REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, April 27, 2026

The Board of Public Works and Safety of Plymouth, Indiana, met in Regular Session at 6:00 p.m. on April 27, 2026. The meeting was held in the Council Chambers, on the second floor of the City Building, 124 N. Michigan St., Plymouth, Indiana.

Mayor Robert Listenberger called the meeting to order. Listenberger presided for Board members Duane Culp, Don Ecker Jr., and Shiloh Milner, who were physically present. Board Member Dave Morrow attended virtually. City Attorney Jeff Houin and Clerk-Treasurer Lynn Gorski were also present. The public was able to see and hear the meeting through Zoom and streamed live at https://www.youtube.com/@CityofPlymouth.

Board members Culp and Ecker moved and seconded to approve the minutes of the regular session of the Board of Public Works and Safety meeting of April 13, 2026, with a correction to change a second from Milner to Culp. The motion passed by roll call vote with all in favor.

Utility Superintendent Donnie Davidson stated that the water department Consumer Confidence Report (CCR) was out, and it should have been received in your utility bill. He stated there was a direct link to it and it was also on the front page of the city's website. He stated that if somebody wanted a paper copy of the CCR, they just had to fill out the slip and drop it off at the city office, and we would be happy to deliver it to them, so they have access to it. He stated that with the asphalt plants open, we were able to use the hot mix asphalt, which was a much more durable material to repair the streets after emergency work that was done over the winter. These repairs should be done by the end of the week.

City Engineer Dan Sellers stated that, after reviewing the bids for the PW-25-009 2026 Street Repaving Projects and finding everything in order, he recommended awarding the project to the lowest bidder, E&B Paving. He stated this would exceed the budget that we have for our share, so he recommended that we do all the streets except for Nutmeg Road and postpone that until next year. He added that Prices Pond would be paid from the Park Budget in the amount of $49,580.79. He listed the following amounts below:

Total for Streets:	$1,847,750.69
Removal of Nutmeg Road:	-$64,048.35
Total to be awarded to E&B Paving:	$1,783,702.34

Board members Ecker and Morrow moved and seconded to award the bid to E&B Paving in the amount of $1,783,702.34. The motion passed by roll call vote with all in favor.

Sellers added that the city was awarded a Community Crossings Matching Grant (CCMG) in the amount of $717,095.80 to cover a portion of the cost for this project.

Building Commissioner Dennis Manuwal Jr. stated he issued an emergency order to vacate at 405 Clark Street. He stated that he had to hold a hearing on this so he would have to send a modified letter to the property owner. He stated there were no appliances, no place to cook, no water since 2021, and apparently someone was staying there.

Mayor Listenberger asked if this would be put at a future meeting.

Houin replied that typically an order to vacate requires a 10-day notice and a hearing, and we couldn't provide notice for this meeting. He explained that Manuwal did have authority, if he deems it an emergency, to issue an emergency order to take action immediately, but it still required a hearing. He suggested that Manuwal reissue an amended order scheduling a hearing for your next meeting, but the emergency order could still go into effect immediately.

Manuwal stated he found out about this on Friday, and he was already out of the office by then. He stated he came in this morning, reviewed all the footage, reviewed the complaint form, and issued the emergency order. He stated this came from another agency and they notified him of it.

Fire Chief Steve Holm stated he was happy to report that we've received our enFocus Final Analysis. He stated it was a long process, but that may have been because we were dealing with three different entities with Center and West Township. He stated we had a lot of call data to gather and things like that. He added that enFocus still did a great job even with switching fellows during the process and were able to conclude it in a way that he felt was timely for the information we received. He stated we are developing a committee fondly named PFD Forward. He listed membership to include Mayor Listenberger, Ed Marquardt, Art Jacobs, Mike Jimenez, Paul Mathewson, Jake Bockover, and himself. He stated that it consisted of three volunteers and three full-time staff. He felt that, from these choices, we could get a good platform to work together. He stated they were working on a time to meet next week to start this process. He stated they would be going over fee schedules as well as the overall analysis that enFocus provided us to move forward.

City Attorney Houin introduced a Memorandum of Understanding (MOU) between the Plymouth Police Department (PPD) and Plymouth Community School Corporation (PCSC) for School Resource Officers (SRO).

Houin explained this was very similar to contracts we had in the past, with the most recent one up for renewal this year. He stated we took a close look at it and worked with the Clerk-Treasurer to confirm the salary information from last year, and we had a discussion with the school administration. He stated the only two significant changes to this were the increased contract amounts, which are based on actual salaries for those SROs, and it also included an automatic 3% increase each year. He stated there was some speculation in those numbers, as it was hard to pin down an exact salary number attributed to the school. He felt this was accurate, and we believe that the 3% increase would account for inflation and additional costs moving forward. He stated we met with the school administration to discuss this, and they reviewed it and gave tentative approval. He stated that if it was approved tonight, they would go to the school board to have their meeting next week for final approval.

Ecker stated he reviewed this and communicated that this was very reasonable. He stated it allowed for escalation for the next couple of years, which we've never had in years past, as it was a locked price, which was why it fell behind. He stated from his conversation with a representative from the school that he felt this was fair and a win-win for both parties. He believed this was probably the best agreement we had that provides equitable responsibility for both parties.

Houin noted that there was one other change to the number of days. He stated in the past it called for the SROs to be in school for 180 days, which was the number of total instruction days, but it was indicated by the school that with E-Learning days throughout the year, they felt they only needed 175 days. He stated the calculations were based on the reduced number of days.

Culp expressed that it was fair and a good start. He stated that it was a lot more equitable than it was. He stated he didn't want to make a big deal about it, but his only concern was SROs working school functions on the weekends. He asked if that overtime out of the budget would fall into the city's lap or if that was something that they paid for themselves.

Houin stated that the contract didn't call for the SRO's to be at school events outside of the school day, so if they are working and paid overtime, then that would fall under the city. He stated if they were off duty, then they wouldn't be paid.

Culp asked if the city would absorb that if they were required to be there. Houin agreed. Culp asked Gorski if that was something we could track or if it would be a pain.

Gorski replied that during this school year there were several occasions where the SROs were at school for overtime for different school events. She stated that she did not know if the school requested them to be here or if the Police Chief requested them to be there. She stated that if the Police Chief requested them to be there, then it would be a city function. She stated if the school requested them to be there, then to her it would be a school function.

Houin stated he did not know the specific instances where that happened, but it may also be a situation where if they requested that the police department provide officers just for security, it would make sense to send the SROs.

Police Chief John Weir stated that on school prom, he sent Hite but asked both SROs if they wanted to go. He believed that he had them both going this year because he wanted our officers there to help protect our students. He stated that was his call. He explained he had Hite go to the football game in Indianapolis because he believed that we should support our school and he wanted our officers there for security purposes. He stated he could not think of any other instances. He stated that, as far as High School football games, our officers go in and out of there normally. He stated that Hite goes there on her own and the school may pay her. He stated that for the big events, he had the SROs go.

Board Members Ecker and Milner moved and seconded to approve the MOU between PPD and PCSC for SRO as presented. The motion passed by roll call vote with all in favor.

Clerk-Treasurer Gorski presented a street closure request for the Cars and Coffee Event. John Montgomery was in attendance to speak on behalf of this request.

Montgomery stated this would be their 9th year making this request. He stated that any donations go into a scholarship fund, and we do have the sheriff's reserve on schedule.

Board members Culp and Milner moved and seconded to approve the request as presented. The motion passed by roll call vote with all in favor.

REQUEST FORM
CITY OF PLYMOUTH

Date: 4/22/26

Notice to BOARD OF PUBLIC WORKS AND SAFETY, CITY OF PLYMOUTH, INDIANA
Kindly review of the following request:

Request to close approximately 1 block of Beerenbrook Street on both the north and south sides of Jefferson Street for Cars and Coffee event from 6:00am to 11:00am.

May 2nd - June 6th - July 4th - August 1st - September 5th

Signed _____ Phone Number _____

Print Name John Montgomery Address 10548 King Road

In-Office Only:
Determination of Request
4/27/26 Board of Public Works & Safety approved request

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

Signed _____ Title Clerk-Treasurer

Council members Ecker and Culp moved and seconded to take the Red Rock Inn request for an extension of an Order to Take Action off the table. Nilesh Patel attended virtually to speak on behalf of these requests.

Mayor Listenberger asked Davidson for his report on the meter check requested at the last meeting.

Davidson replied that he did meet Patel at the Red Rock Inn the following morning, and we observed that the low side of the water meter was still leaking, with the leak detector still registering. He stated they tested all water sources that we could see, like the storm drainage, to see if we could detect any chlorine, and we didn't find anything. He stated they had it scheduled to test the meter on May 19th, when the city was testing the rest of the large meters. He explained that we did a portion of them each year and the valves at the meter do not work, which was part of the reason why they were not tested last year. He stated we were going to step back and control it at the main, but we must coordinate that with Mike Anderson's Auto because it'll also control his water while we test it. He stated it would save everybody some cost to do it May 19th, and we'll have it scheduled to be first on the list. He stated that prior to the meeting Manuwal did mention to him that he had noted a leak at his water softener on the hotel side.

Mayor Listenberger asked if the bill was paid.

Clerk-Treasurer Gorski replied that the bill was paid the next day.

Mayor Listenberger stated that at this time there would be no refund unless it was found that the meter was inaccurate.

Manuwal stated that the demolition contractor did get registered and they did apply for a permit today. He stated there are no IDEM reports or testing completed at this time. He stated that we still did not have a bond, and apparently there have been problems getting a bond, and he did not feel that it was our fault, as the order was issued back in November. He stated they waited the entire time to get a bond.

Mayor Listenberger asked if the remedy for not getting that would be fines.

Houin stated that back in November, you affirmed the Building Commissioner's order, but you stayed the fines with the additional requirements, including getting a $500,000 demolition bond within 30 days. He stated it wasn't until recently that we began to have conversations with Patel, and he was struggling to get that bond. He left the recommendation to Manuwal, but they now had the option to impose that fine that was stayed.

Manuwal stated it was a $2,500 fine per order/citation, and there were two of them that he cited.

Houin stated there was the specific one for the demolition that was $2,500, and there was $2,500 for the remediation that was ordered as well. He stated that the orders were affirmed, but you stayed the fines with those additional requirements. He believed that Manuwal recommended that you impose those fines because they're not in compliance with the requirements of the order.

Manuwal added that if Patel did not fulfill his portion of the order, the fines went retroactive. He explained that with the initial modification order issued on October 17, 2025, he gave him 14 days to comply with the vacate order and have the testing done, and he did not comply. Per Patel's request, if he demolished the building, we would forgive those fines; he did not comply. He stated that, according to his calculations, it would be two fines of $2,500 plus an additional fee of $1,000 for 90 days of noncompliance. He added that this Wednesday, April 29th, would be an additional $1,000 fine for 180 days of noncompliance.

Ecker asked if it was $1,000 per citation or $1,000 total.

Manuwal replied that the only one with the 90-day conditions was the repair order.

Patel stated they tried several bond companies in the last couple of weeks, but they denied it because they said there was no situation to buy and an owner had to do that. He stated the contractor must do that, but we found today a company named Merchant Bond Company, and he hired his attorney, who was online.

Attorney Richard Bryant of Goshen stated he found out about this an hour ago and learned a lot recently, but they did find a bond company for Mr. Patel, which seems to be quite agreeable. He stated that they were contacted today and he was not sure if they issued it or not, but he seemed to have difficulties getting a bond on himself with other places but he's able to get this contractor to get a bond, but for some reason that was not acceptable. He stated he was not sure the reason why. He stated that was all he knew currently.

Houin stated they had some discussions today with the demolition company, and they were willing to investigate having the bond issued in their name. However, his understanding was that they were not willing to do that because that would make them responsible for the full $500,000 if, for some reason, the demolition was not completed. He stated they were not willing to take on that potential liability.

Bryant stated the bond company they found was Merchants Bonding Company in Illinois

Mayor Listenberger asked if they were looking into that and that it was favorable, or if you had a commitment and just not the contract yet.

Denise Green, Paralegal for The Law Office of Richard Bryant, stated that she contacted them today and, from experience, they have worked with owners and our clients before, so this should not be a problem. She stated that Mr. Patel understood that the bond should be in ownership. She contacted the agents, and Patel was in the middle, so this should happen.

Morrow said this didn't sit well with him and then lost connection to the meeting.

Manuwal restated his recommendation of the two $2,500 fines, plus the $1,000 fine, and if we don't have the bond issued by Wednesday, April 29th, it'll be an additional $1,000 fine.

Houin replied that would total $6,000 for the initial fines. He stated the decision on the next $1,000 fine could be delayed until your next meeting, and that would give you time to find out if the bond was issued and hopefully Manuwal could report that they are successful in providing the bond.

Board members Ecker and Culp moved and seconded to impose the two fines of $2,500/each and the additional $1,000 for noncompliance, totaling $6,000. It was added to the motion that if this bond was not obtained by April 29th, then an additional $1,000 would be applied to the fines. The motion passed by roll call vote with all in favor.

REQUEST FORM
CITY OF PLYMOUTH

Date: 03/26/2026

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

Kindly review of the following request:

(1) Need Extention for the demolition order because of Tenant (Restaurant) has court date for eviction on May 1st 2026. & This order also expired on May 1st 2026.

(2) Water/ sewer Bill is to high. & Buesness is closed since November 2025.

Signed — 302.245.0471 Phone Number

Nileesh Patel Print Name — 259 S. Zurich Ave Address Egg Harbor City, NJ. 08215

In-Office Only:

Determination of Request

4/13/26 Request 1 - Tabled ; Request 2 ordered to pay bill & prove water did not go down drain.

4/27/26 Request 1 - Motion to impose retroactive fines for remediation and demo at $ 2500.00 each plus $ 1000.00 fine for not complying within 90 days from the affirmed orders in November 2025. If bond is not obtained by April 29, 2026 an additional fine of $ 1000.00 will be imposed.

Request 2 - High water usage was determined to not be on to ground and water meter will be tested for accuracy. No Sewer credit issued.

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

Lynn M. Goreki Clerk-Treasurer

Signed Title

Culp asked if there was any update on 222 Shalley Drive.

Houin replied that it was currently tied up in estate proceedings out of Marian County because Dr. Marshall owned the property jointly with Ronda Crist. He stated that because it was in the estate, we must get it out of the estate before any action can be taken. He stated at one point there was some discussion with Dr. Marshall about the city purchasing it, and that did not move forward, so it's no longer on the table. He stated that, as far as taking any further action, it's difficult to do with the estate.

Mayor Listenberger stated the last time he checked, the property was secured, and there shouldn't be any safety issues.

Board members Culp and Milner moved and seconded to allow the payroll for April 15, 2026, and the claims for April 27, 2026, as entered in Claim Register #2026-08. The motion passed by roll call vote with all in favor.

Board members Ecker and Milner moved and seconded to accept the following communications:

- April 27, 2026 Docket
- April 14, 2026 Technical Review Committee Minutes

The motion passed by roll call vote with all in favor.

There being no further business, Board members Milner and Ecker moved and seconded to adjourn. Listenberger declared the meeting adjourned at 6:43 p.m.

/s/ Lynn M. Gorski
Clerk-Treasurer

APPROVED:

/s/ Robert Listenberger
Mayor