

The Board of Public Works and Safety of Plymouth, Indiana, met in Regular Session at 6:00 p.m. on April 25, 2022. The meeting was held in the Council Chambers, on the second floor of the City Building, 124 N. Michigan St., Plymouth, Indiana.

Mayor Senter called the meeting to order. Senter presided for Board Members Shiloh Milner, Bill Walters, Duane Culp, and Jeff Houin who were physically present. City Attorney Surrisi and Clerk-Treasurer Gorski were present. The public was able to see and hear the meeting through Microsoft Teams.

Board Members Culp and Houin moved and seconded to approve the minutes of the regular session of the Board of Public Works and Safety meeting of April 11, 2022. The motion carried.

Utility Superintendent Davidson wished to update the board on the Wastewater Solar Project. He states that during a meeting that day with their consultant Telamon that they had ran into some timing snags which he adds is disappointing but does have some options that the Board could decide on. He learned that the project has to be constructed by December of this year. He adds that they were also informed that they have to have an evaluation impact study agreement done by NIPSCO which would be a \$5000 cost that the city would have to pay. He states also the snag is that they estimated that it would take 4 months to complete the study. He states that once the study is done the Interconnection Agreement then requires an upfront estimated cost of \$125,000 for the upgrades by NIPSCO to receive the energy in which the city is generating in the event that the whole 1 megawatt is transferred back to NIPSCO. He states that for NIPSCO to complete their improvements that it is estimated to take up to one year. He adds that would push them back to October of 2023 which is past the necessary deadlines.

Davidson states that there is a second option. He states the project could be backed off to half which would be 500-kilowatt installation which would eliminate the \$5000 study for the Interconnection Agreement and the upfront \$125,000 towards the NIPSCO improvements. He states that by doing this it would negate some of the upfront cost and get the project construction completed by the December deadline. He states that at this point he is recommending that they proceed with cutting the project in half with the hopes that years down the road it becomes more attractive and makes more financial sense to move forward with the second part of it. He states that at the least the basic infrastructure will be there and installed if they do this. He adds that also by doing this the project drops the cost down to approximately \$1,000,000 and the payback will be about 10 and a half years. He states that the expected life according to the warranties is

about 25 years so at the end of the project they would be in the positive of about \$1.8 million dollars with today's energy cost which he adds that he knows it is not going to go down. He states that he is looking for approval in scaling down the project to half so they can move quickly and still meet the deadlines.

Board Member Houin asks if Telamon did not have any indication that the additional study and equipment would be required.

Davidson states that they were aware that the study was going to happen but he did not think that they were aware of the time constraint that NIPSCO is putting on this. He states they got their applications in and it was assumed that the studies would be very quick. When they said four months that they ran into the first hurdle and at that time they did ask if they could construct their part of it while the study was being completed. He adds they said they could but NIPSCO came back and said that due to labor and the supply chain issues that they would expect up to a year to complete their portion of it.

Houin asks if those deadlines were for the net metering. Davidson agrees and states they would still be included in the net metering even dropping down to the half size of the project.

Houin clarifies that if it were to be delayed for the extra year that they would not be.

Davidson agrees and states that if the project were to be cut in half that they would be using every bit of the energy in which they would be producing so they wouldn't be selling it back to NIPSCO anyway. He states selling it back is what made the initial project attractive because at times they would be able to bank some of those costs when they would not be generating as much energy.

Councilmen Compton in attendance asked if there was any way to get an extension.

Davidson states that according to Telamon they are pretty set on their deadlines.

Mayor Senter states that out of all the companies Telamon works with throughout the state of Indiana that NIPSCO is the hardest to deal with.

City Attorney Surrisi states that it sounds like they already have an extension since the original deadline time was July 1st and NIPSCO said that everybody that had their applications in by March that they would honor that until the September deadline. He adds that there is a little bit of an extension but not much.

Davidson states that by cutting the project in half it eliminates some of the unknowns of what is being paid. He states the current project cost is going up with supply and demand around

the country for solar projects. He adds that it has increased about \$300,000 over the last year. He states that it went from 1.6 million dollars to 1.9 million dollars.

Board Member Walters believes that the project should proceed as rapidly as possible.

Houin states that the news is disappointing but he agrees that this is the best option that they have as of now.

Board Members Walters and Houin moved and seconded to approve the request as presented. The motion carried.

Fire Chief Holm wished to update the Board about his recent additions to his staffing. He states that both applicants that they gave offers of employment to have been accepted into the pension. He states that Ryleigh Carr started today and Daren Miller will be starting Wednesday.

Street Superintendent Marquardt states that at the previous meeting it was discussed that Midland Engineering, who is working on the roof at the local library, would get into contact with Mr. Marquardt about the street closure request on Center Street. He states that he did meet with them and told him his concerns on signage. He adds that he later went and spoke with both the Police Chief and the Fire Chief about putting a no parking police order on the four parking spots on Center Street that touch the Post Office. He states that with all the equipment that the Southbound Lane of Center Street will be blocked for close to two months but Midland Engineering will be get with a Sign and Barricade company.

Marquardt states that another concern is the stoplight out on Jefferson and Oak Drive has been flashing since last week when there were high winds. He states that a wire had shorted out and he has been working with Michiana Contracting to get parts.

Board Member Longanecker states that they are still working on programming so it may be done some time next week.

Marquardt states that on Saturday there was a clean-up down near River Park Square with Youth Leadership Marshall County and Mayor's Youth Council. He states that they spent three hours there and got quite a few bags of trash collected.

Dave Miller in attendance spoke up with a question for the Street Superintendent. He stated with INDOT's continued work along US 30 that he noticed either them or some contractors parking their equipment at the end of Miller Drive again. He states with continued activity in that area if the Street Superintendent could get in contact with them and have them park on their own property. Marquardt states that he will and that he had these same discussions with them last year.

City Attorney Surtisi presented Resolution No. 2022-1000, A Resolution of the Board of Public Works and Safety of the City of Plymouth Regarding Tech-Farm Land Sale Proceeds.

RESOLUTION NO. 2022-1000

A RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY OF
THE CITY OF PLYMOUTH REGARDING TECHFARM LAND SALE PROCEEDS
(HP PLYMOUTH, LLC)

WHEREAS, by the terms of the Agreement Between the City of Plymouth, Indiana, and Van Vactor Farms, Inc. Regarding the Division of Land Sale Proceeds dated June 14, 2010 ("the Agreement"), the Board of Public Works and Safety is entitled to one half of the net land sale proceeds realized by Van Vactor Farms, Inc. as a result of the sale of parcels within the techFarm. Thereafter, in Resolution No. 2017-776, the Board committed to use its share of land sale proceeds received under the Agreement for improving the infrastructure and assisting with site work in the techFarm or in real estate adjacent thereto and/or committed to the waiver of such amounts as an incentive for techFarm lot purchasers. In accordance with such commitments, the purpose and intent of this resolution is to identify the terms of the Board's use of land sale proceeds to be generated by the future sale of techFarm parcels to HP Plymouth, LLC.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works and Safety of the City of Plymouth as follows:

Section 1. The Board acknowledges that HP Plymouth, LLC intends to purchase the parcels identified in the attached Exhibit A from Van Vactor Farms, Inc. The parties shall utilize a qualified title company/closing agent to facilitate the transaction. The Board agrees that at the time of closing, the title company/closing agent shall calculate the Board's share of the net sale proceeds under the Agreement. From that amount, the title company/closing agent shall credit/disburse Nineteen Thousand Two Hundred Dollars (\$19,200.00) to HP Plymouth, LLC as a purchaser's incentive. The remainder of the Board's share of the net sale proceeds shall be held by the title company/closing agent in escrow. Of that amount, up to Ten Thousand One Hundred Sixty-Five Dollars (\$10,165.00) will remain available to be disbursed to HP Plymouth, LLC as reimbursement for demonstrated costs of site development expenses actually incurred for de-watering the sanitary sewer lateral if the ground water invades the dug trench for the extension. Also of that amount, up to Twenty-One Thousand Six Hundred Fifty-Seven Dollars (\$21,657.00) will remain available to be disbursed to HP Plymouth, LLC as reimbursement for demonstrated costs of site development expenses actually incurred for the placement of #2 stones in addition to #53 stones if wet, clay soils make the smaller stones unstable. Any such work must be verified by City staff and documented by proper invoices prior to disbursement by the title company/closing agent. At the conclusion of HP Plymouth, LLC's site development work, the title company/closing agent shall disburse all remaining funds held in escrow to the Board. Van Vactor Farms, Inc. and/or HP Plymouth, LLC shall be responsible for arranging for the escrow account with the title company/closing agent and paying for any applicable fees associated therewith.

PASSED AND ADOPTED this 25th day of April, 2022.


Mark Senter, Mayor

ATTEST:


Lynn M. Gorski, Clerk-Treasurer

EXHIBIT A

Parcel ID# 50-41-36-000-001.008-020

Parcel ID# 50-41-36-000-001.009-020



REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, April 25, 2022

LEGAL DESCRIPTION OF THE REAL ESTATE
 VAN VACTOR FARMS, INC. PUD PHASE VII LOTS 5 AND 6
 DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 34 NORTH, RANGE 11 EAST, CITY OF PLYMOUTH, DAKOTA, COUNTY, SIOUXA, DESCRIBED AS FOLLOWS: BEGINNING AT A CAPED 56° FROM REINFORCING ROD AT THE NORTHWEST CORNER OF LOT 11 IN VAN VACTOR FARMS, INC. PUD PHASE IV, ON THE SOUTHLINE OF SAO U.S. HIGHWAY NO. 30, THENCE SOUTH 0 DEGREES 50'55" WEST 0 SECOND BEARING A DISTANCE OF 1141.01 FEET TO A CAPED 0°58' FROM REINFORCING ROD AT THE SOUTHWEST CORNER OF LOT 11 IN SAO PUD, THENCE SOUTH 89 DEGREES 29'11" WEST, 1015.03 FEET TO THE WEST LINE OF SAO NORTHWEST QUARTER, THENCE NORTH 0 DEGREES 13'05" EAST ALONG SAO WEST QUARTER SECTION LINE A DISTANCE OF 1148.72 FEET TO A CAPED 0°58' FROM REINFORCING ROD ON SAO SOUTHLINE OF U.S. HIGHWAY NO. 30, THENCE NORTH 89 DEGREES 55'31" EAST, 1027.52 FEET TO THE POINT OF BEGINNING, CONTAINING 76.44 ACRES, SUBJECT TO AL EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD

Paul Phair with Holladay Properties was here to speak on the proposed Resolution.

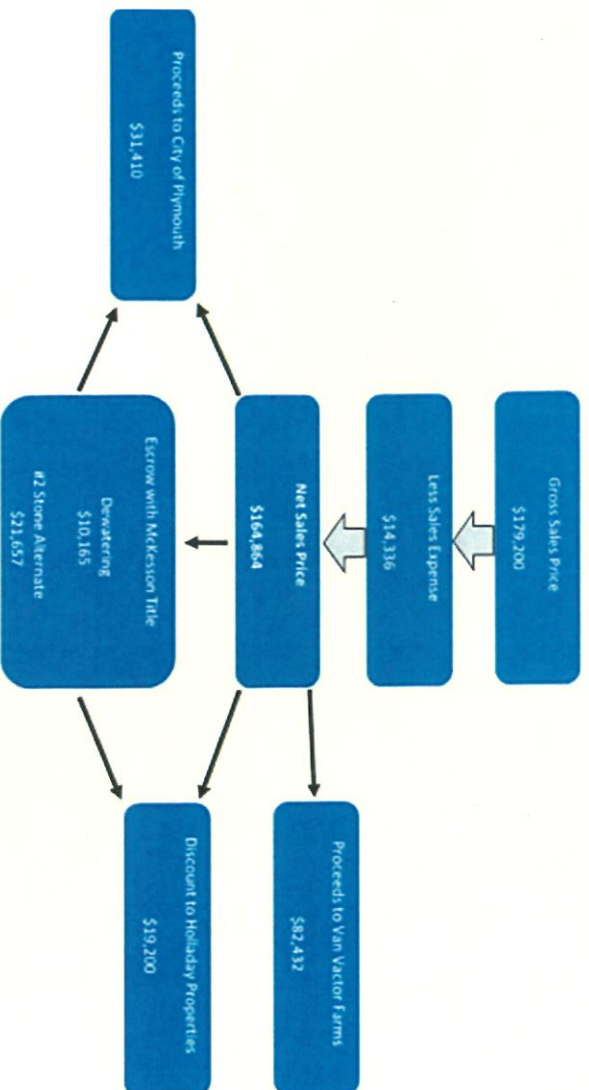
He states that he was here to request on behalf of Renewal by Anderson. He states that they had a land purchase agreement with Van Vactor Farms. He states that he wanted to establish a \$28,000 per acre purchase price for future land sale comp so that people coming in the future looking at Holladay Properties would have it established to show them. He states that from a project budget standpoint that their goal was to at a \$25,000 per acre price which is approximately \$179,000 down to \$160,000 so he is really asking for two items. He states that the first one is the reduction of the land cost from \$179,000 down to \$160,000. He adds that is approximately \$19,200 or \$3000 per acre.

He states that the second piece is something that came up due to their due diligence investigation. He states that he spoke to Mr. Surrisi back in December of last year about the first piece involving the land cost reduction. He states that was the original plan but once they got into soil boring and engineering that they found out that there were some challenges with the site that they are on and it really has to do with moisture. He clarifies that it is the moisture and clay content on the site. He states that they have a pretty low line site and he hoped to start on property to the east but it just wasn't large enough for their project and they ended up on site as far west as they can get but there is still the concern that they may run into unsuitable conditions once they actually start construction. He states what they are really requesting is two items.

He states that first is a \$10,000 item which is dewatering of the sanitary sewer lateral. He states that he believes where the finished floor elevation for the building is will be high enough where they won't run into ground water issues but they are concerned that when they run the sanitary sewer lateral that they are going to have water that will fill the trench that will have to be pumped out. He states that would be an extraordinary expense for that work.

He states that the second item is stone that will go under the asphalt paving. He states that what the civil engineer had designed and what they had budgeted was for a #53 stone and as they got into it with their earthwork contractor that there was concern that if they have wet clay conditions, which is pretty regular in the Spring in northern Indiana, that the stone is just going

to disappear as they start to roll over it. He states that they got an alternative which is a larger #2 stone that would effectively replace a #53 stone to allow for a more stabilized site. He clarifies what they are asking for with a graph that is provided below.



Mr. Phair states that the two items in question are not givens but they are expected conditions that they could run into. He states that they will be put in escrow at the closing of the sale and if they do run into either of those two that they would have to verify that with a designated official from the city and have to receive approval that the conditions they do run into are what is listed above before the monies could be released to cover those expenses. He hopes that the conditions are ideal and they do not have these issues and then the money would go to the Board but if they do run into these issues that the money is there to cover those extra expenses.

Board Member Walters states that these are unknown expenses and they are estimates. He asks what happens in the case that they incur these expenses and there is more money needed than what is currently being asked for.

Mr. Phair states that these are maximum limits so anything above and beyond these expenses will be at the cost of the developer.

Houin states that this is not the first time that they have seen this information so they appreciate the information and the communication that was provided not just this meeting but previously.

Board Members Houin and Culp moved and seconded to approve Resolution No. 2022-1000, A Resolution of the Board of Public Works and Safety of the City of Plymouth Regarding Tech-Farm Land Sale Proceeds as presented. The motion carried by roll call.

Board Members in favor: Senter, Culp, Houin, Milner, Walters

REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, April 25, 2022

Board Members opposed: None

Clerk-Treasurer Gorski presented the Street Closure Request from the Promotion of the City Coordinator Laura Mann for the Annual Downtown Tractor Show.

REQUEST FORM CITY OF PLYMOUTH

Date 04/12/2022

Notice to BOARD OF PUBLIC WORKS AND SAFETY, CITY OF PLYMOUTH, INDIANA

Kindly take care of the following request:

Close Michigan Street from Adams Street to Laporte Street for the

Annual Downtown Tractor Show from 6:00 am until 4:00 pm. This

will allow for set up and clean up of the show that will run

from 8:00 am until 3:00 pm on July 23rd, 2022.

Laura Mann Promotion of the City Coordinator

Typed

Title

124 N. Michigan Street, Plymouth

Address

Phone number: 574-936-6717

Phone number

Determination of request:

*Approved by Board of Public Works & Safety
on April 25, 2022*

Return original form to Clerk-Treasurer's
Office after determination is complete.

Sydney Gorski
Clerk-Treasurer

Board Members Houin and Walters moved and seconded to approve the Street Closure

Request from Laura Mann for the Annual Tractor Show as presented. The motion carried.

Clerk-Treasurer Gorski presented the Street Closure Request from the Promotion of the

City Coordinator Laura Mann for the Memorial Day Ceremony.

REQUEST FORM CITY OF PLYMOUTH

Date 04/12/2022

Notice to BOARD OF PUBLIC WORKS AND SAFETY, CITY OF PLYMOUTH, INDIANA

Kindly take care of the following request:

On Monday, May 20, 2022 close Center Street from Madison to Jefferson Streets and Jefferson Street from Center to Walnut Streets

from 8:55 am until approximately 10:10 am for the annual Memorial Day Ceremony on the Courthouse lawn to insure the safety

of the participants and the attendees.

Close Michigan Street between Laporte Street and East Lake Avenue from 10:10 am until approximately 10:20 am.

Participants will be dropping a wreath into the Yellow River from the bridge.

Laura Mann Promotion of the City Coordinator

Signed

Title

124 N. Michigan Street, Plymouth, IN 46563

Address

Phone number: 574-936-6717

Phone number

REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, April 25, 2022

Determination of request:

Approved by Board of Public Works + Safety on
April 25, 2022

Return original form to Clerk-Treasurer's
 Office after determination is complete.

Joshua D Pitts
 Signed Clerk-Treasurer

Board Members Houin and Milner moved and seconded to approve the Street Closure

Request from Laura Mann for the Memorial Day Ceremonies as presented. The motion carried.

Clerk-Treasurer Gorski presented the Street Closure Request from the Director of

Programs at the Marshall County Jail Joshua Pitts. Joshua Pitts was here to speak on the matter and answer any questions that the Board may have.

REQUEST FORM
 CITY OF PLYMOUTH

Date: 4/8/2022

Notice to BOARD OF PUBLIC WORKS AND SAFETY, CITY OF PLYMOUTH, INDIANA

Kindly review of the following request:

Recovery Walk on August 27th, 2022 from 10 AM to 3 PM
we would like to have a speaker on the Courthouse
lawn followed by a walk down Jefferson St. to
the Christis Banquet Center parking lot where
we will have a resource fair setup with local
resources from Marshall County

I am the Director of Programs at the Marshall County Jail.

Signed JL Pitts

Phone Number Cell/H
 (419) 341-0930

Print Name Joshua D Pitts Address 1100 Powers Dr Plymouth, TN 37664

In-Office Only:
 Determination of Request

Approved by Board of Public Works + Safety with traffic
control provided by Marshall County Sheriff's Department
on April 25, 2022

Return original form to Clerk-Treasurer's office after determination is complete.

Joshua D Pitts *Clark Mann*
 Signed Title

Mr. Pitts states that Recovery Walks in general are to provide hope for people in recovery in the respective community. He adds that it also provides resources via a resource fair for people who may be looking for resources. He states that he gets a lot of concerned family members in the community who don't know where to turn for help and he believes this is a very good way to promote something in town here.

Mayor Senter asks if this will be outside or inside Christos Banquet Center.

Pitts says that it will be outside.

He states that they will walk around the courthouse and then down Jefferson Street about a mile to the resource fair that will be at the parking lot of Christos Banquet Center. He adds that he hopes this gets those concerned people connected with some local resources.

Houin states that his concern with this is everyone walking down Jefferson Street and asks if this will be an issue. He then proceeds to ask Police Chief Bacon about his input.

Police Chief Bacon asks if they will be walking down the street or the sidewalk.

Pitts states that it will come down to the amount of people that will be at the event.

Bacon states that the street will be a concern and that the sidewalk would obviously be the best choice.

Pitts states that if they want to do the sidewalk that they can try to make it work.

Houin states that if it is not contained to the sidewalk then they would have to close down the street and then have police presence there.

Pitts states that he will comply with whatever the Board proposes.

Marshall County Sheriff Matthew Hassel states that he would be willing to provide traffic control for them if it is needed. He adds that they have done this style of event before by putting a car in front and a car in back.

Houin states that his preference would be that it stays on the sidewalk if he can but if not, then the Sheriff's Department is willing to provide traffic control.

Board Member Milner asks where the sidewalk ends.

Clerk-Treasurer Gorski states that it stops at Liberty Street before the curve.

Board Members Houin and Culp moved and seconded to approve the Street Closure

Request from Joshua Pitts for the Recovery Walk as presented. The motion carried

Board Members Culp and Milner moved and seconded to allow the payroll for April 29,

2022 and the claims for April 25, 2022, as entered in Claim Register #2022-8. The motion carried.

Board Members Houin and Walters moved and seconded to accept the following


communications:

- April 25, 2022 Docket
- April 12, 2022 Technical Review Committee Minutes
- Plymouth Fire Department Activity Report
- Plymouth Water Department Activity Report
- Plymouth Wastewater Department Activity Report

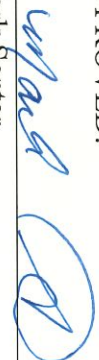
REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, April 25, 2022

The motion carried.

There being no further business, Board Members Walters and Milner moved and seconded to adjourn, Senter declared the meeting adjourned at 6:30 p.m.


Lynn M. Gorski
Clerk-Treasurer

APPROVED:


Mark Senter
Mayor