

REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, AUGUST 24, 2020

The Board of Public Works and Safety of Plymouth, Indiana, met in Regular Session on August 24, 2020. The meeting was held in the Council Chambers, on the second floor of the City Building, 124 N. Michigan St., Plymouth, Indiana.

Mayor Mark Senter called the meeting to order at 6:00 p.m. Senter presided for Board Members Duane Culp, Jeff Houin, Shiloh Milner and Bill Walters. City Attorney Sean Surrisi and Clerk-Treasurer Jeanine Xaver were also present.

Members Culp and Houin moved and seconded to approve the minutes of the last regular session of the Board of Public Works and Safety on August 10, 2020. The motion carried.

Street Superintendent Jim Marquardt reported on two requests for West Garro Street that were heard at the last meeting. The first request was for a deaf child sign, and that sign has been placed. The second request was for a geese-crossing sign. Marquardt said that his department has not received any calls to pick up animals and he hasn't seen any geese when he has driven by in the mornings. He said that since it is a low-speed road; he recommended that they hold off on putting up a sign at this time. He said that they could re-visit the request later, if it's needed.

Board Member Houin asked if there is a lot of speeding in that area.

Chief Bacon said that they haven't received complaints for that area of Garro Street.

Board Members Culp and Milner moved and seconded to deny the request. The motion carried.

Marquardt reported on the following request:

8/17/20 – Sidewalk is cracked and raised and is a danger to children who walk to school.  
S/ Mauricio Ramirez, 100 Indiana Ave, Plymouth, IN 46563 574-933-2939

Marquardt reported that he viewed the area and there are areas where the sidewalk is missing and places where the grass is overgrown. The sidewalks at the intersection of Washington Street and Indiana Ave are currently getting truncated domes; however, the city has completed their sidewalk projects for 2020. He isn't sure if this area would be rated as an area to be completed next year or not. He has asked Michiana Area Council of Governments to update the city's ADA Transition Plan. Marquardt said that this is close to a school, so they can look into it next year when the plan has been updated.

City Engineer Gaul presented UT-20-025, which is a request from Comcast for approval to work in the city's right-of-way at 1430 Western Avenue. Their plan is to run COAX from US Granules south past the old Bay Valley building and crossing the street.

Board Members Houin and Walters moved and seconded to approve the work in the right of way, subject to the terms, notes, and conditions outlined in the correspondence provided by City Engineer Gaul and the placement of the financial guarantee. The motion carried.

City Attorney Surrisi asked the board members to ratify Executive Order 2020-20, City of Plymouth, Indiana, Additional Matters Concerning Fire Department Operations During the Ongoing Public Health Disaster Emergency. He explained that this allows volunteers to continue to work shift work at the fire department during the duration of the state declared pandemic emergency.

Houin asked if the mayor has the authority to order this under the Governor's Emergency Order, even though the City's State of Emergency has expired. Surrisi confirmed that is correct.

Board Members Houin and Milner moved and seconded to Ratify Executive Order 2020-20, City of Plymouth, Indiana, Additional Matters Concerning Fire Department Operations During the Ongoing Public Health Disaster Emergency. The motion carried.

Surrisi reported that upon the expiration of the Governor's foreclosure moratorium, he filed for and received a Judgement in the amount of \$12,380.00 in Marshall County Circuit Court for the Unpaid Costs Regarding an Unsafe Building Pursuant to IC 36-7-9-13(D) associated with the demolition of 400 E. Jefferson Street, the building owned by Michael Iqbal.

Surrisi then referred to the building at 701 W. Lake Avenue that was declared an unsafe building. The city has advertised for bids for the demolition of the structure. Those bids will be opened at the Board of Works meeting on September 14<sup>th</sup>.

Clerk-Treasurer Xaver presented the following request:

8/24/20 – I would like to use city cones just to warn drivers of a tree removal truck that will be working to take down a giant Maple tree at 405 N. Liberty St. This will be occurring on Saturday, August 29, 2020 beginning at 9 AM. The street will stay open. S/ Jose Herrera, homeowner, 405 N. Liberty St, Plymouth IN 46564

There had been a request by Pete Rockaway to discuss the water bill for property at 10251 Nutmeg Road. Mr. Rockaway was not present, so the Board Members Walters and Houin moved and seconded to table the matter until he attends a meeting. The motion carried.

Board Members Walters and Milner moved and seconded to allow the payroll for August 31, 2020 and the claims for August 24, 2020, as entered in Claim Register #2020. The motion carried.

Board Members Houin and Walters moved and seconded to accept the communications that were received in the board's packets. The motion carried.

Dean Byers, representing Habitat for Humanity, and Brent Martin, the architect for the project, were present to request a waiver of the placement of a financial guarantee for storm drainage improvements for the Habitat project in the 400 block of East Garro Street. Habitat is the sponsor of the project, rather than the owner of the project. Habitat obtained a parcel on Garro Street, which they then subdivided into four lots. Originally, a survey had located two storm drains immediately west of the project, which the developer planned to use for storm drainage. But a survey found that those inlets are very small, private storm drains and are not attached to the city's storm sewer system and are therefore unavailable for use in the project. The city's storm sewer lies further west of this.

Brent Martin said that they approached the neighbor to the south, who agreed to donate land to Habitat for Humanity for the required storm basin.

Mr. Byers said that non-for-profits cannot obtain the kind of bonds that the city accepts.

Martin said that the required bond is about \$9,700.

Surrisi said that he has prepared a Memorandum of Understanding for the board members' consideration.

#### MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into by Habitat for Humanity of Marshall County, Inc. and the City of Plymouth for the purpose of providing stormwater drainage runoff control for the construction of four residential dwellings on the property commonly known as 415 W. Garro St., Plymouth, IN 46563.

Habitat for Humanity of Marshall County, Inc. agrees to construct the stormwater and erosion control measures as detailed in plans and specifications, as approved by the City of Plymouth, for the construction of the residential dwellings.

Habitat for Humanity of Marshall County, Inc. agrees to the following timeline.

- Habitat for Humanity of Marshall County, Inc. intends to start this project in the fall of 2020.
- Habitat for Humanity of Marshall County, Inc. agrees to complete the project by the summer of 2021.

The City of Plymouth will provide limited assistance in the identification of drains associated with said project, plan review and approval resulting in necessary permits.

This Memorandum of Understanding is the complete agreement between Habitat for Humanity of Marshall County, Inc. and the City of Plymouth and may be amended only by written agreement signed by each of the parties.

**Habitat for Humanity of Marshall County, Inc.**

  
Dean Byers, Executive Director  
116 S. Walnut St.  
Plymouth, IN 46563  
Telephone: (574) 935-4214

**City of Plymouth**

  
Mark Senter, Mayor  
900 Oakhill Ave.  
Plymouth, IN 46563  
Telephone: (574) 936-3614

Board Member Houin asked if they are asking a refundable financial guarantee to be waived, not a fee. Mr. Martin verified that to be correct.

Board Members Houin and Culp approved the request. The motion carried.

There being no further business, Board Members Culp and Houin moved and seconded to adjourn the meeting. The motion carried and the meeting was declared adjourned at 6:20 p.m.

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Jeanine M. Xaver, IAMC, CMC  
Clerk-Treasurer

APPROVED:

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Mark Senter  
Mayor

The following requests have been submitted to the proper committee to act:

8/10/20 – I wanted to request a trim on a branch that is touching my roof. There are also some dead branches in the big tree in front of the house. S/ Carlos Cerrato, 1109 N. Walnut St., 574-310-2277

8/11/20 – Dead branches, low hanging branches interfere with garbage pick-up. S/ William Rhodes, 1410 Kenwood Ave, Plymouth, 574-767-0385, [williamrhodes211@msn.com](mailto:williamrhodes211@msn.com) Support ticket ID TREE-00061

8/12/20 – Large branch fell into the yard on Monday due to heavy storms. S/ Micaela Carrillo, 315 S. Fifth St., Plymouth, IN 574-933-1732 (phone number is her son, Jonnie's; Micaela speaks Spanish)