6:30 The meeting was held in the Council Chambers, on the second floor of

Mayor Senter led the Pledge of Allegiance and Councilmen Ecker offered prayer

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

regular session of the Common Council on March 28, 2022, as presented. The motion carried Council Members Culp and Compton moved and seconded to approve the minutes

### Public Hearing

### **Petition for Annexation** into the City of Plymouth I Masterson

PUBLIC HEARING ON
PETITION FOR VOLUNTARY
ANNEXATION INTO THE
ANNEXATION INTO THE
SHALL COUNTY, INDIANA
James D. Masterson, the sole

petition for annexation into the City of Plymouth from James Masterson. The motion carried Council Members Houin and Ecker moved and seconded to open the public hearing for

one and the Mr. parcel on the north boundary of the city into the city. He states that it is a single Masterson was here to speak on the matter Attorney Surrisi states that the city had received a petition from Jim Masterson to annex owner petition

the east of it is annexed, the second one that he bought shows county, and then behind that is the deed recorded that the property property that adjoined his property to the east that he could request that they do a combined legal from Warsaw did the survey. He states that after they had all of that done and they description and have the property surveyed which was done. He adds that John Kimpel & within the same Masterson states that Keith Hammonds had told him that when he was to purchase the He states that it is Plymouth Marshall versus Plymouth City. He zoning, he is requesting it be presently owned where his office is annexed, the first property to zoned into with the rest of it states went down to Associates Collins

Councilmen Houin asks if there will be any obligation as far as utilities or services

impediments to the annexation and if it were to get your favorable recommendation after this then he obligations to make extensions. He states that as far as the city staff that they didn't see any parcels so now there are services that are already within the proximity of the west side of the parcel and there was initially a concern until confirming with Mr. Masterson that his intent is to combine all any fiscal impact to the city that would come before them at their next meeting will prepare an annexation ordinance and they will do the fiscal plan that just shows that there is not that the real estate office is on so they are already adequately served and there would be no City Attorney Surrisi says that he had reviewed this with Utility Superintendent Davidson

public hearing Mayor Senter asks if there is any other discussion. Hearing none he asks that we close the

the petition for annexation into the City of Plymouth from James Masterson. Council Members Ecker and Compton moved and seconded to close the public hearing for The motion carried.

on that parcel instead of county taxes Mr. Masterson thanks the Council and lets them know that they will be receiving city taxes

### Public Hearing:

# Additional Appropriation - Capital Outlay

City Building, 2nd Floor, 124 N Mi puth, Indiana immediately following onday, April 11, 2022, will consider so of the burget for the current yea so of the burget for the current yea Cumulative Capital Development. Capital Outley \$1,00,000,00 have a right to be heard. The addit ferred to the Department of Local of make a written determination as of make a written d	Inglate of the Council Chambers of the City Building, 2nd Floor, 124 N Miching place of the Council Chambers of the City Building, 2nd Floor, 124 N Miching at Street (Garro Street entrance), Plymouth, indiana immediately following the goard of Works meeting at 6:30 p.m., Monday, April 11, 2022, will consider the tollowing additional appropriation in excess of the budget for the current year. Fund Name:  Cumulative Capital Development.  Fund Name:  Capital Outlay  Amount:  Najor Budget Classification:  \$ 100,000,00  Amount:  Tayopyers appearing at the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the Department of Local Govappropriations as finally made will be referred to the peratriment of Local Govappropriate (LIGEP). The DLGF will make a written determination as to the sufficiently of funds to support the appropriation made within filteen (15) days of receipt of a Certified Copy of the action taken. Handicapped cilizens needing special accommodations for the meeting, please call the ADA Coordinator, 574-1936-2948.  Lynn Gorsti, Clerk-Treasurer
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Additional Appropriation for the Airport Hangar. The motion carried Board Members Houin and Milner moved and seconded to open the Public Hearing for the

that they had their first private hangar built at the airport in 2019. He states that private hangars are and when they did build it the owner had two aircraft. He states that since then they have sold them more common at airports then not. He provides the example of Warsaw which has more private hangars then they do hangars owned by the airport. He states that the Sherk Hangar was their first Airport Manager Sheley was here to give some background on this appropriation. He states

give the city the first opportunity to purchase the hangar if they did decide to sell it. both. He brings up the agreement that he had between the owner and the airport was that he would

hangars. He states that keeping in mind that from 2020-2021 the airport received three different year's estimate was \$710,000.00 for that construction. He states that of course that is not all on the where they will intend to build a hangar unit that will be about twice the size. He states that last down to help smaller airports. He states that between the Covid Acts and the infrastructure law in are commercial services which had big losses during Covid. He states that all that money trickles that keeping in mind whenever any of those were passed that it was to mainly help out airports that infrastructure law was passed and that had quite a bit of money in it to help out airports. He states that not to say \$710,000.00 is what they intend to spend in 2026 but they do intend to build more city. He states that it would be 90% on the FAA, 5% on the city, and 5% on the airport. \$200,000.00 sitting in their capital improvement fund received yet but is sitting there for use once there is a project for it. He states that there is also about been received and the bipartisan infrastructure law in January was \$159,000.00 has not been January the airport received a total of \$234,000.00. He states that \$75,000.00 of that has already funds from different covid acts that totaled \$75,000.00 and then in January the Bipartisan Sheley states that their capital improvement plan has been approved by the FAA until 2026 He states

project came up, he could use the money for this hangar which costed somewhere around \$85,000.00 this hangar for that amount of money. He wants the council to be aware that the Board of Aviation to construct in 2019. He states that they know they cannot build anything anywhere near the size of smaller projects he had decided to hold off on not knowing what would come up and so when this for projects and this year there were not any major project that he wanted to do and some of the for something like this then that is why he is coming before the Board to approve the transfer of Commissioners voted unanimously to purchase the hangar but since there was no money budgeted Sheley states that in previous years he had money from the cumulative capital fund budgeted

Councilmen Ecker asked for clarification on what the purchase price was for this hangar.

Ecker asked how many airplanes this hangar would accommodate

responded with \$100,000.00

spend money next year to put electricity in it but he has actually already found an itinerant who is electricity in it so there were no intentions of renting it out this year. responds by saying that they could put around three in there but right now there is no He states that his plan was

having electricity that he is interested so he may have it drawing rent for us fairly soon has expressed interest in renting part of it out. He states that even with the knowledge of it not interested who has a home in Culver but lives in Atlanta and comes back and forth quite a bit who

Ecker asks if the monthly rent has been established

Sheley agrees that it has

Councilmen Listenberger asks if the city currently owns the property.

negating that lease as well they do lease the property. He states that part of this contract when purchasing the property is to do to meet funding every year. He said that it is a very common but very minimal amount that states that the FAA has these types of considerations in their rules and regulations on what they have Sheley says that the city currently owns the property and leases it at a very reduced rate. He

ownership of the city or the Aviation Board 50-year term and at the end of that 50-year term the building would reverted automatically back to and the terms of the lease allowed the tenant to construct a building which he had the use of for that has allowed for the state code to enter the long-term land lease. He states that it was a 50-year lease City Attorney Surrisi states that about 7-8 years ago the Council adopted an ordinance that

work. Surrisi agrees and states that there won't be any transactions in land that go through any title Councilmen Houin states that technically this is about buying out the remainder of the lease.

for the Additional Appropriation for the Airport Hangar. The motion carried Council Members Ecker and Listenberger moved and seconded to close the public hearing

### Public Hearing:

Vacation of a Portion of an Alley Between 114 and 110 S. Liberty St.

"Street Pursuant to Indiana Code § 36-7-3-12, a hearing on the petition is now scheduled for the Common Council's regularly scheduled meeting on Monday, April 11, 2022, at 6:30 p.m., 124 N. Michigan St. (Garro St. Entrance, Second	Notice of Public Hearing City of Plymouth, Indiana Vacation of a Portion of an Vacation of a Portion of an Alley Between 114 and 110 S. Liberty Street The Plymouth Common Council has received a petition from property owners Audrey and Phil Blessman requesting the vacation of a portion of an alley between 114 and 110 S. Liberty	116 Legals
on St.	Floor), Plymouth, IN 46563. At the hearing, any person aggrieved by the proposed vacation may object to it as provided by Indiana Code § 36-7-3-13. After the hearing, the Common Council may by ordinance, vacate the public alley.  Indiana Code § 36-7-3-13. After the hearing, the Common Council may by ordinance, vacate the public alley.  Indiana Plymouth Common Council the Lynn M. Gorski, Clerk-Treas-ley urer  March 30, 2022 PN333508 hspaxip	116 Legals

the vacation of a portion of an alley between 114 and 110 S. Liberty Street. The motion carried Council Members Culp and Compton moved and seconded to open the Public Hearing for

were on the teams meeting along with their attorney Michael Carmen, who he understands has been and the Blessmans consider that. He states that he was wanting to set the stage with that and turn it over to Mr. Carmen would advise that they should show up and proceed as planned unless the Council was willing to something that he would be inclined to make any agreements to or recommend to the Council that he that there were a lot of interested parties that had already made time to attend tonight that it wasn't Carmen and was requested to continue this hearing at a later time. He states that because he knew recently engaged by the Blessmans. Surrisi states that he was reached out to this afternoon by Mr. City Attorney Surrisi wished to briefly prep the Council by stating that Mr. & Mrs. Blessman

the inconvenienced parties but he claims that nobody has been more inconvenienced than Audrey and records to get background of what is going on. He states that he understands that the issue with contacted him and that he has had a limited amount of time to try to pull together a lot of documents "bad network quality." He then asks if anyone can hear him okay has as to what is going on. He states that he is getting a message on his phone right now that says Carmen introduces himself as an attorney and Audrey Blessman had just recently

Mayor Senter says that he can hear him fine

some inconvenience to everybody but he doesn't believe there is a need to rush this to his together information and he would ask that this be delayed for a period of time to allow for better opportunity to pull that. He states that the issue with the fence blockage as being an urgent consideration will disappear order for the fence to be removed and there is a date for that and Mrs. Blessman will comply with knowledge. He states he is sure that the city is aware that prior litigation that has resulted in court He states that it would make for a better meeting and that he understands that delaying would cause more thoroughly some background information regarding easements and some of the deed records Mr. Carmen states that he would really like an opportunity to research a little bit better and

At this time the call had dropped

The room was silent for a portion of time

Surrisi states that they are still trying to connect.

The room fell silent again

applicants here if there is any reason that they can't just withdraw the application and resubmit it at a will be abstaining from this discussion. He states that procedurally since the Blessman's are the later date when they are prepared. Councilmen Houin states that since they are still in public hearing and he clarified that he

obliged to. Teams. He states that in the memo he shared with the Council that he believed legally the Council He states that he will share this information again once everyone is back on Microsoft

The call reconnected

Surrisi asks if Mr. Carmen can hear him. Mr. Carmen says that he can

another petition at another time or limits consideration of petition. He states that is all he has to say the petition and as he reads the statute that there isn't anything that prohibits them from advancing states that he is unaware if he can answer that there is anything to prevent them from withdrawing that as a matter of practicality that it would be best to hear the petition and then dispose of it. He given their plans to create a sidewalk and that would block off the entryway to the North. He states that it vacating the alley would leave the neighbors that filled complaints without satisfactory access Board that his view is that they have no discretion to grant the petition given the statutory provisions share just as a matter of convenience and economy of proceedings here that he would Council the petition and thereby depriving the Council of the ability to take action on it that he was going to his client's petition if there is anything procedurally that would prohibit him from withdrawing the be abstaining from any vote due to conflict. He states that he had brought to his attention since it is for clarification. He states that when Mrs. Blessman was here before the Council that he is that he is going to answer a question that from Councilmen Houin and he will share what was asked on the matter Surrisi states that they lost the connection just a moment ago and asks if he does not mind

Clerk-Treasurer Gorski states that there will be fees associated with it again.

at a later date. letters that would be required to be paid again by the petitioner if they were to withdraw and pursue Surrisi states that there are fees associated with it in terms of a filing fee and mailing certified He states that with that said the floor is back to Mr. Carmen

declining to continue this Carmen believes the understanding after hearing what Surrisi said is that the Council

Surrisi states that is up to the Council but that was his recommendation

from any further discussion. He adds that what he asked was a procedural question and that was all. for their consideration if they were willing to entertain the motion to continue the hearing or if they Surrisi states that since they had moved to continue the hearing that it would be the first step Houin reclarifies that was everything that he had wished to state and that he is abstaining

Councilmen Listenberger asks for clarity if it was Surrisi' recommendation to continue.

would like to proceed as scheduled

Surrisi reclarifies that it is to continue as scheduled not as to continue as delayed

Surrisi and Listenberger both say not to delay.

Councilmen Compton and Listenberger moved and seconded to continue the meeting as

Mayor Senter says that they can't make a motion during a public hearing

Surrisi asks if there is a consensus to continue

The Council agrees.

but it sounds like there is a consensus to move forward Surrisi states he is unaware if there is a prohibition or not on voting during a public hearing

remarks. He secondly would like to respond to Surrisi' comments a few moments ago about denying just a moment and introduce herself. He states that after it will come back to him for some more Audrey is there and if she can open up her call. will address that after Audrey's remarks. He states that she is out of state at the moment. He asks if access or taking access away from parties and he believes there is a misunderstanding there but he charts, and some visuals to help put everything into context and he will ask her to take charge here background and Audrey is trying to pull together history of the property with leases, deeds, maps Audrey Blessman for some comments and remarks. He states that there is a lot going on in the Mr. Carmen states that his name is Mike Carmen. He states that he will soon hand it over to ın.

Mrs. Blessman says hello. Mr. Carmen says hello back

had gone out of order. She states that normally they would receive a petition that they would have a very different circumstance where she had come to them and they were all surprised because things states that she knows that they do it anyway. She states that the last time they saw one another was in since the start of the meeting. She wants to start off by saying thanks for having this meeting. she can't get her presentation to work and it isn't working. She states that she has tried to get it work Mrs. Blessman greets the Council and adds that she is having technical difficulties there and

already and they would have time to actually think about and preparation for someone that comes know what else to do. She states that she was given a fence permit and just thought it was fair to at a comfortable thing to have a citizen come forth and talk about errors that have happened in the city that it is important to have an opportunity to at least be heard. She states that she is aware that it isn't feels strongly about their property and that it is being misused right now but not right now. to go through what she had experienced in terms of having to tell her neighbors herself that she has whole situation had been really bad. She adds a just awful experience and that nobody should have important for her to know that she will have due process and that her experience so far with this for her possibly doing something that could have jeopardized how they view her. She states that it is didn't really understand that it would have been so shocking to them so she just wanted to apologize before them. She states that one of the reasons that she had come before them was because she didn't messenger to be killed has handled their property and how the city has handled their easement. She just doesn't want the but she really hopes that they think about this presentation that includes concerns about how the city least talk with them first. She states that she didn't know anything about how things work and she permit. She adds that Surrisi had apologized for leading them down the wrong path but she everyone to know that it had been an extremely difficult process for them and because she She says

will be able to show some images that will help to reveal how it is not true that they cannot have an an egress or ingress. She states that this is absolutely not the case and she is unsure where it comes thing she wished to address upfront was that there was this notion that an ADA sidewalk precludes citizen would be careful or would care if an error has been made to the city. She states that another that she communicates with that don't reflect poorly on her. She hopes that the Council and any the fire hydrant and it will be even wider than it is now. She states that the grade is one that will not exit there. She states that in fact the space there will be widened because the sidewalk will go behind from. She states the idea that there is a problem there but as soon as her presentation opens up, she a problem for installing a drive. She states that first of all that is important to note Mrs. Blessman believes her phone is working now. She talks to someone in the She wants to apologize for the last time she was here and she is hoping that any problems background.

presentation means anything if the Board believes there is no opportunity for a gravel road for to She states that the other thing that is very important to note is that Surrisi has made reference because she is document says abandon existing drive. having technical difficulties. She wishes to state upfront that none She states that she is going to pause

about this gravel road. She states that first of all when Surrisi mentioned that it said the document about how her easement has been abused and how now there is opportunity for them not to have that everyone to use that is on the parcel that the city owns now. She states that her presentation is all replacing and not using. She is hoping to show them once her presentation opens up this or that. She states it is all about what is to be removed and basically what they are going to be area on the document reference concrete being removed. She states remove this sidewalk, remove states that it only says abandon the existing crushed concrete. She states that all the references in that two prongs point to that. She states that it doesn't state abandon drive as in abandon the road. She front garage and a back garage. She states that his front garage has split concrete drives and those two cement segments that used to be from the front driveway of Tony Ross. She states that he had a says abandon existing drive. She states that document has two prongs and it specifically points to the burden anymore and that injury. She states that they have to get down to the point where they agree

on this but they are having difficulties with that presentation on her phone. She asks if anyone knows how to share a presentation or share her screen She messes with it for a second and states that it doesn't seem like she can share

an ADA sidewalk saying the gravel road can't be worked out because they can't believe that an egress can't work with She states that first of all that is one thing and asks Surrisi if that is the reason why they are

are deciding about whether this fence should stay up that is blocking the paved alleyway Councilmen Compton asks if they are even deciding about a gravel road, he clarifies that

should the Board choose to vacate the alley, because it would block off reasonable access for the primary thrust of the petition is whether or not to vacate the access easement over the Blessman's fence, and that it was already addressed by the court and the court ordered by the 30th of April that not want to vacate the existing alley regardless of the rational to that neighbors. He states that they wouldn't have to get to that if they were just going to decide they do further argument that he argued under the statutory provisions that they do not have the discretion, property for the existing paved alleyway. He adds that this is only relevant to the extent that his the Blessman's should remove that or if not by then the city can remove that. He states that the Surrisi states that there are two parts there. He states that they are not deciding about the

the easement and the foot traffic on their private property stopped is because of the expressed agreement states that if the matter that it is being used is not consistent with what it was dedicated Blessman states to Surrisi that her and him know that their whole entire request to

didn't have a problem with it and that was absolutely a testament to the fact that the gravel road was made a fence petition in the first place the city and every single department chair in the city said they thing is predicated not entirely but almost entirely on that gravel road. She states that when they had for then they can ask for it to be vacated and they should get the land back. She states that the whole that it is not necessary but he has to make that comment. fact he had made a promise in an email that he would even modify the design if necessary. She adds going to be used. She states that the gravel road was going to continue to be used and states that in

that she is trying to think how she can share her screen Mrs. Blessman states that she is very upset that she cannot share this presentation. She says

A person on Microsoft Teams states that she is sharing it.

She responds by saying what

she needs to go The person on Microsoft Teams says that she is sharing it right now and tells her to go where

She replies by saying that she is so sorry and states that hopefully this will work

She states that she hopes everyone will be able to hear this

The crowd in fact did not hear it.

and that she is trying to get the volume to work. She restates that she is trying to get the volume to she was giving some background on the house. She tells everyone to hold on for one second please She states that the volume on her phone is not working. She states that she can probably say what she was saying about the images. She states that

saying verbally. She states that this is really stressful for her She starts the video over from the beginning and states that she will try to share what she is

Mr. Blessman comes in to try to fix the audio

She states that she wants the audio better

on the narration She states that she is so sorry for the technical difficulties and that she will try to do her best

and it is a duplex She shows a picture of the home in question and says that this is 114-116 S. Liberty Street

Mr. Blessman tries to help and she tells him to hang on

that now they live on the side her in-laws use to live on and they now rent out the side they use to father-in-law and they lived on one side while her and her family lived on the other side. She states that the house is a duplex and they bought it in 2004 with her mother-in-law and

helps preserve it. She adds that they do everything that they can to make it an estate and a beautiful they do so many repairs. She states that it is something that they love and working on this house that even though it is a business that they do not really make money on this project at all because occupy. She states that it means that her house is not just a house but rather a business. She states place to visit. She states that those who know her well know that she is really invested in the house and she does everything that she can to fix it.

out. She pauses to tell Mr. Blessman that it is hard for her to listen to herself and asks him to step

where they have their home. She states that they also have a pretty strong tie with Culver here and that she loves Germany but Indiana is where she feels at home. in Germany with her kids and family. She restates that her heart is in Indiana but she is an import Indiana and that is just where she is. She states that she is a bicultural family and right now they are She states that she does everything that she can to fix it up and her heart is completely She adds that it is

this isn't working. She tells everyone to hang on. history. She remembers her dad telling her... she stops the recording and apologizes and says that both taught for 10 years. She states that he was a football and business coach and she taught art She restates that she has a strong tie to Culver Academies and it is where her and her husband

presentation

She asks Mr. Blessman if he can get her some headphones because she can barely hear her

She states that she will zoom forward and hopes it works

She states that she doesn't know what is going on with her recording

somebody wants a hair salon, well she wants an art studio for art in her house. She adds that she her students, teaching, and she loves Plymouth. She states that it was always something that she would want to teach lessons on art in her house. She states that it means so much to wanted to combine and her dream is to have a studio in their house. She states that you know how would never work a day in her life and she absolutely loves the house and working on it, fixing it, She states that her dad told her when she was a kid that if she did what she loved that she

important to her states that she is still trying to get it to work but wants to give everyone an idea of what

lot. She states She states that is one of the reasons that she really wants privacy. She states that she would also like states that she also values that her side yard, back yard, and every yard was open and exposed her to privacy a lot of that comes from living as a child on a corner

privacy for her tenant and anyone else who comes to the house to visit and that it is important to her. her house is not just a house She states that it is also important because the easement is not being used as intended. She states that

She states that she hopes that she will have a headset soon

Mayor Senter asks Surrisi if there is a point where the meeting has to progress

direct it along Surrisi states that he is in charge of the hearing so it is whatever he would like to hear

Mrs. Blessman gets some headphones and states that it was just her intro

She states that she has a deep love for that house and a deep love for Plymouth.

She says something to her husband in the background

Mayor Senter states that there are others in the room that have a chance to speak as well.

she wants due process and that this is very important to her. She states that she appreciates that but she states that they are talking about her property and

that he apologizes but he can't follow her and that it is very difficult on their end is not working. He says that he changes his mind about continuing this at a later date. He states Councilmen Listenberger states that at this point she thinks she needs to be present and that

Listenberger asks if they can do that

a couple of points about the action before the trial court was that one of the findings the judge made on that decision has expired. remains valid so that idea has already been litigated and decided by the court and the time for appeal was that the public right-of-way for an alley over the north 12-feet of the Blessman's property Surrisi states that it is up to them but he would like to restate what he said before and clarify

Compton asks if he is talking about the paved alley

go through a public hearing public hearing in order to do it. She states to Surrisi that he cannot just write a letter that they had to that they did not have that option. She states that they said that she would have to go through the from the judge. She states that they can still have their alley vacated. She states that he did not say vacated by a letter from the city and that it does not. She states that Surrisi has a copy of the email Mrs. Blessman states no and that what the judge said was that they cannot have the alley

Mayor Senter restates that other people would like to speak

Mrs. Blessman spoke about the idea that use of the alley was not being used as intended and perhaps Surrisi states that he would like to real quick clarify the point that he was making was that

it clear that it hadn't gone away and the only way to make it go away would be through this process because of that the right-of-way easement had gone away and he was saying that the court had made

Mayor Senter welcomes Mr. Jones to the stand

of that obstruction pending a resolution of this matter. He states that if the council were to set a time obstruction of the alley and in a request to the continuance the attorney said they would free the alley behalf of Garden Court East and its residents. He states that one of their main concerns is the current have a hearing on the vacating of the alley. He states that they need to have that alley cleared now. critical. He adds that it is certainly asinine to continue as they are this evening with this attempt to limit, he suggests two days, to get that alley cleared then the final resolution does not become Fred Jones comes up to the stand and introduces himself as an attorney here in town here on

they would be willing to continue the request prejunctional hearing or the trial indefinitely until she is still another couple of weeks the fence. He knows that it will be cleared one way or another by May 1st or soon thereafter but that this petition or reset this at any time in the future if they would be agreeable to allow them to clear fence in the meantime and that the city would still be happy to do that with city staff and continue had time to obtain council if she would agree to allow the city, at the cities expense, to remove the with that and this offer was made to the Blessmans at the time this litigation was pending that Surrisi wished to add before Mr. Carmen or Mrs. Blessman chime in that he would entirely

Mayor Senter calls another person to the stand and asks for their name and address

Mark Honer: 110 S. Liberty Street

get them the neighbor's sidewalk there. He states that it has made it near impossible for him to get from his that it has made it hard for them to care for their lawn and during the winter he also year-old was sick with a 102-degree temperature. He states that he called his doctor and was able that it has made it more difficult for them and they have already run into a situation where his fivestates that they are one of the folks to get a survey and not everyone else did apparently. He states has made it hard for his family personally since the fence extends onto part of their property. He already pointed out is that this has created a mess and inconvenience for everyone. He states that it Blessman family. He states that right now as he is sure everyone else is aware that the Surrisi has Mr. Honer introduces himself and states that he lives in the yellow house right next to the in but he has a fence blocking them on one end and on the other end he had five utility states that fortunately he spoke with the utility folks and by the time he had cleared out but this has obviously just created an inconvenience to them. helps clear adds

there but he appreciates everyone hearing him on this back yard to his front yard. He states that he understands that there are a lot of tensions going on

# Angela Leary: 106 S. Liberty Street

built for the amount of traffic going through there. She states that she doesn't know if any of the states that with the blocking of the alley that traffic has obviously increased down Laporte Street lived there for eleven years and over eleven years they have watched Laporte Street change. She alley. She states that the city plows it because if the city had not come through that day that there to vacate the alley. She states that had this been blocked when a fire happened in 2018 during the have wheelchairs on the backs of their car to get to their homes. She states that the Blessman's have that they are expecting people to drive through there to go to Garden Court who are disabled and entire neighborhood has felt. understand that it is her property but she has not one time factored in the stress and discouragement inconvenienced person, she adds that nobody was ever approached or never asked and that she that her back yard floods too. She goes back to Mrs. Blessman's earlier statement on being the most your street every time that it rains flood because the traffic has eroded the road so bad. She states and none of them can access it. She states that it is frustrating to live in that neighborhood and watch since October is ridiculous and that they have an entire neighborhood that relies on that easement would not have been any fire hydrants for that fire. She adds that the fact that this has been going on winter would not have made it back to that building. She states that it is a question of who plows that Board had driven down that street but she states that there is a two-foot drop in that road. She states She states that the street was a dead end eleven years ago when she moved in. She adds that it is not that she has caused her neighbors. She states that she would like to voice the frustration that the She states that she is right on the corner of Laporte and Liberty. She states that they have

Mayor Senter states that he appreciates her speaking on this.

# Zakaria Webster: 512 E. Laporte Street

on her end then maybe an apology for her might be necessary. He adds maybe to the end of that end alley not so dead end. He states that if there is something going on at the entrance to the alley that the first is the gravel road and he is in favor of that staying open. He adds that it makes a deadto the city heads and city attorney and if this had been an issue that was caused by confusion He states that there are a couple things that he can agree with the Blessman's on. He states can drive post office to sign around and states that it is nice. He states that if what she said in her letter that he for is true about everything that she had to go through

are two or three manhole covers that you can clearly see. He adds that there are electric poles disagreements he doesn't know why she didn't think there was any use in the alleyway since there seconds matter. He states that she could be causing the life or death of someone He states that he has seen his fair share of ambulances come through and that when they are called one last thing is that the fact that the Garden Court residents need an ambulance to get through there. written a note and stuck it in their mailbox. He adds that those exist for a reason. He adds that for himself and nobody else received anything. He adds if it was that difficult that she could have also mentioned that she did her best to share the news and it is very difficult to do. He states that trying this method. He clarifies if she would be trying to block off that alleyway. He states that she that as she noted in her letter, the former property of 500 E. Laporte Street, if she would still be collected down that alleyway. He states that he remembered taking it out for his grandpa. He states you can clearly see. He states that not to mention that it was not that long ago that trash was her for the inconvenience that she had brought upon everyone else. He states that for his statement. He states that for everyone else in the neighborhood, that they would like an apology from

## Billi Miley: 516 E. Laporte Street

that she said that she was interested in buying a strip to remove her fence to make good with her anything of it. She states that she goes to work a few months later and sees a letter on her windshield she told her that she wasn't interested and thought that she was slightly crazy and didn't think funny at all neighbor. She states that she doesn't know why Mrs. Blessman is laughing but she doesn't find this wiper. She states that it was from Mrs. Blessman asking to talk. She states that when she called her one night wanting to buy the parking area in her back yard that runs along the alley. She states that She states that Mrs. Blessman had reached out to her by knocking at her door at 9:30 at night

Mayor Senter asks Surrisi to explain what will happen when the footbridge is finished

that from his understanding in the memo that he had provided to the Board that one plan document that the road will be partially blocked which will block the gravel road by process and was put out to bid in January and that project was awarded to Laporte Construction that has gone through many years of planning. He states that it has gone through all the planning an Indiana Department of Transportation funded project that the city was awarded back in late 2017 Company and they Surrisi explains that it is his understanding that the East Laporte Street Footbridge Project is going to begin work soon and be done around late Summer or Fall. He states was that on page

since they are not designed for that and that it will break them down. new sidewalk. He states that obviously it will not be ideal to have continued traffic over sidewalks

# Phillip Martin: 506 E. Laporte Street

that is going to make more people crowd the corner of his property even more then that is not tire tracks go right across the corner of his yard. He states if a sidewalk is going to be to this day you can see the corner of his property which is clearly marked by surveyor posts and see Ross's empty lot drove over the corner of the fence. He states that he has yet to replace the fence and him to not bother putting the split rail fence back up in the front yard since everyone that uses Tony property. He states that when he bought that house three years ago that the previous owner warned that lot open since traffic from the non-typical residents of Garden Court drive over the corner of his He states that he is the neighbor of the empty lot. He states that he is not in favor of having put in there

Mr. Carmen wished to speak again

part of the record now and will not be part of the record if they were to not continue. He states that request to continue. regarding the petition fine but if they decline then he has a couple other statements he would like to make on her behalf worked out and finish her presentation. He states that if they don't want to do that then that would be He wishes to continue this at a later meeting so that she can get some of her technical difficulties presentation. He expresses that there is some information there that he thinks the Board should have. technical difficulties are still a bounty and he regrets the difficulty Mrs. Blessman had with her who wish to speak but certainly the comments and the matters which people wanted to address are He states that after he heard Fred Jones speak that he might see a reconsideration of the He states that there were concerns expressed earlier and there may be others

anticipated that the city staff is just going to have to remove that fence anyway after the 30th. He continued at another date since there would not be so much urgency to address it right now states that if there can be an agreement made tonight to allow the city staff to what her travel plans are or if she is going to be home from Germany before the 30th or if it is recommendation if the fence was cleared sooner rather than later. He states that he doesn't know contingent on if the existing alley can be freed up and he would be willing to change his Surrisi would like to add on that note that with what Fred Jones had said that this is really would certainly change his recommendation to the Council and say to go ahead and clear that freely allow this to

be done by the 30th as ordered, but if they are looking to do it earlier and want permission to do that asks if what he is saying is to go ahead and expedite that sooner rather than later, even though it will then Mrs. Blessman will have to hop on and say otherwise because that sounds agreeable Blessmans will remove the fence since it is under court order and they will comply with that. He Mr. Carmen agrees and states that is what he intended to say earlier. He states that the

Mrs. Blessman states that is agreeable

here came and said their part Compton states that he does not want to stand up this meeting since all these people who are

Mayor Senter asks to get out of public hearing and make it into a vote

have a few more comments. Surrisi states to Mr. Carmen that he said if it was not their decision to continue then he would

Mr. Carmen states that he will be brief if that is where they are

is not the vacation of the alley that will do that but it is the city's decision apparently to close another should you. He states that he would disagree with what Surrisi stated earlier about vacating this alley information had come to him that caused him to change his opinion on the fence. He states that in engaged played a big role in this. He states that as Mrs. Blessman had acknowledged before that it fingerprints over all of this. He states that he is an engaged attorney for the city and by correct and apologizes that they helped contribute to that. He states that in many ways it has Surrisi they should consider. road access. He states that will cause the access problems, not closing a 12-foot alley and he had will create access problems for certain properties. He states that it is clear form his statements that it which are particularly relevant for the Board's consideration. He states that the question here is why letter to the Blessmans about what has happened, there were several statements that he made in that was made very clear that he acknowledged what he said and did before and wonders what He clarifies that the alley is one way traffic only. He states that is one of the practical reasons why heard a lot of comments about access difficulties on a road that is much bigger than a 12-foot alley Mr. Carmen states that this hearing sounds like it has turned more about Surrisi and that isn't being

Superintendent and maintenance records that the city was not exercising any rights or ownership ownership of the historical lack of maintenance to the alley reported to him by the Street Superintendent. The cities Mr. Carmen states that regarding issues to the fence permit that it was based upon the cities regarding ownership of the alley and the deed through property which shows alley. He states that in other words from Surrisi' own research that the

over the control of this alley. He states that this is mainly found out by research done from neighbors making and he would like the city to vacate the alley and leave the utilities in place and focus on the decisions for the citizens. He states that the Blessmans are deserving of that same good decision considerations. He states that making good decisions for the city also involves making good the effect of closing that and what it means to the property and those are all appropriate like to ask them to do that. He states that Mrs. Blessman had much more to say about the privacy and He states that they are not affected at all by the vacation of the alley as an access road but he would thought it had to begin with. He states that vacating the alley does not affect the utility easements used this as an alley and not maintained it so it is being asked to vacate something that it never or other parties but not out of city records but out of someplace else. He states that the city has not better road for connection which is the existing stone road at west end of this that connects to

historical errors that made reference of the alley then omitted from the ownership documents through argument that there would be residents of Garden Court. He states that this gravel path was already there and it would make sense Mrs. Blessman's favor then of course they would have to allow for some manor of entrance to the that was in the context of while the litigation was still pending and should the court have ruled in he did make statements to the extent to Mrs. Blessman that they would improve it if necessary and never the intent to utilize it as an alley. He states that they have since improved it. He does state that states that they had basically inherited the gravel and they never accepted that into alleys and it was believes the gravel was there originally to allow for a construction entrance and to avoid erosion. He there to demolish the home and there to improve river bank stabilization. He states that is why he they had already put gravel on the property to facilitate their efforts since there was heavy equipment residence that was granted to the city by the county. They state that by the time they had obtained it that is listed in their catalogue of streets or alleys but rather that it is something that was a private gravel path that he would just like to clarify that isn't an existing alleyway and it is not something his level of research is what facilitated this whole chain of events. He states that in respect to the make it into an actual alley. He said that the improvements made were widening it and adding Surrisi wished to raise two points of rebuttal. He states that he has acknowledged gravel while the litigation was still pending because it was burdened by Court residents and they diminished access wished to or the facilitate that. He still believes that his Garden Court residents would be landlocked

path is not an alley but it is just a city property no different than the park if the city were to vacate the existing alley would stand because for all intensive purposes the gravel

in Berlin and he is unsure if she works in Germany as well but he wouldn't call that a residence of Plymouth since they both live in Germany. He states that he knows Mr. Blessman works for a school Compton states that he is a little disturbed that they keep referring to them as residents

Mrs. Blessman said she spent six months here

something she may want to look into when seeing if that is appropriate but it has been homestead exemption since they moved to Germany in 2014 slightly surprised him considering your main residence would be Germany. He states that is looking at the GIS that it has that as getting a homestead exemption for that property as well which the property and he walked by many times and it is still blocked off. He states that when he was Compton states that when he was looking at the documents and went onto the GIS to look at

and restates that they are residents of Plymouth. Plymouth. She states that she was there for 8 months last year. She states that her kids come over there in March and states that they have two places where they can go but her house and residence is is that she has been sick. She states that she would be in Plymouth right now or would have been She states that she lives in Plymouth. She states that the only reason that she is not there now

even touching the actual alleyway injury. She states that it is absolutely normal and that it is really interesting that people who are not states as Surrisi stated she was lead down the wrong path. She states that normally you would have communication that she made. She states that by the way it is obviously an unusual situation. She get letters to. She states that those were people who were touching the alley so that is the She also wants to state that first of all she gave letters to the people in which she thought she had to presentation that she worked at least 10 hours for. She does want to show the Board some images. this is how they get to talk about property. She asks if she is going to be able to show her go through this process and that there is nothing wrong with somebody wanting to look at their She states that she is confused that this is the hearing that she gets to have. She wonders if She states that the agreement the city made with her predecessor and ask for relief of are making comments about not liking the traffic on the public

even the Blueberry people here could if they want to Mayor Senter states that anyone in this room right now can make a comment. He adds that

present it to them from that end. She states that she also has something that she is unaware if they this is not due process for her, and she thinks that is really important that she should be able to show She states that she did not get to present her presentation. She states that it has not been heard, that agreement with the use of this easement. She states that she does want to show them a photograph. the city street. She states that all of the previous back and forth went on her property which is not in her presentation one way or another. She asks if she can email it to somebody and have somebody believe that anyone knows how much work she put into it and how important it is will be able to see or not. She restates that it is her turn to show her presentation and she doesn't She states that it is totally fine but her complaint is that they are upset that there is traffic on

motion to close the public hearing. He apologizes for not seeing the gentlemen at the front who still wished to voice his opinion obviously it is not working tonight. He states that he thinks that it is time for someone to make a Mayor Senter states that they would be more than happy to look at her presentation

Steven Schoberg: 120 S. Liberty Street

states that at some point she is going to rent it out or can rent it out. He states that means additional apartment in that duplex and he knows that she did want to move another garage into it and that is since then it has been worked out. He states that he does know that she has been making another had their fair share of disagreements, and he states that the major one involved the property line and that is important. He states that from what he had gathered is that Mrs. Blessman and himself have say may or may not be pertinent because they do not use nor never have used the alley and he thinks cars. Mrs. Blessman tries to get Mr. Schoberg's attention. He states that is all he has got to say limited parking if there is a third apartment even if she intends to use it for family or herself. He why she needs the alley. He states that what concerns him the most is that it is a duplex and there He states that he is on the south side of the Blessman's property. He states that what he has to

hearing. The motion carried Council Members Listenberger and Compton moved and seconded to close the public

presented. The motion carried by roll call. Portion on an Alley Between 114 and 110 S. Liberty Council Members Ecker and Compton moved and seconded to deny the Vacation of Street from the Audrey and Philip Blessman as

favor: Compton, Culp, Ecker, Listenberger,

Councilmen opposed: Non-

Councilmen abstaining: Houin

Councilmen absent: Longanecker

second reading of Ordinances of the City of Plymouth Concerning Adoption of Personnel Policy Reference on City Attorney Surrisi presented Ordinance No. 2022-2192, An Ordinance to Amend the Code

## **ORDINANCE NO. 2022-2192**

# AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PLYMOUTH CONCERNING ADOPTION OF PERSONNEL POLICY BY REFERENCE

## Statement of Purpose and Intent

incorporates a revision to the vacation policy. The purpose and intent of this ordinance is to effectuate the proposed additions and deletions to the City Code adopting the newly revised Personnel Policy, which

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

Section 1. Title III, entitled Administration, Chapter 35 entitled Personnel Policies, in the Code of Ordinances of the City of Plymouth shall be amended by making the following additions and deletions to §35.01 ADOPTION OF PERSONNEL POLICY BY

- (A) The Personnel Policy, as attached to Ordinance No. 2019-2149 2021-2192, passed June-24, 2019 April 11, 2022, is hereby adopted as the Personnel Policy Manual for the city.
- (B) All department heads and city employees are hereby directed to implement the policies as contained in the Personnel Policy Manual. All employment relations are to be managed in accordance with the Personnel Policy Manual, with the exceptions as noted in said manual
- provisions of the Personnel Policy Manual are hereby repealed, revoked, rescinded and held for naught. Any additions, modification, or deletions to this Personnel Policy Manual shall be done by an ordinance to amend the Personnel Policy Manual and 2019 April 11, 2022. Any ordinance, directive, or employee rule in conflict with the (C) All directives, executive orders, and ordinances heretofore in effect on any subject mentioned in any prior Personnel Policy Manual are hereby superseded by the Personnel Policy Manual, attached to Ord. No. 2019-2149 2021-2192, passed June 24, therefore shall require Common Council approval by majority vote
- Section 2. A copy of the Personnel Policy Manual entitled "City of Plymouth Employee Handbook," which is adopted by Section 1 above, is attached hereto. For ease of reference, the newly amended sections are highlighted throughout.

and publication if required by law. Section 3. This Ordinance shall take full force and effect upon passage, due attestation

PASSED AND ADOPTED this // day of

Mark Senter, Presiding Office

ATTEST:

Lynn M. Gorski, Clerk-Treasurer

Presented by me to the Mayor of the City of Plymouth, Indiana on the 11 H day of April , 2022, at 8:30 o'clock om.

Lynn M. Gorski, Clerk-Treasurer

Approved and signed by me this

Mark Senter, Mayo

An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning Adoption of Council Members Houin and Ecker moved and seconded to adopt Ordinance No. 2022-2192,

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

Personnel Policy Reference on second reading. The motion passed by roll call.

Councilmen opposed: None

Councilmen absent: Longanecker

of Ordinances of the City of Plymouth Concerning Adoption of Personnel Policy Reference on third City Attorney Surrisi presented Ordinance No. 2022-2192, An Ordinance to Amend the Code

Personnel Policy Reference on third reading. The motion passed by roll call An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning Adoption of Council Members Houin and Ecker moved and seconded to adopt Ordinance No. 2022-2192,

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

Councilmen opposed: None

Councilmen absent: Longanecker

Festival on second reading of Ordinances of the City of Plymouth Concerning Alcoholic Beverages During the Blueberry City Attorney Surrisi presented Ordinance No. 2022-2193, An Ordinance to Amend the Code

## **ORDINANCE NO. 2022-2193**

# AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PLYMOUTH CONCERNING ALCOHOLIC BEVERAGES DURING BLUEBERRY FESTIVAL

## Statement of Purpose and Intent

alcoholic beverages within Centennial Park during the festival. The purpose and intent of this ordinance is to effectuate the proposed amendment to the City Code to allow the directors have suggested that the festival could be enhanced by the addition of a beer garden or other similar regulated area from which alcoholic beverages could be dispensed for consumption within the area. Presently, the City Code prohibits any possession of Festival programming. festival organization to operate an approved beer garden as a part of its Blueberry Currently, members of the Marshall County Blueberry Festival, Inc. board of

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

in the Code of Ordinances of the City of Plymouth shall be amended by making the following additions and deletions to §130.12(A) PROHIBITION OF ALCOHOLIC BEVERAGES DURING BLUEBERRY FESTIVAL: Section 1. Title XIII, entitled General Offenses, Chapter 130 entitled General Offenses,

approved beer gardens or other designated areas operated by Marshall County Blueberry Festival, Inc. This time period includes not only the days of the Marshall (A) It shall be unlawful for any person to possess an alcoholic beverage within the confines of Centennial Park during that portion of the year in which the park is leased to and occupied by the Marshall County Blueberry Festival, Inc., except for within for set up and the days immediately after the festival designated for tear down and County Blueberry Festival itself, but also the days leading up to the festival designated

and publication if required by law. This Ordinance shall take full force and effect upon passage, due attestation

PASSED AND ADOPTED this 出 day 0 Mark Senter, Presiding Officer 2022

ATTEST:

Lynn M. Gorski, Clerk-Treasurer

Presented by me to the Mayor of the City of Plymouth, Indiana on the 2022, at 8.30 o'clock 1115 day

, 2022, at 8.30 o clock o m.

Mark Senter, May

1/3

wm M. Gorski,

Clerk-Treasurer

Dorski

Approved and signed by me this

Council Members Houin and Listenberger moved and seconded to adopt Ordinance No.

2022-2193, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning Alcoholic Beverages During the Blueberry Festival on second reading. The motion carried by roll

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

Councilmen opposed: None

Council abstaining: Culp

Councilmen absent: Longanecker

of Ordinances of the City of Plymouth Concerning Alcoholic Beverages During the Blueberry Festival on third reading. City Attorney Surrisi presented Ordinance No. 2022-2193, An Ordinance to Amend the Code

Alcoholic Beverages During the Blueberry Festival on third reading. The motion carried by roll call. 2022-2193, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning Council Members Houin and Listenberger moved and seconded to adopt Ordinance No.

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

Councilmen opposed: None

Council abstaining: Culp

Councilmen absent: Longanecker

City Attorney Surrisi presented the CF-1's for tax abatements which is presented as follows:

- CF-1 PP Pretzels Inc
- CF-1 RP Pretzels Inc.
- CF-1 RP IWC Real Estate
- CF-1 PP IWC Real Estate 2020

CF-1 PP – IWC Real Estate 2019

presented. The motion carried. Council Members Compton and Houin moved and seconded to approve all the CF-1's as

Boundary of the City of Plymouth, Indiana on first reading Approximately 0.41 Acres of Real Estate Located Immediately Adjacent to the Northern Corporate City Attorney Surrisi presented Ordinance No. 2022-2194, An Ordinance to Annex

### **ORDINANCE NO. 2022-2194**

#### AN ORDINANCE TO ANNEX APPROXIMATELY 0.41 ACRES OF REAL ESTATE LOCATED IMMEDIATELY ADJACENT TO THE NORTHERN CORPORATE BOUNDARY OF THE CITY OF PLYMOUTH, INDIANA

## Statement of Purpose and Intent

The purpose and intent of this ordinance is to annex into the corporate boundary of the City of Plymouth the proposed territory owned by petitioner James D. Masterson.

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

Section 1. Pursuant to Indiana Code § 36-4-3-4(a)(1), the real estate legally described in the attached Exhibit A is hereby annexed to the City of Plymouth, Marshall County, Indiana.

Section 2. The approximate number of acres in the territory to be annexed is 0.41 acres, more or

Section 3. The territory to be annexed is owned by James D. Masterson, who has petitioned for voluntary annexation under Indiana Code § 36-4-3-5.1; therefore, no additional terms and conditions, pursuant to Indiana Code § 36-4-3-8, are provided as part of this ordinance.

adopted as a part of this ordinance Pursuant to Indiana Code § 36-4-3-8.5, no applicable real property tax abatements are

Section 5. The real estate legally described in Section 1 is hereby assigned to the First District for purposes of electing members to the Plymouth Common Council.

Section 6. The Clerk-Treasurer shall cause a copy of this ordinance to be recorded in the Office of the Recorder of Marshall County, Indiana; shall cause a copy of this ordinance to be filed with the Marshall County Auditor, the Marshall County Circuit Court Clerk, the Marshall County Voter Registration Board, and if applicable, the Indiana Secretary of State and the United States Office of Census Data. Further, the Clerk-Treasurer shall cause a copy of this ordinance to be published in the *Plymouth Pilot News* one (1) time with proof of publication being returned to the Clerk-Treasurer.

	er, Mayor	Mark Senter, Mayor	
	, 2022.	day of	Approved and signed by me this
	Clerk-Treasurer	Lynn M. Gorski, Clerk-Treasurer	
day of	Indiana on the	City of Plymouth, ockm.	Presented by me to the Mayor of the City of Plymouth, Indiana on the, 2022, ato'clockm.
			Lynn M. Gorski, Clerk-Treasurer
			ATTEST:
	Mark Senter, Presiding Officer	Mark Sent	
	, 2022.	day of	PASSED AND ADOPTED this

#### Exhibit A



Section Twelve (12), Michigan Road Lands East of the Michigan Road and on the East line of the Michigan Road; thence South along the East line of the Michigan Road a distance of Sixty (60) feet; thence East a distance of Three Hundred Fifty (350) feet parallel with the North line of said Section Twelve (12) Michigan Road Lands; thence North Sixty (60) feet parallel with the East line of the Michigan Road to the North line of said Section 12, Michigan Road Lands; thence West along the North section line of Section 12, Michigan Road Lands to the place of beginning, except that real estate granted to the Indiana State Highway Commission by a right-Commencing at the Northwest corner of the Northeast fractional one quarter (NE frl 1/4) of

East line of the Michigan Road, now U.S. Highway Number Thirty-one (31), Eight Hundred (800) feet; thence East One Thousand Four Hundred Two (1,402) feet; thence in a southerly direction on a line parallel with said U.S. Highway #31, a distance of Seven Hundred Eighty-two ALSO, beginning at a point on the South line of Section Eleven (11), Michigan Road Lands, a distance of Two hundred Forty (240) feet East of the Southwest corner of the Southeast Fractional Quarter (SE frl ¼) of said Section 11; thence in a Northerly direction parallel with the (782) feet to the South line of said Southeast Fractional Quarter (SE frl 1/4); thence West on the

section line a distance of One Thousand Four Hundred Two (1,402) feet to the place of beginning, expect that real estate granted to the Indiana State Highway Commission by a right-of-way grant. Situate part in Plymouth and part in Center Township, Marshall County, Indiana.

distance of 637.48 feet to said South line of Section 11, Michigan Road Lands; thence South 88-15-35 West 1089.57 feet to the point of beginning. said Southerly right-of-way line; thence North 85-55-50 East 227.54 feet along said southerly right-of-way line; thence North 79-35-39 East 173.85 feet along said Southerly right-of-way line 30; thence North 54-25-46 East 69.07 feet along said Southerly right-of-way line; thence North 26-29-12 East 267.73 feet along said Southerly right-of-way line; thence North 79-22-00 East 477.37 feet along said Southerly right-of-way line; thence North 79-22-00 East 477.37 feet along 15-35 East (record bearing) 550.00 feet along said South section line to the point of beginning: thence North 6-22-21 West 252.33 feet to the Southerly right-of-way line of U.S. Highway No South Half of Section 11, Michigan Road Lands, Center Township, Marshall County, Indiana, described as follows: Commencing at the intersection of the South line of said Section 11, to an established line of possession; thence South 6-41-50 East along said line of possession a Michigan Road Lands and the Easterly line of Michigan Road (100 feet wide); thence North 80-EXCEPT THEREFROM THE FOLLOWING DESCRIBED REAL ESTATE: A part of the

City Attorney Surrisi presented Resolution No. 2022-998, Additional Appropriations

Resolution.

additional money out of pocket. Airport Manager Sheley agrees Councilmen Ecker asks if this will cover the entire expense of that acquisition with no

budget to acknowledge that the 50-year lease will be no longer be applicable to the property Surrisi does state that there is a \$25.00 recording fee that will come out of their ordinary

Councilmen Ecker and Listenberger moved and seconded to approve Resolution No. 2022-

998, Additional Appropriations Resolution as presented. The motion carried by roll call

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

Councilmen opposed: None

Councilmen absent: Longanecker

### RESOLUTION NO. 2022-998

# ADDITIONAL APPROPRIATIONS RESOLUTION

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

Sec. 1. Be it resolved by the Common Council of the City of Plymouth, Marshall County, Indiana, that for the expenses of the taxing unit the following additional sum of money is hereby appropriated out of the funds named and for the purpose specified, subject to the laws governing the same.

Fund Name: Cumulative Capital Development Major Budget Classification: Capital Outlay TOTAL for Cumulative Capital Development	the same:
100,000.00	AMOUNT REQUESTED
100,000,00	AMOUNT APPROVED BY FISCAL BODY

Passed and adopted this 11th day of April, 2022.

Attest:  Att			z
arski			NAY
	The state of the s		Sombo
	*	The Branch	Miller

Skipping over Resolution No. 2022-1001 and it will be on the April 25th meeting

Project. Surrisi states that the executive director of the United Way and Marshall County Council of the City of Plymouth Pledging Financial Support for the Marshall County Blue Zones Community Foundation Linda Yoder is here to speak on behalf of the proposed Resolution. City Attorney Surrisi presented Resolution No. 2022-1002, A Resolution of the Common

## RESOLUTION NO. 2022-1002

### A RESOLUTION OF THE COMMON COUNCIL OF THE PLEDGING FINANCIAL SUPPORT FOR THE MARSHALL COUNTY BLUE ZONES PROJECT CITY OF PLYMOUTH

residents' well-being, and measurable savings in healthcare costs, productivity, and economic development. The purpose and intent of this resolution is to pledge financial support to the Blue Zones Project, utilizing a portion of the funds that the City of Plymouth received through the implementation period, Blue Zones communities have seen significant positive increases in their Blue Zones Project will unfold over an approximately 4-year period and will require an investment of up to \$6.1 million in resources. Far beyond the initial investment and choice, making improvements targeted at the following areas: People; Places; and Policy. The health program designed to improve the quality of life for everyone in Marshall County. Through community collaboration and empowerment, Blue Zones ensures the healthy choice is the easy implementation in Marshall County. Blue Zones is a nationally recognized and tested public WHEREAS, the Marshall County Crossroads Regional Planning Team in cooperation with the Marshall County Community Foundation is pursuing a large-scale Blue Zones Project American Rescue Plan Act of 2021 ("ARPA").

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

Section 1. The City of Plymouth pledges twenty-five percent (25%) of its funds received under

		oundation's Blue Zone Project.
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Marshall County Crossroads Regional Planning Team's and the Marshall County Commu	al Planning	Jarshall County Crossroads Region
ARPA, an amount totaling Five Hundred Twenty Thousand Dollars (\$\$20,000.00), to the	ndred Twenty	RPA, an amount totaling Five Hun

Mark Senter, Presiding Officer

## Lynn M. Gorski, Clerk-Treasurer

ATTEST:

declining for a few years now Marshall County, they dropped from 61 down to 64 in 92 counties. She states some of the high numbers. stated that while attempting to improve the health outcomes in their county they ran across startling health grant that was available through the Indiana State Department of Health was \$75,000.00. She planning team put into the Stellar applications back in 2018 and 2019. She states that the world factors were the obesity rates, smoking rates, diabetes rates, and even the life expectancy has been Mrs. She states that Indiana is placed 39 out of 50 states in Health and when they looked at Yoder states that this proposal all began with the Stellar work that their regional

that they used the \$75,000 to get a healthcare worker into the community and that is healthcare providers to take on this challenge to see inclusive framework. county and they are doing great work but what they were looking for when they started into this won't address some of the numbers that they are seeing work to see how they can truly make a difference that they knew it was going to take a more She states that Marshall County has great hospital systems and great healthcare people in the She adds that it was going to take more than healthcare professionals and some of these numbers turn around. She states great but that

life expectancy and he was to look at those things and see what commonalities they can find and commissioned by National Geographic to go look at communities across the globe that have longer states to give a quick basics on Blue Zones is that it started 15 years ago when the founder was do the same thing that they want to do put together a framework that 61 communities have used across the country now to see if they can She adds that they have wrote seven best-selling books about Blue Zones. She states that they have what kind of information they can bring back and share with communities across the United States Rural Affairs. She says that they were attracted to the framework because it was results driven. She states that she first heard about Blue Zones from OCRA, the Office of Community and

Councilmen Compton asks for clarity on if she said 61 Blue Zones. She agrees

particularly interested in what they were able to achieve there. She states that a representative from County in a lot of ways since their demographics looked a lot like theirs. She states that they Community. She states that one of the communities out of Minnesota was very similar to Marshall making those connections have their students out in the community start to raise their own rural physicians out in Indiana by country and their idea was to incorporate the Blue Zones methodology into their curriculum and community development and readiness assessment to become the first Blue Zones Campus in the looked like in a virtual environment. She states that she spoke with Taylor University who did communities that have been through this process at different stages to make sure they knew what it to this conversation near the end of the year. She states that in 2020 they started an interview in four later after that their attention was diverted to the Covid Pandemic so they only were able to get back Blue Zones came out in 2020 and spoke to about 120 people out at Swan Lake but a couple weeks She states that if they were to take this on that they would become the 62<sup>nd</sup> Blue Zone

rates decline from 23% to 15%. She adds that they moved from 68 out of 87 were hearing from them was that they were starting to move those numbers and see their smoking their first 3-4 years with Blue Zones and they had just signed a new seven-year contract. community to become Blue Zones certified but when they narrow that down to about 6 or 7 and they for a while now who just got their road map to narrow down where their focus would be with the were just about ready to launch that part of it. She states that in Oklahoma that they just finished She states that they spoke with to a Blue Zones in North Carolina that have been doing this to Minnesota again who had the longest history with the organization She states that there are about 200 different things you could be doing in the counties down to 37th in She states

that after hearing that they were encouraged. She adds that when she asked each one what they their health rankings. She states there are a whole list of things like this in this proposal. She states sooner and put more resources into it upfront would do different if they had to do it all over again and every one said they would have started

brought the Blue Zones team into Marshall County between May and August of last year to see if from community to community through the Crossroads Regional Planning team. She states that they leadership rankings that they gave them. She states that a lot of it comes from the structure in place going to come into the community unless Marshall County is ready for it. She adds that they in place to really launch this and to see if they have a chance to be successful because they are not Marshall County is ready. She states if we have the right infrastructure in place and the right people put together a proposal that stated they wish to pursue the Blue Zones designation and they think it is back with their results in August and Marshall County received really high marks in all the going to take around three years to do that She states that following all these talks that they were able to secure sponsorships

you focus on people, you focus on making connections and helping people find their purpose states that in the long term of doing that is that it addresses the people issue. She states that when particular put in a pickleball court so their employees can come in and play before or after work. She they are trying to encourage that sort of thing with their employees. She adds that one company in and they are putting in healthier snacks and they are increasing their physical activity. She states that Blue Zones certified. She states that a high percentage of their employers are Blue Zones certified Stores, Restaurants, Workplaces, and so on. She states that they would work on making workplaces focus on places. She clarifies the places that the community is at the most like Schools, Grocery She states that what they would do in that process is focus on policy, focus on people, and

at professionals. She states that the one of the places they will start is with policy issues and part of that readiness assessment from last year was bringing in an environment expert to work with every She states that this initiative involves government business educators and healthcare across the county for at least half a day to do another assessment to see where they are

expert. Compton asks what kind of expert she asked about. She replies with a built environment

team wants. She states that they make it easier for people to move by putting in sidewalks, putting in She states that the policies that are being put in Plymouth go right with what the Blue

them moving forward. She states that what she heard from the Blue Zones national team was that projects, their experience along the way, what they learned, and what they would recommend for biking and hiking trails. She states that after all those activities with Blue Zones they took a bus trip done to achieve some amazing results have to be created but it would be best to layer the Blue Zones concept over what it already being they heard the same thing about Marshall County being ready. She states that new things would not their time and took bus tours around the community. She states that they spoke about their specific to Minnesota with Community Leaders in November. She adds that they were very generous with

in a good position to compete with other projects in the region. She states that it will also help close that money comes back if we do not achieve results. She states that it would be highly dedicated and application for READI grants and it is an investment. She states that it would be \$6.1 Million dollars what is driving the conversation tonight is their eye on the READI (Regional Economic Acceleration national experts would help train a blue zones team to carry on the work after they leave. She states are a lot of busy interviewed told them was to not think they can do it alone because we couldn't. She states that they the gap so they can get to the first phase of that next step which focuses on specifically on policy. through state funding READI grant, 20% match through local, and 60% through private funding they may move very quickly once those applications open. She states that the 20% could come determined to make sure they succeed. She states that by looking through these READI grants that over three-year eight-month period to go after that Blue Zones designation. She states that 20% of & Development Initiative) grants. She states that this may be a project that could be a good get onto this next phase. She states that Culver has already passed approval on that agreement 25% consideration a month using the benchmark of the American Rescue Plan dollars to help them She states that she has asked each city/town, based on conversations with their crossroads team, for where they are ready to launch and it will still count towards the READI match and it will put them She states that Marshall County should move ahead as soon as they can since they are at the point She states that every one of those four communities that she had mentioned whom they people doing a lot of great things. She states that bringing in the Blue Zones team of

would be once they Councilmen Listenberger asks if that is 25% of the Covid money. She agrees. He asks what it got the READI grant money, and if she will be asking again for that. She agrees

Marshall County if it has a real appetite for policy change. She states that it will help them meet the

states that with this kind of fundraising they are talking to people who

local match for READI but it is a strong statement for those who are watching to see what their is for appetite change. Listenberger asks what if this doesn't make the READI list and if they can still move forward

with this She states that they can still move forward and would still be within range to do that very

fundraising initiative as well Compton would like to not make a decision tonight and asks for an opportunity to meet with

quickly. She adds that what they want to do once they launch is start a pretty aggressive private

funds in the next couple of days so they will be available so they have no rush to complete this. He with where the money is going to be spent restates that he would like to meet with some or all of the Board and get into some of the questions or all of the Blue Zones Board and get into the details with where the \$6.1 Million is being He states that they are talking about some big numbers here and they will be securing those

asks for the Blue Zones Ecker asks when the application has to be submitted. She asks for the READI grant. Ecker

more information about that by the end of the month or the first part of May She states that they are they are focused on the READI grant currently but expects to see

Ecker asks for the READI grants. She agrees

certified. She says that there is some good energy in response to talking about this so far in different states that she was really excited when Bowen Center was interested in becoming Blue Zone County potentially serving as a Pilot in this program that can expand throughout the region. She some of their potential major sponsors that some conversation has been centered around Marshall do not miss the opportunity there. She says that from talks with some of their regional partners and She states that right now that is where their focus is so they can be prepared for that so they

states that it is just a lot of money and that he would rather see where the money is potentially going even his doctor says that his community walk at 7 A.M. could be part of the Blue Zones Project. He Compton says that he loves the whole concept and loves the whole idea and brings up that

commitments, how soon will the Blue Zones work will actually start Councilmen Houin asks what the anticipated timeline, if they do secure enough

summer she believes. READI match that they can move forward with activate. She states that it could start by mid to late She states that if they can secure the local public funding at a level that qualifies them for the

they committed a portion over the next three years. anticipate that this would be done over multiple years. She states that when Culver passed theirs that permanent fund to facilitate the transactions and the fundraising that is going on but she would She states that the Marshall County Community Foundation has already established a non-

Ecker states that it can be incremental and in installments. She agrees

would like to get out and lead on this to send that message. He states that he respects that Compton whether it comes from the American Rescue Plan or otherwise that he would be behind this wants to know more details but \$520,000 would be their commitment over basically four years and Listenberger would like to send a message that they are very excited about this and that he

council on their next meeting. ask questions and receive answers in the next two weeks and potentially bring it before the city if they had three of them or more that potentially they could have two presentations with a chance wondering how many of them can meet at one time. Listenberger says three. Compton states that he knows they have to follow the open-door laws on this as well but he Compton states that

had some time to think on this. Listenberger states that he has had the opportunity to listen to this before so he has already

supporters to make it happen. agrees with Listenberger on making a statement that they want this in their community and to be the to meet with them. He adds that he doesn't feel as if he needs to attend any of those meetings and opportunities to get involved and if Compton hasn't had those opportunities that he encourages them come up and the conversation has been going on for years now and there have been plenty of feels like he is pretty well versed and very excited with moving forward with this. He states that he Houin states that he was going to say the same thing that this is not the first time that this has

the Board that it is fine and that he would be glad to meet by himself quite a bit and met with a couple of people already about it. He states that he just recently had would just like a couple weeks to look into this deeper and if nobody else meeting over the weekend inquiring about it but he is more curious about the ledger side of the Compton says that he isn't necessarily confused on the program and states that he has read He states that there are numbers drifting throughout this but no specific information and he would like to meet with

since it is all volunteer. He states that at some time last year they had received a bank account and he states that they have paid staff and things of the sort so that gave the Crossroads group a lot of agents so all the money would flow from the city and all the communities through the Community thought that it was going to be a Crossroads project with the way that they conceived of it but Mrs. Crossroads Organization and they have been up and running just over two years with no paid staff comfort to have the Community Foundation as a partner in that Foundation and funds would be disbursed there and that their business there is handling money. He Yoder had made arrangements for the Marshall County Community Foundation to be the fiscal Surrisi states that he would like to share on the financial side since he is on the Board for the

that that contributes to a part of that as well. Listenberger asks if part of the 6 million is to employ how many people. She says five.

yet. Mayor Senter asks if any other community in Indiana has done this. She states that none have

program development that one will be focused policy, one on people, one on places, and one on communications and She states that out of those five employees that one would be the executive director. She

community to make the choice to be healthier. She adds that she loves the concept and how it can fit this much, or exercise. She states that it is about those gentle nudges and making things easier for people She states that they love the program because it is not about telling to do this diet, eat this

push this onto the next meeting. The council agrees Houin asks if there is a motion on this or not. The council says no. He asks if they want to

books and working on a documentary series on Netflix. She adds that they are not going to come in direction and be thinking about it in a different way. She states that they are releasing three more Zones Storefront that has to be highly visible. She states that it gets people to move in the same tell the city Mrs. Yoder states that one of the things that they are going to have to do is establish a Blue what to do but rather that it would be interactive.

the next meeting. Attorney Surrisi states that he will reserve his comments on Stellar Communities until

for the city. He states that the engine he is looking to replace is Engine One which is 1992 so it is 30 that the Fire Chief Holm comes before the Council to discuss Fire Department Equipment. Department is in need of a new ambulance and the other is the need of a new fire engine He

right around two years. He states that if they were to order it today that they would basically be years old now. He adds that the wait time on basically any emergency service apparatus currently looking at a 32-year-old engine by the time they get one

things have been going they have already had a 7% increase this year and they are looking to do going up in price. He states that traditionally it is a 30% increase from year-to-year but with the way something about it of the essence but understands if this wants to be pushed to the next meeting to actually do and getting that all put together. He states that if they do come up with an agreement for what they month. He states that he has already done some work as far as the engine goes with gathering specs \$861,000.00 so that would be a \$61,000.00 increase from the first of this year to the end of this had received in their packets are \$800,000.00 and at the end of this month it jumps up another 7% across the board from manufacturers. He states that the budgetary numbers that everyone wished to do that it is basically drawing up paperwork quickly and signing it. He states that time is He states that a couple things are factoring into the engine and the first is that they keep

Purchasing Alliance Group that is the government entity out of Minnesota that does public bids of those pre-bid items. Holm states that this specific type of chassis that they are looking at is large equipment all around the country. He adds that there is the possibility to piggyback along one Surrisi states that Pierce Firetrucks participates in the Sourcewell that former National Joint

not allow for them to remount that box so they will have to get a whole new ambulance to replace it. totaled at that time because they put a lot of money into fixing that and they had quite a few troubles because it was in an accident 12 years ago. He states that honestly it probably should have been states that the ambulance that they need to replace now which is a 2006 does not allow for a remount He states that it saves on cost and they have been able to do it with the last two ambulances. He basically takes the box off the back and purchase a new chassis and remount it onto the new chassis. with it over the years since then. He reclarifies that due to it being in an accident that regulations do Holm states that the last two ambulances that they redone undergone a remount which

a demo unit coming in that they have already ordered. He states that it comes in June and he has have been buying their ambulances from who have done their last two remounts states that they have the chassis that they have 500 days to finish it and he would be uncertain how long it will take to He reclarifies that ambulances are still close to two years out. He states that once they receive He states that his local dealer which is Crossroads out of Middlebury that they

is around \$245,000.00 but he states that there would have to be some changes to it. He states that it to go over it in more detail and talk to them a little bit more about it. He states that as is coming in it actually has a meeting with them at the station on Wednesday. He adds that their sales rep is coming looked over the specs for it, passed the specs around, looked at the drawings for it, and states that he injuries on backs. He states that those are upwards of \$50,000.00 just for that. He states that right also adds that there would need to be a cobweb system which they have been putting in to save will come in white so they will have to paint it to match the rest of the apparatus on ambulances. He turn that demo unit into what they need it. He states that if he had to be more precise that it would be around 300-325 thousand dollars to away they are looking at close to \$300,000.00 just once they get the unit and put a cobweb system m.

wanted it. He states that the big savings here is time. He states that possibly they could get it within would be something that would entertain that the city attorney that the READI grant funds could also be used to purchase the ambulance if that the next few months versus waiting two years to get an ambulance. He clarifies that would be the cost of an ambulance if they ordered it to spec how they He states that he discussed with

Compton asks if there would be a savings for the demo unit.

around either. that they had just sold it. He adds that because of the wait times that the demo units are not sticking demo of another brand about three weeks ago and a week later when he called them to check on it drive it all around the state and show it to everyone else. He states that they did bring in another ambulance. He states that it is a demo because if the city does not purchase it that they are going Holm states that states that if they chose to go with that, they would be getting a new

bid. He states that he has had to use that at least once or twice since he has been around if the Council were to elect to utilize those for this that it would put an item of this size out for public Surrisi states that would make it fall under the qualification of special purchasing statutes

if he is referencing the ambulance. Ecker agrees and asks if it is in for frequent repairs Ecker asks what the reliability of the unit that the city currently has that is in question.

shop a lot because they do not use it as much as they could ambulance. He states that his front-line ambulances are Medic Two and Medic Three Holm states that as of now it is being used a little as possible and it is their third out He states that Medic He adds that it does have some troubles here and there One is a 2006 so it is 16 years old and Medic One is the one but he which are his

says that pretty soon what is going to happen is that those front two are going to come of age really ambulances go on every call that they have. He states that by getting Medic One replaced that it quick around the same time and then they will have to worry about two ambulances would allow for a third ambulance in rotation so they do not have to pound two and let one sit. He He states that he has been running those two front-lines every day on 2500 calls a year and

they are all ALS rigs Compton asks if all three have the same medical capabilities. Holm agrees and states

Holm states that are what he talked about with the city attorney in regards to use towards the ambulance. He says that he has only briefly mentioned that to the Madame Clerk-Treasurer Compton asks budgetarily that he mentioned funds that they can obtain for the ambulance.

He states that if they were ordered that they would have two years to come up with the funds He adds that the good thing about Fire Trucks is that you do not pay until you receive them.

Ecker asks what funds are saved for this currently in Capital Improvements

Clerk-Treasurer Gorski says \$100,000.00 less now

Holm states that you lock in at the price you purchase for Fire Trucks

Listenberger asks if they typically plan for the life expectancy on cases like this

Holm states that traditionally they 10 years is when they would move one out of rotation.

Listenberger asks if 10 years will be that time frame

Holm states that they are past that.

Listenberger reclarifies if that is what they try to do. Holm agrees

when it is replaced while now their backup engine is 30 years old and their frontline is 15 years old. Holm states that if that practice holds then if that backup engine gets around 20 years old

timeframe on this to be sorted out but the ambulance sounds like it needs to be moved on quick. Houin asks Holm for a Houin states that his concern is that financing a fire truck sounds like it may need a little time

Holm states that the ambulance will not be here until June.

Houin states what the chances of another community saying that they want it.

He states he will ask him if they will get first dibs on it or do they wait until they actually have hands before they really present that. Holm states that they could and when he meets with them, he is going to propose that to him.

Holm agrees Ecker states that once he has that information that he urges Holm to get that to the Council

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anyway and that the June date is really an estimate. Listenberger asks if that unit is currently being built or not. Holm agrees so he cannot see it

being built to the specs that the city needs. Holm agrees and says that there may need to be some minor adjustments. Ecker states that as far as he knows with the exception of the graphics that it is currently

decision on this. Ecker states that the sooner they get this information the better it would be to get a wise

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

- Minutes of the Board of Public Works and Safety meeting of March 28, 2022 April 11, 2022 Check Register
- Council Memo 4-6-22 & 4-6-22 Fire

The motion carried.

p.m. Listenberger moved and seconded to adjourn, Mayor Senter declared the meeting adjourned at 8:29 There being no further business to come before the Council, Council Members Milner and

Clerk-Treasurer Lynn M. Gorski

APPROVED

Mark Senter, Mayor