

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on November 22, 2021. The meeting was held in the Council Chambers, on the second floor of the City Building, 124 N. Michigan St., Plymouth, Indiana and was called to order at 6:31 p.m.

Mayor Senter led the Pledge of Allegiance and Councilman Ecker offered prayer.

Senter presided for Council members Duane Culp, Greg Compton, Don Ecker, Jeff Houin, Shiloh Carothers Milner and Robert Listenberger, all of whom attended the meeting in person. Council Member Randy Longanecker was absent. Clerk-Treasurer Xaver was also present. The public was able to see and hear the meeting through Microsoft Teams.

Council Members Ecker and Compton moved and seconded to approve the minutes of the last regular Common Council session on November 8, 2021, as presented. The motion carried.

Adam Theda, Director of College for the Poor Handmaids, was present to update the council on the Jefferson Street Crossing Project done by the Complete Streets Committee. He stated that this project had received approval previously from MACOG and had installed the temporary crossing in October. The main efforts of this project were to decrease the speed of traffic, increase driver visibility to pedestrians, decrease the amount of time to cross the street. He informed the council that MACOG asked residents to completed a survey on the project and what their thoughts were. There were 43 responses to the survey in which the responses were pretty equal in the amount of people who liked and disliked the crossing on Jefferson Street. He stated that with the radar sign and speed limit sign in this area, about 90% of passing cars were at or under the speed limit. This was important because in this area of the city speeding was more prominent. From this, it was found that residents that used the cross walk found it easier to get across the street during the project. There were some residents that had reached out to councilmen with mixed responses.

Compton stated that he had used the crosswalk and stated that it was easier to get across the road using this crosswalk. He stated that even with the yield to pedestrians sign not everyone yielded to pedestrians. Theda stated that they had noticed that as well, and they hope to use this kind of information to learn about how to correct these issues.

Fire Chief Holm stated that there were some concerns with the project in the case of an emergency during peak hours, since the narrowness of the street no longer allows for cars to get out of the way of emergency vehicles.

Ecker asked if they had taken a traffic count during the project. Theda stated that they did not, but that he had observed the project in person multiple days to see what this looked like with and without school traffic.

## REGULAR SESSION, COMMON COUNCIL, NOVEMBER 22, 2021

Houin stated that the intention of this project was not to be perfect the first time. They were using this to get comments from the public, gather data and learn. He stated that they hope to see more of these temporary projects to help educate both the people performing the studies, but also the public, and to gather information.

Utility Superintendent Davidson addressed the council regarding a Solar Project at the Wastewater Treatment Plant. He stated that the wastewater plant had been looking into how to control some of the electrical expenses over the last two years. Previously the cost of the project was valued at \$26 million and the only funding at the time was utility funding. At the time this money was already earmarked for other projects. Now, there is potential for some additional funding. These potential sources of funding outside of the utilities are the American Recovery Plan Funds and TIF funds. Davidson stated that there is a nine year pay back with this project, and the expectancy of the equipment would be at least 25 years. This would create a net gain of about \$3 million. He stressed that time was of the essence as some of the incentives that are available to the city would be closing soon.

Davidson introduced Bruce Breeden of Telamon Energy Solutions. Breeden went through the handout that was included in the council's packet on the project, and explained the benefits of a solar farm. He stated that during the winter months, the solar project would generate about 40-45% of the power that they would typically generate in the summer months. The placement of the farm would be on the east side of the plant, which is currently an empty field. The cost of the project is estimated at \$1.6 million. He stated that this project would save tax payers the cost of about \$3 million per year which could help prevent rate increases. He stated that the solar panels would be warranted for 25 years, but could last longer with a lower rate of return during the later years, due to the age and deterioration of the panels.

Culp asked if there was anything about the panels that would cause damage to the earth or soil, and if there was any chance of contamination. Breeden stated that there was no risk of either. He added that the solar panels would also need no maintenance other than mowing around and underneath of them a few times a year.

Compton asked if hail storms would affect the panels. Breeden stated that so far, the only issue they have ever had with panels were a mower that ran into a panel, and a very strong wind that picked up a fence post and drove it into a panel. He stated that they have 56 projects so far with multiple projects in the works currently.

Airport Manager Shelley stated that Telamon was the same company that put in the solar panels out at the airport. Ecker asked if they had any issues out there with them. Shelley stated that in the four years that they have had them there had been no issues.

Compton asked if there were any plans for a hedge or tree line to help hide the solar panels for the neighbors on the east side. Breeden stated that they intend to put shrubbery on the east side, and the entire project would be fenced.

Breeden added that there had been legislation that had been proposed recently with a 30% rebate for any municipality or school system that put solar in during 2022. This legislation would still need to be passed through the Senate and go in front of a joint conference or conference committee in early January. This would create a possibility for a rebate once the project was completed. This would be included in Telamon's process during the project. Another benefit would be that if they were to get the project approved and all of the paperwork in by June 30, 2022, they would be eligible for net metering. This would create a deadline to complete the interconnection application into NIPSCO by December 10, 2021.

Davidson introduced Jeff Rowe from Baker Tilley who was present to discuss the financial information with the council. Rowe stated that the estimated cost savings for the project was about \$147,000 for the city annually which would translate to a payback period of about 10 years. He stated that the current fund balances show enough money to pay for the project with the minimum balance still remaining in the funds, and with the other potential sources of funding the project would be a viable project. A fourth form of funding for the project if needed would be the use of bonds, this would be the last course of action if the city were to move forward with the project. He reiterated that the potential savings from this project could be used to offset the potential rate increases for the citizens in the future years.

Compton asked if the city would own the solar panels. Breeden stated that the city would own these panels. Since all projects over \$150,000 in the State of Indiana had to be publicly bid, which Telamon would work to get these bids together for the solar installers and the bids would be opened in front of the board. Telamon would be responsible for design, oversight, written specifications, and work with NIPSCO for the project.

Compton asked if there were any maintenance which would be ongoing. Breeden stated that there was no maintenance, but there would be an 80-to-90-day guarantee in case something was installed improperly.

## REGULAR SESSION, COMMON COUNCIL, NOVEMBER 22, 2021

Compton asked if there were any concern for safety, and if they would be doing anything to prevent someone from getting in there. Breeden stated that there would be a fence put in all the way around the solar farm to help prevent this. He added that all of the wires associated with the solar panels are encapsulated within the unit, so if any animals were to get it there would be no worries about it getting electrocuted.

Davidson asked the council for their approval to proceed with the project so that they could sort out the financing.

Breeden added that he and Davidson had sent the contract to City Attorney Surrisi, who sent back some corrections. Otherwise, Surrisi had approved the updated version of the contract between the city and Telamon.

Listenberger asked if the council should look at the updated contract before the approval of the project. Davidson stated that they would be happy to forward the contract to the council for their review.

Houin asked what would happen if the council were to not approve the project tonight, and wait until the next meeting to approve the project. Davidson stated that this was a three-week gap between this meeting and the next meeting. He stated that this would push back the approval to December 13<sup>th</sup>, and their deadline for net metering is December 10<sup>th</sup>.

Compton asked what would need to be approved tonight in order for this work to be started, but not making a full commitment to the project until review by the council. Davidson suggested that they approve the funding to complete the application for net metering and the agreement between the city and Telamon, subject to council review.

Houin asked if the panels would be made in the United States. Breeden stated that there were currently no solar panels that were made in the United States, but the council could choose to use American manufactured which would cost more than other manufacturers. He voiced concern about not having a signed contract after tonight and if Telamon would be able to start work without it.

Houin asked if from his understanding if the contract was changed to that the city would only pay for the work had had been completed if they were to back out at any time. Breeden stated that was what Surrisi had suggested and that was what the contract now said.

Council Members Compton and Ecker moved and seconded to conditionally approve the contract with Telamon and allow for the funding to complete the applications required, upon further Council Review. The motion passed by roll call vote.

AYES: Compton, Culp, Ecker, Houin, Listenberger, Milner  
NAYS: None  
ABSENT: Longanecker

Clerk-Treasurer Xaver presented Resolution No. 2021-981, A Resolution Providing for the Transfer of Appropriations in the Fire Department.

Xaver explained that this was for the purchase of handheld radios that were approved at the last meeting.

Council Members Ecker and Houin moved and seconded to adopt Resolution No. 2021-981, A Resolution Providing for the Transfer of Appropriations in the Fire Department. The motion carried.

Clerk-Treasurer Xaver presented Resolution No. 2021-982, A Resolution Providing for the Transfer of Appropriations in the Street Department/MVH Fund.

Street Superintendent Marquardt explained that this was for the purchase of a new computers and to purchase a new time clock. He added that they were also looking into adding a service contract with an IT company. He stated that he had met with a guy from PC Source and the contract would be about \$300 a month. He stated this could be added on to the current funds that were proposed in the Resolution.

Compton asked when they would like to upgrade their computers and get the new time clock. Marquardt stated that they would like to get this done yet this year, so that it would come out of this year's budget.

Ecker asked if they were looking to get laptops or desktops. Marquardt stated that they were looking to get desktop computers.

Listenberger asked if they would wait to jump on the service contract. Compton stated that the council had a committee looking at this, and stated that it may pay to wait on getting on a service contract until the city was ready.

Houin stated that for the service contract with the IT company, he would prefer that Marquardt would wait until the council committee had made the decision on the IT company. They would look to consolidate the effort city wide, and they would be trying to put out their recommendation before next year. Marquardt stated that he would be fine with that, he was just looking to encumber money just in case, but would be more than willing to wait.

Houin stated that he was a little concerned that the money was coming out of the curbs and sidewalks, as he would prefer to see that money be used on the curbs and sidewalks. Marquardt

## REGULAR SESSION, COMMON COUNCIL, NOVEMBER 22, 2021

agreed with this, and stated that this year's projects came out with a lower cost than expected, leaving this money available.

Council Members Listenberger and Milner moved and seconded to adopt Resolution No.

2021-982, A Resolution Providing for the Transfer of Appropriations in the Street Department/MVH Fund. The motion carried.

Clerk Treasurer Xaver presented Resolution No. 2021-983, A Resolution of the City of Plymouth Common Council Authorizing the Clerk-Treasurer to Transfer Cash from the General Fund to the Deferral and Diversion Fund for use as a Match for Grant Funds.

Xaver explained that the police department is able to apply for a grant from the Department of Justice, who reimburses the city for half the cost of the purchase of body armor. This transfer would allow the Deferral and Diversion Fund to remain in the black while waiting for the reimbursement from the Department of Justice.

Council Members Houin and Ecker moved and seconded to adopt Resolution No. 2021-983, A Resolution of the City of Plymouth Common Council Authorizing the Clerk-Treasurer to Transfer Cash from the General Fund to the Deferral and Diversion Fund for use as a Match for Grant Funds. The motion carried.

Clerk Treasurer Xaver referred to the memo she sent to the Council and Board of Works Members regarding Sick Leave forms. She explained that Indiana Code 36-4-10-4.5 describes the duties of fiscal officers for third call cities, and clearly states that the fiscal officer shall prescribe payroll forms. She stated that the current item of dispute was the sick leave form that she included in the packets for the Council. She stated that in the employee handbook for at least 20 years it stated that when any employee uses three consecutive sick days and for any sick leave absence after an employee had used 5 sick days (40 hours) in one year, said employee must furnish either a doctor's excuse or the city sick leave form. She stated that when she had requested a doctor's note or sick leave form from certain departments, they have not provided them. She added that since the city now has an HR Director, she did not need to see the doctor's excuse, but she does need to know that an employee had requested the use of sick leave, that the department head had approved it, and the HR has received the doctor's excuse.

Xaver stated that she should not have to fight with the department heads or the administration to get the information that her office needed to do their jobs, including completing payroll. When the department heads entered sick leave on their employees' time sheets and then refused to provide her with the prescribed forms, they were forcing her to choose between following the ordinance

establishing the employee handbook and denying their employees' sick pay. She asked the mayor and the council to direct their administrative staff to comply with her request for completed sick leave forms by November 24<sup>th</sup> so that she could follow the employee handbook and pay the employees for the sick time that they have coming to them. She added that conversely, if the council did not wish to do so, that they would be accepting the responsibility for the employees having to trade their requested sick time for holiday or vacation time, or failing to have benefit time, having their pay docked for the sick time that they have already been afforded.

The general consensus of the Council was that this disagreement between HR and Payroll needed to stop. They stated that they had a meeting coming up about the sick leave forms which they hoped would resolve the issue.

Council Members Ecker and Compton moved and seconded to pay the employees for this upcoming payroll without the sick leave forms until after the payroll/HR meeting. The motion carried.

Mayor Senter offered the privilege of the floor.

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

communications:

- Minutes of the Board of Public Works and Safety meeting of November 8, 2021
- November 22, 2021 Check Register
- IDEM Notice Revocation of Existing Permit
- November 9, 2021 Technical Review Committee Notes
- October 2021 Clerk Treasurer Financial Reports
- Baker Tilly article on business personal property tax laws

The motion carried.

There being no further business to come before the Council, Council Members Milner and Compton moved and seconded to adjourn, Mayor Senter declared the meeting adjourned at 7:37 p.m.

APPROVED



Mark Senter, Mayor



Jeanine M. Xaver, IAMC, CMC, ACPFIM  
Clerk-Treasurer