

REGULAR SESSION, COMMON COUNCIL, March 27, 2023

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on March 27, 2023. The meeting was held in the Council Chambers, on the second floor of the City Building, 124 N. Michigan St., Plymouth, Indiana and was called to order at 6:30 p.m.

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

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

Ecker wished to introduce some representatives from the Blueberry Festival Committee.

Kari Vanceza with the Marshall County Blueberry Committee states that this year's Blueberry Festival is about unifying our community through appreciation. She states that she understands that it is the Marshall County Blueberry Festival but Plymouth is the city that puts up with the traffic, the crowds and the one-way streets. She states the City of Plymouth handles it all with the utmost professionalism and goodwill. She states on behalf of her, the Parade Marshall, the Parade Committee and the Board of Directors they formally invite Mayor Senter to be this year's 2023 Grand Marshall.

Mayor Senter expressed his excitement about the appointment and thanked those involved.

Council Members Ecker and Culp moved and seconded to approve the minutes of the regular session of the Common Council on March 13, 2023 as presented. The motion carried.

Mayor Senter explains that this will be his last State of the City. He states this will be his 15th since he didn't give one in 2008 as he was left with a key on the desk and that was all he had to work with.

STATE OF THE CITY 2023

Who are we?

- Plymouth is a wonderful city at the Crossroads of Northern Indiana that has so much going for it right now.
- We are a **Stellar Community**, not only in name but also in stature. That has added several positive additions to our community through state grants by way of the **Indiana Office of Community and Rural Affairs (OCRA)** and their many partners. Second Phase of River Park Square is nearly completed. Third phase of the Greenway Trail within River Park Square is still under engineering review and probably won't be laid out until 2025.

REGULAR SESSION, COMMON COUNCIL, March 27, 2023

- The 105-year-old Laporte Street footbridge renovation will be completed with new lighting this spring. This is an INDOT transportation enhancement project that, ironically, we found out we won during the 100-year flood of 2018.
- We have taken advantage also of Regional Cities grants that has brought the Bardwell Aquatics Center as well as a new office for the United Way and the Marshall County Community Foundation and Early Childhood Learning Center.
- Last September we realized the Regional Economic Acceleration Development Initiative (READI) is bringing us the Harrison Street Trail from the Conservation Clubhouse to Packard Woods. And in the future the Water Street Townhomes Project as well as an entrepreneurial center to downtown Plymouth.

What are we?

- A city with a very active and conscientious Common Council that looks at and studies the many aspects of what is going on and each and every council meeting. I would venture to say that the current council is probably my favorite out of four terms because of the sub-committees that have popped up to study the many facets of The City... especially public safety, insurance and human resources.
- We have council members that are not afraid to get into the weeds, if you will, and are always working with department heads to make things right for the betterment of our community.
- We have council members that have been on the front lines of law as well as law and order; council members that have banking backgrounds and human resource experts that bring their knowledge to not only council meetings but the sub-committees as well; we have council members that have ownership in businesses right here in our city; we have a Board of Public Work & Safety that diligently work to keep our city going and growing.
- I have prided my administration on not micromanaging. Granted, there are times when I probably should have been a little more alert. But, for the most part, our department heads have gone above and beyond in leading their departments in many ways: being financially diligent; working with fellow department heads when needed; leading their employees in the right direction; and always being safety conscious.
- Plymouth has voluntary board members that attend monthly meetings of the Board of Aviation Commissioners (BOAC), Plan Commission, Board of Zoning Appeals (BZA), Trees & Flowers Committee, Redevelopment Commission and Parks & Recreation. This is

REGULAR SESSION, COMMON COUNCIL, March 27, 2023

NOT for pay, but it's so refreshing that people want to be involved in something special to make our city go and grow. These folks are truly appreciated by all of us!

- We have a city attorney, Sean Surrisi, that leaves it all on the line and works non-stop keeping the council up to speed...whether its new ordinances...resolutions...law suits...and probably most importantly, the minutia of subject matters that many of us don't even realize.
- Our clerk-treasurer, Lynn Gorski, is diligent in keeping the financials and record keeping like no one before her. Hopefully, she will be around a long-time making things better for the City of Plymouth. And her staff is beyond reproach as well...doing their assigned duties and greeting the citizens with a smile!
- Human Resources is as solid as it has ever been. With a motive to learn and succeed, Jen Klingerman takes her job seriously and the employees of Plymouth appreciate her leadership.
- Promoting our city has been in the hands of Laura Mann for several years now. The best organizer that I have ever met and this year is returning the Mayor's Months of Music with eight concerts in July, August and one in September.

Where are we?

- In the next few months this city will be on a precipice of major changes. This Friday we are losing one of the charter members this administration. Keith Hammonds has been talking about retirement and moving to The Philippines for years and it looks like it will come to fruition soon. Keith has been steadfast in his work as building commissioner dealing with the Plan Commission and BZA; Inspections; contractors; and at times code enforcement. Please stop by here on Friday from 1-3 to congratulate and say goodbye to Keith for the last time.
- As of the most recent Baker-Tilly report Clerk-Treasurer reports that in 2022 The City only spent 88% of the budget. Ladies and gentleman, that is a balanced budget...something we have witnessed in the past, but not always.
- The Plymouth Fire Department is finally fully staffed and I witnessed that at its best Thursday afternoon at a major fire at a West Lincolnway business. I saw a true team effort of both full-time, volunteers and assistance from Culver and Argos as well.
- The Plymouth Police Department is doing the best they can after losing eight officers in six months. We swore in another new officer, Kenton Lovely, just this morning but we are still three down and Chief Bacon is diligently still out there recruiting more. I spoke last year

REGULAR SESSION, COMMON COUNCIL, March 27, 2023

about the take-home police car policy and that is genuinely something that has finally happened.

- Still with no city engineer, things are going well working with VS Engineering on a contract basis. We met with them this morning at 10 A.M. to begin work on the 2023 street projects. Ten streets or partial streets will be milled and repaved this year.
- The Michiana Area Council of Governments (MACOG) is currently working with a large committee of community leaders for the implementation of a new Comprehensive Plan. It is coming along smoothly and a meeting last week proved some very thoughtful improvements for the future of our city.
- Our newest cornerstone for downtown is the revitalized Rees Theatre. What a great addition to downtown and our City of Plymouth! There's not a week that goes by without two or three events happening there. The Rees staff is working well with Wild Rose Moon and the Heartland Artists to make our city a destination from all over Northern Indiana and Southern Michigan. Between concerts, movies, lunch meetings and private parties it has filled the parking spots and parking lots exactly the way the committee had hoped and imagined it six years ago! For all of those involved, thank you for this dream and dedication!
- We are a "Sesquicentennial City" this year and hope to plan a celebration of that later on in the year.
- In nine months, we will have new leadership at the top here in Plymouth for the first time in 16 years. No doubt, new council members as well leading this beautiful city that we all live, work and play.

For my 15th and last State of The City (I did not do this in my first year of 2008) I just have a thousand "thank yous" that I don't plan on listing here tonight. Overall, I am very proud of what we have accomplished the last several years. People always ask what the favorite part of my job is and I always say, "TTS THE PEOPLE!" It's not ALWAYS positive, but they definitely keep us on our toes. Our citizens are what helps all of us in this room make this city GO & GROW!

Thank you from the bottom of my heart!

Mayor Senter

Council Members Ecker and Milner moved and seconded to open the public hearing for ADDD Equities, LLC Tax Abatement. The motion carried.

NOTICE OF
PUBLIC HEARING

Notice is hereby given to the citizens of Plymouth, Marshall County, Indiana, that a public hearing will be conducted by the Common Council of the City of Plymouth on a request for tax abatement on real property owned by ADDD Equities, LLC, located at 1619 N. Oak Drive, Plymouth, IN. A statement of benefits is on file in the Clerk-Treasurer's office, 124 N. Michigan St., Plymouth, IN. The real estate has been designated within an Economic Revitalization Area pursuant to IC 6-1.1-12.1-1 on March 13, 2023. A description of the affected area is available and can be inspected in the County Assessor's Office.

Burke Richeson who is an in-house council with the developer, states they were here a

couple weeks ago and there is nothing new to add on the development. He states there will be seven new jobs added and they will be retaining 25. He states there was also a question about how tall the back warehouse was going to be and it will be 24 feet tall. He states they are in the process of putting together a plan for a sidewalk that runs across the front of the development that would run along Oak Drive there. He states they are excited to get started and are asking for their vote.

Houin states for the benefit of the public hearing, he asks Surrisi to confirm what is being proposed is a 7-year phased in tax abatement which is their standard according to their policy. Surrisi agrees.

Council Members Houin and Longanecker moved and seconded to close the public hearing for the ADDD Equities, LLC Tax Abatement. The motion carried.

Council Members Ecker and Compton moved and seconded to open the public hearing for Proposed Cumulative Capital Development Fund. The motion carried.

NOTICE TO TAXPAYERS OF
HEARING ON PROPOSED
CUMULATIVE CAPITAL
DEVELOPMENT FUND

Notice is hereby given to the taxpayers of the City of Plymouth, Marshall County, Indiana, that the Common Council will consider at its regularly scheduled meeting on March 27, 2023, at 6:30 pm, the reestablishment of a Cumulative Capital Development Fund under the provisions of Indiana Code 36-9-15.5 for all uses as set out in IC 36-9-15.5. The tax will be levied on all taxable real and personal property within the taxing district and will not exceed \$0.0500 per \$100 of assessed valuation beginning with taxes payable in 2024 and thereafter, continuing until reduced or rescinded. Taxpayers appearing at such hearing shall have the right to be heard thereon. Written comments filed with the Clerk-Treasurer before the hearing

Tyler Coffel with Baker Tilly states that he has been here before to talk about the utilities. He states that today he is here to talk about the Cumulative Capital Development Fund. He states that he is going to talk about the memo they supplied about a month ago. He states they are proposing they

REGULAR SESSION, COMMON COUNCIL, March 27, 2023

reestablish their CCD fund as it can be used on anything government related. He states if they do reestablish their current rate as 0.0454 then they can reestablish up to a maximum rate of five cents. He states if the rate is reestablished then they will generate approximately \$23,000/ year more than what they are currently generating. He states the benefit of doing it now is really because in 2022 there was some legislation passed that made it as to where the CCD rate no longer falls as you progress through time. He states that it used to be a rate driven fund where as the net assessed value grew, your property tax levy stayed the same, therefore the tax rate decreased. He states now new legislation has been passed where you reestablish up to the five cents, your rate stays at five cents, and the property tax levy follows that. He states now is a good time to do it and overall with a home set with an assessed value of \$100,000 that the incremental tax rate would be 0.0046 which would come out to approximately \$1.51/ year so a fairly small impact on the annual taxes for a rate that will stay at five cents for a long time.

Compton states that on the sheet they have they discuss having five cents on \$100. He asks if that is 0.0454 as what their current rate is. He states the reason he asks is because when he read the statute that if they change the percent that they will have to go to the 1/3, 2/3 and full amount increments over three years.

Coffel responds by stating that is only when initially establishing the fund. He states that the fund is already been established so they are just reestablishing back to the max amount.

Compton asks if they will just go to the same amount they had then.

Coffel responds by stating they will go to the full five cent rate which is 0.05. He states the second page is just a schedule laying out how it works. He states there are several steps in which they have to follow. He states that he is not sure if the updated schedule got into the memo or not but they have an updated schedule that he can send them. He states they will have the public hearing tonight and then at their next meeting they will have the adoption meeting. He clarifies that after that there will be several steps in which they have to follow. He states the third page is the estimated gross tax impact which shows several different home values.

Council Members Longanecker and Culp moved and seconded to close the public hearing for Proposed Cumulative Capital Development Fund. The motion carried.

Building Commissioner Keith Hammonds recommends Dennis Manuwal for the Marshall County Unsafe Buildings and Premises Board as Manuwal will be the new Building Commissioner come April.

REGULAR SESSION, COMMON COUNCIL, March 27, 2023

Council Members Houin and Ecker moved and seconded to appoint Dennis Manuwal for the Marshall County Unsafe Buildings and Premises Board. The motion carried.

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

- CF-1 PP – IWC Real Estate 2019
- CF-1 PP – IWC Real Estate 2020
- CF-1 RP – IWC Real Estate

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

City Attorney Surrisi presented Ordinance No. 2023-2212, Ordinance Re-Establishing the Cumulative Capital Development Fund Under Indiana Code 36-9-15.5 on first reading.

City Attorney Surrisi presented Resolution No. 2023-1039, A Resolution of the City of Plymouth Declaring Certain Real Estate to be Within an "Economic Revitalization Area" Pursuant to I.C. 6-1-1-12.1 et. seq. (Plymouth Hospitality LLC). Surrisi states that Greg Hildebrand from Marshall County Economic Development Corporation (MCEDC) is here to speak on this proposal.

RESOLUTION NO. 2023-1039

**RESOLUTION OF THE CITY OF PLYMOUTH
DECLARING CERTAIN REAL ESTATE TO BE
WITHIN AN "ECONOMIC REVITALIZATION AREA"
PURSUANT TO I.C. 6-1-1-12.1 et. seq.
(PLYMOUTH HOSPITALITY, LLC)**

WHEREAS, the State of Indiana has provided for real property tax deductions for the rehabilitation or redevelopment of real property located in economic revitalization areas, as defined pursuant to Indiana Code § 6-1-1-12.1-1 *et seq.*; and,

WHEREAS, pursuant to Indiana Code § 6-1-1-12.1-2, the Common Council of the City of Plymouth may find that a particular area within the city is an economic revitalization area as contemplated by statute; and,

WHEREAS, Plymouth Hospitality, LLC, has petitioned the Common Council to find a certain tract of real estate to be declared an economic revitalization area as defined because the parcel has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of character of occupancy, and other factors which have impaired values and prevented the normal development of the property and its use; and,

WHEREAS, the Common Council of the City of Plymouth, after examining the application of Plymouth Hospitality, LLC, and after hearing evidence thereon has determined that the tract of real estate does in fact lie within the corporate limits of the City of Plymouth as described in the attached Exhibit "A", and the same should be designated an economic revitalization area in accordance with Indiana Code § 6-1-1-12.1-1 through and including Indiana Code § 6-1-1-12.1-6.

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

Section 1. After considering the evidence presented at a public meeting on March 13, 2023:

- a. the estimates of real property investment of \$6,600,000.00 is reasonable for projects of this nature; and,
- b. the estimated number of employment positions to be created of 15 with the investment is a reasonable projection; and,
- c. the estimated total compensation package of those individuals who will be employed within the economic revitalization area is reasonable; and,

d. the totality of the capital investment is sufficient to justify declaring the designated real estate an economic revitalization area and thereby authorizing deductions in accordance with state law.

Section 2. The real estate described in the attached Exhibit "A" is real estate within the corporate limits of the City of Plymouth, Indiana, and is hereby declared to be an economic revitalization area as defined in Indiana Code § 6-1-1-12.1-1, *et seq.*, and is therefore eligible for deduction from the assessed value of proposed real property improvements.

Section 3. The applicant's Statement of Benefit is hereby approved, subject to a confirmatory resolution, to be adopted by this Council after a public hearing.

Section 4. This declaratory resolution shall be submitted to a public hearing to be convened on the 10th day of April, 2023 at 6:30 p.m. (or immediately after the Board of Public Works and Safety meeting on the same date) in the Council Chambers, City Hall, 124 N. Michigan St. (Garro St. Entrance, Second Floor), as provided by law.

Section 5. The Common Council's designation as an economic revitalization area the real estate described in Exhibit "A" shall terminate after a public hearing held by the Common Council in accordance with applicable law, if the applicant fails to substantially complete the proposed development or create and maintain the level of employment related benefits described in the Statements of Benefits. Plymouth Hospitality, LLC's City of Plymouth Application for Tax Abatement is incorporated herein by reference.

Section 6. The Clerk-Treasurer is hereby authorized and directed to make all necessary filings to ensure to be published all notices required by law, and to notify the appropriate officers of each taxing unit that has authority to levy property taxes in the geographical area within which the real estate described in Exhibit "A" is located, all as provided by state law.

PASSED AND ADOPTED by the Common Council this 27th day of March, 2023.

ATTEST:


Lynn M. Gorski, Clerk-Treasurer


Mark Senick, Presiding Officer

REGULAR SESSION, COMMON COUNCIL, March 27, 2023

EXHIBIT A

Parcel ID# 50-42-31-101-084.003-019



Legal Description
 Lot 1 of Van Vactor Farm, Inc. P.U.D. Phase VII located in the NW 1/4, Section 31-134N-R2E
 City of Plymouth, Marshall County, Indiana.

Hildebrand states this proposal is for a real estate tax abatement for a piece of property that is out near the Aquatic Center. He explains this is for a four-story Hampton Inn. He states that it is a \$6.6 million real estate investment and they are asking for a ten-year phased in abatement for real estate.

Houin states that Hildebrand had reached out to the Council ahead of time and several of them got the opportunity to meet with him and learn about this project. He states the reason they do not have a lot of questions is because they already have the answers and he appreciates that.

Hildebrand explains that this project was proposed around the time the Aquatic's Center went up and at that time there was more of an appetite for a more aggressive tax abatement. He states that times have changed and they were able to talk them into a less aggressive tax abatement.

Council Members Ecker and Culp moved and seconded to approve Resolution No. 2023-1039, A Resolution of the City of Plymouth Declaring Certain Real Estate to be Within an "Economic Revitalization Area" Pursuant to I.C. 6-1.1-12.1 et. seq. (Plymouth Hospitality LLC) as presented. The motion passed by roll call vote.

Councilman in Favor: Compton, Culp, Ecker, Houin, Longanecker and Milner

Councilman Opposed: N/A

Councilman Absent: Listenberger

City Attorney Surisi presented Resolution No. 2023-1042, A Resolution of the Common Council of the City of Plymouth, Indiana Recommending 101 Brew Wurks for Issuance of a Permit to Sell Alcoholic Beverages at the Premises Located at 101 S. Michigan Street Within the Plymouth Riverfront District.

RESOLUTION 2023-1042

A RESOLUTION OF THE COMMON COUNCIL,
OF THE CITY OF PLYMOUTH, INDIANA
RECOMMENDING
101 BREW WORKS
FOR ISSUANCE OF A PERMIT TO SELL ALCOHOLIC BEVERAGES AT
THE PREMISES LOCATED AT 101 S. MICHIGAN STREET WITHIN
THE PLYMOUTH RIVERFRONT DEVELOPMENT DISTRICT

WHEREAS, Indiana Code § 7.1-3-20-16.1(d) authorizes the legislative body of a city to recommend to the Indiana Alcohol and Tobacco Commission sites within a Municipal Riverfront Development Project for issuance of a permit to sell alcoholic beverages. The purpose and intent of this resolution is to recommend 101 Brew Works for issuance of an alcoholic beverage permit at 101 S. Michigan Street.

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

Section 1. Pursuant to Indiana Code § 7.1-3-20-16.1, the Common Council of the City of Plymouth recommends 101 Brew Works for issuance of an alcoholic beverage permit at 101 S. Michigan Street, and in support thereof finds as follows:

- a. The Plymouth Riverfront Development District, which was established by the adoption of Resolution No. 2022-992, meets all the requirements for a Municipal Riverfront Development Project under Indiana law.
- b. The 101 Brew Works premises is depicted in the map of the Plymouth Riverfront Development District with a red square noting its location, all of which is attached as Exhibit a hereto.
- c. The 101 Brew Works premises is located within 1,500 feet or 3 blocks of the Yellow River.
- d. The 101 Brew Works premises is located within the East Jefferson/Central Business District (TIF #2) Economic Development Area, established under Indiana Code § 36-7-14 *et seq.*
- e. Within the Plymouth Riverfront Development District, and specifically, immediately adjacent to the 101 Brew Works premises, the City and the State have invested significant funds in projects such as the development of River Park Square Phase I and Phase II, the Greenways Trail Phase II and III, the Historic East LaPorte Street Footbridge, the City Hall renovation project, the South Gateway development project, the River Gate South apartment development, the Marshall County Museum Historic Crossroads Center, the Rees Theatre project, and many more projects.



PASSED AND ADOPTED this 27th day of March, 2023.

Mark Seiner
Mark Seiner, Presiding Officer

ATTEST:

Erin Garski
Erin Garski, Clerk-Treasurer

Surrisi reminds the council that last year they established a Riverfront District which is a special provision under the state alcohol laws that allows for a map to be created within a certain distance of a river. He states alcohol permits can be available regardless of whether there are permits available under the quotas established for the City by the State. He states in order for the applicant to be considered by the Alcohol and Tobacco Commission for a permit that they first need to go through a step for review from the Council to see if they meet the requirements and the Council provides its recommendation. He states that the Architect Brent Martin and Debra Ventti are here to talk about the proposal.

Martin explains that they are the architects for the 101 Brew Wurks. He states for the old NIPSCO building, that is currently vacant, they are going to convert that building into casual dining. He lists woodfire pizza, barbecue and craft beers. He states that he is really excited that they determined they are going to construct a deck off the south wall over the riverbank for outdoor dining. He explains that the current outside glass is single pane glass and they are going to replace that with the insulated glass. He states they plan on keeping the mid-century look of the building. He states to give them an idea of the way they are going they created some images of other brewpubs and brewhouses from other locations. He showed an exposed structure, deck with sails over it for

REGULAR SESSION, COMMON COUNCIL, March 27, 2023

some shade and a casual atmosphere for families. He states that it will include a bar with wine and spirits as well as a lot of different craft beers. He states that is the project and the purpose tonight is to see if it is appropriate for them to have an alcoholic beverage permit and he would encourage them to favorably consider that request.

Compton asks where the beer will be brewed.

Martin responds by stating that they will not be brewing on site. He states that it will come from various microbreweries across the Midwest.

Venti adds that they are dealing with the largest distributor in Northern Indiana. She states that she has lived in North Carolina for the past 25 years and is returning back to Plymouth. She states that gathering places like this is something that she believes is so crucial to keep going on a momentum that they have going from the REES Theatre. She believes that outdoor seating and music that they are having in the downtown that they will be able to sit on the back deck and oversee that. She explains it is very exciting to see what is going on in the downtown and it is great to be back.

Houin explains that he noticed in the sign that they spelled Wurks with a “u” instead of with a “v” with an unlaut.

Martin states that he was given that spelling by his client and he will say that it is a working title right now. He states they are just in the process of getting the design started.

Council Members Compton and Longanecker moved and seconded to approve Resolution No. 2023-1042, A Resolution of the Common Council of the City of Plymouth, Indiana Recommending 101 Brew Wurks for Issuance of a Permit to Sell Alcoholic Beverages at the Premises Located at 101 S. Michigan Street Within the Plymouth Riverfront District as presented. The motion passed by roll call vote.

Councilman in Favor: Compton, Culp, Ecker, Houin, Longanecker and Milner

Councilman Opposed: N/A

Councilman Absent: Listenberger

City Attorney Surrisi presented Resolution No. 2023-1043, A Resolution of the City of Plymouth Declaring Certain Real Estate to be Within an “Economic Revitalization Area” Pursuant to I.C. 6-1.1-12.1 et. seq. (AK Industries Inc.). Surrisi states that Greg Hildebrand from Marshall County Economic Development Corporation (MCEDC) is here to speak on this proposal.

Hildebrand states that this is a traditional personal property tax abatement for \$3 million investment. He states it is for the purchase of Rotational Molding machines as well as Winding

REGULAR SESSION, COMMON COUNCIL, March 27, 2023

Machines for Fiberglass and Air make up units. He states that it is a very large piece of equipment and the last one they got in like this required them to shut down the street as it was quite the operation. He states that this will create ten new employees.

Houin asks for clarity that this will fit within their existing facility so there is no real estate involved. Hildebrand agrees.

Ecker asks what the estimated wait time is for equipment to arrive as it is a custom-built piece of equipment.

Hildebrand responds by stating they have the start date as May 1st. He states the completion date is for next year.

Compton states that in the past he has been opposed to having personal property with abatements and he states that his clincher for this is the 10 employees. He will vote yes for the 10 new employees.

RESOLUTION NO. 2023-10A3
RESOLUTION OF THE CITY OF PLYMOUTH
DECLARING CERTAIN REAL ESTATE TO BE
WITHIN AN "ECONOMIC REVITALIZATION AREA"
PURSUANT TO I.C. 6-1-1-12.1-1 et. seq.
(AK INDUSTRIES, INC./S & S PROPERTIES, LLC)

WHEREAS, the State of Indiana has provided for real and personal property tax deductions for the rehabilitation or redevelopment of real property located in economic revitalization areas, as defined pursuant to Indiana Code § 6-1-1-12.1-1 et. seq.; and,

WHEREAS, pursuant to Indiana Code § 6-1-1-12.1-2, the Common Council of the City of Plymouth may find that a particular area within the city is an economic revitalization area as contemplated by statute; and,

WHEREAS, AK Industries, Inc./S & S Properties, LLC, has petitioned the Common Council to find a certain tract of real estate to be declared an economic revitalization area as defined because the parcel has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of character of occupancy, and other factors which have impaired values and prevented the normal development of the property and its use; and,

WHEREAS, the Common Council of the City of Plymouth, after examining the application of AK Industries, Inc./S & S Properties, LLC, and after hearing evidence thereon has determined that the tract of real estate does in fact lie within the corporate limits of the City of Plymouth as described in the attached Exhibit "A," more commonly known as 2055 PIDCO Drive/1420 Stanley Drive, Plymouth, Indiana, and the same should be designated an economic revitalization area in accordance with Indiana Code § 6-1-1-12.1-1 through and including Indiana Code § 6-1-1-12.1-6.

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

Section 1. After considering the evidence presented at a public meeting on March 27, 2023:

- a. the estimates of personal property investment of \$3,000,000.00 is reasonable for projects of this nature; and,
- b. the estimated number of employment positions to be created of 10 with the investment is a reasonable projection; and,
- c. the estimated total annual salaries of those individuals who will be employed within the economic revitalization area is reasonable; and,

d. the totality of the capital investment is sufficient to justify declaring the designated real estate an economic revitalization area and thereby authorizing deductions in accordance with state law.

Section 2. The real estate described in the attached Exhibit "A" is real estate within the corporate limits of the City of Plymouth, Indiana, and is hereby declared to be an economic revitalization area as defined in Indiana Code § 6-1-1-12.1-1, et. seq., and is therefore eligible for deduction from the assessed value of proposed personal property improvements.

Section 3. The applicant's Statement of Benefits is hereby approved, subject to a confirmatory resolution, to be adopted by this Council after a public hearing.

Section 4. This declaratory resolution shall be submitted to a public hearing to be convened on the 10th day of April, 2023 at 6:30 p.m. (or immediately after the Board of Public Works and Safety meeting on the same date) in the Council Chambers, City Hall, 124 N. Michigan St. (Carro St. Entrance, Second Floor), as provided by law.

Section 5. The Common Council's designation as an economic revitalization area the real estate described in Exhibit "A" shall terminate after a public hearing held by the Common Council in accordance with applicable law, if the applicant fails to substantially complete the proposed development or create and maintain the level of employment related benefits described in the Statements of Benefits. AK Industries, Inc./S & S Properties, LLC's City of Plymouth Application for Tax Abatement is incorporated herein by reference.

Section 6. The Clerk-Treasurer is hereby authorized and directed to make all necessary filings, to cause to be published all notices required by law, and to notify the appropriate officers of each taxing unit that has authority to levy property taxes in the geographical area within which the real estate described in Exhibit "A" is located, all as provided by state law.

PASSED AND ADOPTED by the Common Council this 27th day of March, 2023.

ATTEST:

Lydia M. Gorski
Lydia M. Gorski, Clerk-Treasurer

Mark Scuter
Mark Scuter, Presiding Officer

Map and Legal Description (Exhibit A)



Legal Description

Beginning at the intersection of the South line of Pico Drive and the West line of Stanley Drive extended; thence North 99°00' West Four Hundred ninety-five (495) feet; thence South 00°00'1 West Five hundred (500) feet; thence North 90°00'1 East Four hundred ninety-five (495) feet; thence North 00°00'1 East Five hundred (500) feet to the place of beginning; all in the Southeast Quarter (SE 1/4) of section Thirty-one (31) 1 Township Thirty-four (34) North, Range Two (2) East, Center Township, Marshall County, Indiana.
EXCEPT, a part of the southeast Quarter (SE 1/4) of section 31, Township 34 North, Range 2 East, Center Township, described as follows: Commencing at the intersection of the South line of Pico Drive and the West line of Stanley Drive extended; thence South 0°00'00 West 290 feet to the point of beginning; thence continuing South 0°00'00 West 220 feet; thence south 90°00'00 West 300 feet; thence North 0°00'00 East 220 feet; thence North 90°00'00 East 300 feet to the point of beginning.

REGULAR SESSION, COMMON COUNCIL, March 27, 2023

Council Members Ecker and Houin moved and seconded to approve Resolution No. 2023-1043, A Resolution of the City of Plymouth Declaring Certain Real Estate to be Within an “Economic Revitalization Area” Pursuant to I.C. 6-1.1-12.1 et. seq. (AK Industries Inc.) as presented. The motion passed by roll call vote.

Councilman in Favor: Compton, Culp, Ecker, Houin, Longanecker and Milner

Councilman Opposed: N/A

Councilman Absent: Listenberger

City Attorney Surrisi presented Resolution No. 2023-1044, A Resolution of the City of Plymouth Confirming the Adoption of a Declaratory Resolution Designating Certain Real Estate Within the City of Plymouth to be Within an “Economic Revitalization Area” for Purposes of Real Property Tax Abatement Pursuant to I.C. 6-1.1-12.1 et. seq. (ADDD Equities, LLC).

RESOLUTION NO. 2023-1044
RESOLUTION OF THE CITY OF PLYMOUTH
CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION
DESIGNATING CERTAIN REAL ESTATE
WITHIN THE CITY OF PLYMOUTH TO BE WITHIN AN
“ECONOMIC REVITALIZATION AREA” FOR PURPOSES OF
REAL PROPERTY TAX ABATEMENT
PURSUANT TO I.C. 6-1.1-12.1 et seq.
(ADDD EQUITIES, LLC)

WHEREAS, on March 13, 2023, the Common Council of the City of Plymouth, adopted Resolution No. 2023-1038, entitled a “Resolution of the City of Plymouth Declaring Certain Real Estate to be within an “Economic Revitalization Area” Pursuant to I.C. § 6-1.1-12.1 et seq.,” and,

WHEREAS, the Declaratory Resolution found that a certain area in the City of Plymouth was an economic revitalization area within the meaning of I.C. § 6-1.1-12.1, (the Act) as amended, for the purpose of allowing deductions from the assessed value of real property improvements; and,

WHEREAS, pursuant to Sections 2.5(b) and 2.5(c)(2) of the Act, the Clerk-Treasurer has filed the Declaratory Resolution, and related documents with other appropriate taxing units and the Marshall County Assessor; and,

WHEREAS, pursuant to Section 2.5(c)(1) of the Act, notice of the adoption and substance of the Declaratory Resolution has been published in accordance with I.C. § 5-3-1; and,

WHEREAS, at a public hearing held by the Common Council on the 27th day of March, 2023 at 6:30 p.m., in the Council Chambers, City Hall, 124 N. Michigan St. (Carro St. Entrance, Second Floor), Plymouth, Indiana, the Council heard all persons interested in the proceedings and received any written remonstrance and objections, and considered the same, if any, and all other evidence presented; and,

WHEREAS, the Common Council now desires to take final action and make the necessary findings in accordance with Section 3 and Section 4.5 of the Act.

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

Section 1. After consideration of the evidence presented at the public hearing on the 27th day of March, 2023, the Common Council finds the qualifications for an economic revitalization area have been met.

Section 2. Accordingly, the Common Council hereby confirms the Declaratory Resolution designating the area described as an economic revitalization area for the purposes of tax abatement. This designation is for real property tax abatement and is limited to two (2) calendar years from March 13, 2023, the date of the adoption of the Declaratory Resolution.

Section 3. Based upon the totality of benefits of this project, as evidenced in the currently submitted Statement of Benefits, and pursuant to Section 17 of the Act, the Common Council hereby determines the property owner is qualified for and is granted real property tax abatement for a period of seven (7) years, according to the following schedule:

YEAR OF DEDUCTION	PERCENTAGE
1 st	100%
2 nd	85%
3 rd	71%
4 th	57%
5 th	43%
6 th	29%
7 th	14%

Section 4. By the Common Council determining the public utility and benefit of the proposed real property improvements in the revitalization area, this resolution constitutes final action pursuant to Section 2.5(e) of the Act. Further, this resolution shall be in full force and effect from and after its adoption by the Common Council, approval by the Mayor, and due attestation.

PASSED AND ADOPTED by the Common Council this 27th day of March, 2023.

ATTEST:

Lynn M. Gonski, Clerk-Treasurer


Mark Senter, Presiding Officer

Hildebrand states that this is the tax abatement they had the public hearing for earlier this evening. He states that this is a \$1.5 million seven year phased in tax abatement for the real estate.

REGULAR SESSION, COMMON COUNCIL, March 27, 2023

He states there would be seven new employees and they would be retaining 25 employees. He states this is for Construction Management & Design (CMD) and Property Management and Management (PMM). He adds that this will be a headquarters and a warehouse facility.

Council Members Houin and Ecker moved and seconded to approve Resolution No. 2023-1044, A Resolution of the City of Plymouth Declaring Certain Real Estate to be Within an "Economic Revitalization Area" Pursuant to I.C. 6-1.1-12.1 et. seq. (AK Industries Inc.) as presented. The motion passed by roll call vote.

Councilman in Favor: Culp, Ecker, Houin, Longanecker and Milner

Councilman Opposed: N/A

Councilman Absent: Listenberger

Councilman Abstaining: Compton

Surrisi explains that Resolution No. 2023-1045 will be moved to the next meeting by request of the applicant.

Tyler Coffel with Baker Tilly was here to discuss the 2022 Q4 Council Report. He states the reason these council reports were created was for smaller towns as they did not notice a ton of transparency between the council members, the clerk and the city. He states he still believed Plymouth would be a really good fit as it creates awareness every quarter and keeps everyone involved in what is going on. He states that generally they try to finalize these quarterly reports by the second meeting the following month. He states for this first quarter they are planning for the second meeting in April. He explains that this one took a little bit longer because they had to set it up and everything. He states that the first page really just hits some high-level things that did happen at the end of last year. He states the core funds cash activity generally will show the ending cash in the core funds from the end of last quarter to the end of this quarter. He states in this graph they showed the end of last year because they did not put together a report last quarter. He states overall the cash balance in the core funds grew by 13.9% over the last 12 months. He states on the next page is the core funds disbursements and as the Mayor mentioned they spent 89% of their budget last year so they are well within the original budget they set out plus some additional appropriations. He states the third page is the revenue analysis showing where all the revenue comes from for those core funds. He lists that 54% is from property taxes, 22% from local income tax and the rest are just their smaller revenues. He states that interest income is just a revenue trend that showed the city got a ton more interest income last year as the interest rates rebound from the pandemic. He states the last page just showed a note from the clerk on where things are going. He states that generally when they

REGULAR SESSION, COMMON COUNCIL, March 27, 2023

put these together, they include utilities and because they already put together the mid-year of the utilities as well so they did not want to regurgitate information there. He asks if there were any opinions on what they wanted to add moving forward or anything they wanted to see. He explains that they will be comparing the budget to actual spending moving forward so that will be more of a value add compared to this year end one is but any thoughts are welcome.

Ecker explains that he had looked at this a couple times already and firstly he would like to thank him for a quick snapshot that is very accurate and very helpful. He states as we know, inflation is hitting everybody everywhere and looking at the monthly expenditures and reports and see how it is tracking. He states that anytime they can get a more current snapshot that it helps them pull triggers on areas they need to pull triggers on. He states that he appreciates this and would like to see this continued.

Houin wished to comment on the way Coffel started his presentation saying he noticed a lack of transparency in some small towns. He states that he just wants to comment that is not the case working with Lynn Gorski in the Clerk-Treasurer's Department and this information has been very forthcoming from her office but it makes a huge difference to see it presented visually like this. He explains that they got this data and it is helpful but it is tremendously more so to see it in this snapshot to make it very obvious on the financial position that the city is in so he appreciates it as well.

Coffel states that if there are any more suggestions on what they would like to see moving forward to just let the Clerk-Treasurer know and they will work on putting it into the report.

Surrisi comments when he first looked at this, he was studying the picture on the cover and was wondering where that was in Plymouth but it ended up not being in Plymouth.

Surrisi states that for Stellar Communities that River Park Square Phase Two is close to completion and that they have heard they expect the second week of April to have a final substantial completion walkthrough with the contractor and he will keep them posted on when that happens. He states this isn't for Stellar but with Kevin Berger's firm they are working on advancing the READI Project, the Water Street Townhomes, and they had a meeting last week with Baker Tilly and their bond council ICE Miller to look at a potential bond issuance from TIF #2 to help with the city's matching requirements for that so they are moving that forward. He believes the surveying work for that will be starting in the coming weeks and they are hoping to advance that.

In the Privilege of the Floor, Longanecker wished to thank Building Commissioner Keith Hammonds, as a contractor he always made a partner in a project rather than a pain in the project.

He states they always appreciated that and whenever they reached out to give him a call that he would respond. He states at times they would give him the short notice as they were in a hurry and he accommodated them and he appreciates that partnership as a contractor as they have been able to work together over the years.

Mayor Senter asks if Hammonds has any words of wisdom for tonight.

Hammonds explains that he is glad to be leaving, not that he is doesn't like Plymouth, but he would like to move on to better weather.

Mayor Senter explains they will be having a party for him on March 31st Friday 1-3 P.M. here in the Council Chambers.

Hildebrand wished to give one quick update on Plymouth Molding Group as it has finally been finished and they are moving in as they speak so look for a ribbon cutting early Spring.

Mayor Senter states that they also spoke this morning on their new street as well that the Redevelopment Commission will most likely be paying for.

Randy Danielson would like to second what Longanecker said about the Building Commissioner leaving. He states that when he came in that several people looked at their agenda because they thought he was here to surely ask for money. He expresses that he is not. He states what he does want to do is say a few things. He explains that he is here to support Mayor Senter on his State of the City Address and he is excited what they as an administration are doing and the forward movement on everything, they have voted on this evening that it is very encouraging to him. He states that he was here six years ago with a group of people and some of them are in the room and most of you were there as well. He states there were three things the City of Plymouth needed. He lists Downtown Housing, which they got; Restoration of a Downtown Theatre, which they got; and they also needed a new eatery especially in that building and it looks like they are moving forward on that as well. He states that is very important because in the six months since that Theatre has been reignited that at the end of this month, they will have reached 70 events that have taken place there. He states that is a testament to really all of us in this room and community because he feels like they did that project right. He states they didn't cut corners and people noticed that. He explains that bands and performers that play there are astounded with the acoustics and the décor so kudos to all of them for making that happen. He states in order to make Plymouth a destination and an experience that this venue here on the river will really help do that. He states that he hopes to see many more of them here next year and wishes Mayor Senter a happy retirement.

REGULAR SESSION, COMMON COUNCIL, March 27, 2023

Mayor Senter states that he still has nine months left until then. He expresses that the Sunday afternoon movies have been awesome.

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

communications:

- Minutes of the Board of Public Works and Safety meeting of March 13, 2023
- March 27, 2023 Check Register
- March 14, 2023 Technical Review Committee Minutes
- February 2023 Clerk-Treasurer Financial Reports
- February 14, 2023 Board of Aviation Commissioners Minutes
- February 28, 2023 Fire Pension Board Minutes
- March 15, 2023 Urban Forest & Flower Committee Minutes

The motion carried.

There being no further business to come before the Council, Council Members Longanecker and Compton moved and seconded to adjourn, Mayor Senter declared the meeting adjourned at 7:19

p.m.


Lynn M. Gorski
Clerk-Treasurer

APPROVED



Mark Senter, Mayor