REGULAR SESSION, COMMON COUNCIL, February 9, 2026

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on February 9, 2026. 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 6:50 p.m.

Councilwoman Starr offered prayer, and Mayor Listenberger led the Pledge of Allegiance.

Mayor Robert Listenberger presided over Council members Duane Culp, Don Ecker Jr., Randy Longanecker, and Linda Starr, who were physically present. Council member Dave Morrow attended virtually. Council members Kayla Krathwohl and Shiloh Carothers Milner were absent. 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.

Council members Starr and Longanecker moved and seconded to approve the minutes of the regular session of the Common Council on January 26, 2026, as presented. The motion passed by roll call vote with all in favor.

Mayor Listenberger explained that they would not be reading Ordinance No. 2026-2255, An Ordinance of the Common Council of the City of Plymouth, Indiana Implementing a Fee for Non-Emergency Responses and Lift Assistance at Residential Care Facilities on third reading.

Mayor Listenberger stated he had contacted those he knew that were coming. He stated we were going to pass this along to our committee with enFocus studying Fire Department operations, fees, and structures.

Houin suggested that procedurally the council should pass a motion to postpone consideration of Ordinance No. 2026-2255.

Morrow asked if the postponement would be indefinite.

Houin replied that it could be indefinite, or they could set a specific date. He recommended that they make it indefinite until the enFocus review was completed, and it was brought back with other items regarding the Fire Department.

Mayor Listenberger stated the intent was to address this, and we don’t want to just forget about it. He stated things should be wrapped up by the end of the first quarter and into the second quarter.

Ecker asked if this came back with changes, would it come back still as a third reading or would it come back as a revised ordinance on third reading.

Houin replied that it would come back as a third reading and it could be revised.

Morrow asked if they are redoing the fee structure, wouldn’t that be included with other fees that would need to be voted on.

Houin replied that it very well could be. He stated they had not gotten to the point of making any proposals for any other fee adjustments. He stated they would likely be adopted in a separate ordinance that would be considered at the same time. He stated his recommendation was just a procedural move based on Robert's Rules of Order and Parliamentary Procedure that if you're not going to vote on passage of it tonight that you formally postpone that consideration until a later date and that later date does not have to be specified.

Longanecker stated at the last meeting there were a lot of things that needed to be clarified.

Council members Longanecker and Ecker moved and seconded to postpone consideration of Ordinance No. 2026-2255, An Ordinance of the Common Council of the City of Plymouth, Indiana Implementing a Fee for Non-Emergency Responses and Lift Assistance at Residential Care Facilities indefinitely. The motion passed by roll call vote.

Councilman in Favor: Culp, Ecker, Longanecker, Morrow, and Starr

Councilman Opposed: None

Councilman Absent: Krathwohl, Milner

Longanecker stated he received several complaints about sidewalks being cleaned off for snow removal, and people wanted to know who they could report to and what's the process for code enforcement, who does it, and what the fine was. He stated there were a lot of businesses uptown that are neglecting that, as well as residents, but he had mostly received complaints about downtown businesses.

Mayor Listenberger stated we have had an extraordinary amount of snow this year, but what we have done in the past was knock on doors and ask them to do it.

Houin stated as far as where to direct those complaints would be to submit a request through the city website which would either be addressed through the Building or Law Department.

Culp asked if we were going to do anything to block off that sidewalk down there where those bricks are starting to fall out on Washington Street. He stated he knew it was not our responsibility, but we need to do something. He stated it's been two months since he started asking and we're not getting anywhere.

Mayor Listenberger stated they were receiving updates for the inside of the building. He stated that he and the Building Commissioner ought to go meet with the owner.

Adley stated they were still awaiting word back from the State as documentation had been submitted. He stated they were working with Michiana Area Council of Governments (MACOG) to get it expedited, as it had already been reviewed once.

Mayor Listenberger stated we talked about putting some barricades up on the back side, which would be the north side of the building, and along the side street.

Manuwal stated the problem with the north side was that the property line stopped very abruptly after the building, so if you put anything up there, you would be putting it on the neighbor's property. He stated that the owner of the property should be requested to maintain it.

Mayor Listenberger stated we were waiting on the IDEM report to act.

Culp asked if the city or landowner would be responsible if something happened. He explained that he did not want the city to end up getting sued. He stated that he did not mean to be pushy, but this had been going on for two months, and we still had not gotten something there. He stated he did not care if they put cones out in the middle of the roadway to make it hard to get around. He stated he was working for the safety of the residents of the City of Plymouth.

Mayor Listenberger stated we were going to talk a little about Pointe Apartments. He explained that Manuwal was asking for direction, as it was going to cost money that we did not have appropriated this year. He stated the two options were to ensure that the building was secured and sit on it, but because we didn't appropriate funds to tear it down this year, we could wait and do it next year. He stated we could do an additional appropriation as our option two and get it done this year.

Manuwal stated that, at this point, he did not have the money in his budget for this year to do anything with the Pointe, unless money was granted. If money were granted and utilized, he would be out of funds in the Unsafe Building Fund, unless you wanted to appropriate a lot of money for him.

Mayor Listenberger clarified that the amount needed for demolition and asbestos remediation would come out to $80,000+.

Manuwal added that it would remove all hard surfaces.

Culp asked if they could ask for a Brownfields Grant for this building if we were going to let it sit and be boarded up.

Houin replied that the MACOG Brownfields Grant covers testing and would not cover the remediation. He stated there are other Brownfields Grants throughout the State, but they typically require that you also have a plan for a new use for the properties. He stated that we do not currently have a use for it and we don't have ownership of the property.

Mayor Listenberger steered the conversation back to needing a direction and clarified that we would do what the council wishes.

Houin stated that it was closer to $85,000 in total. He stated that if they don't move forward now, then they would have to wait until 2027 and add it to the budget. He explained that, at that point, it would need to be rebid.

Longanecker asked if they reached out to the demolition contractor.

Manuwal replied that he did reach out and the reason why that contractor bid as low as he did was because he did not have work at that point in time and he was looking to fill that gap in. He explained that the gap has long since passed, but he was willing to honor the original price, but we are pushing that border. He stated that he did not blame him, and if he were him, he would have washed his hands of this and asked for it to be rebid.

Longanecker stated if they do kick the can down the road, then we're going to just escalate the cost.

Houin added that he had also had discussions with the Attorney General's (AG) Office, which currently had a judgment lien against the property that was upwards of $400,000. He stated he did not know what the total amount was, as it was going to have accrued interest and additional fees were added, so it would continue to grow. He stated that if the building was still standing, the AG's office had no intention of doing anything. He stated they were not pursuing any supplemental proceedings, which are a mechanism for trying to collect on a judgment. He stated the only asset that the LLC owns was that property, and that was where the judgment was. He stated if the city does proceed with a demolition, they plan to foreclose their lien, which means that it would result in a sheriff sale of the property. He stated at that point we could negotiate to see if they would be willing to discuss with the city some mechanism that would either get us a pro rata reimbursement, so we may get a few pennies on the dollar for what's invested in the cost of demolition, or possibly a mechanism where the city could acquire ownership of the property. He stated those were preliminary discussions, so he couldn't provide much more detail on that.

Culp asked if the building was demolished, if there was anything we could do with the present owners coming back on them for any of this money.

Houin replied that they could not because the owner of the property was an LLC and its only asset was the property itself, and a foreclosure would extinguish any liens on the property. He stated you could end up with a civil judgment, but it would be a judgment against that LLC, and there would be no assets to collect against.

Longanecker stated we fought the battle already with the public nuisance of this building, with the Police Chief having to go out of his way to send people often to his property. He stated if this building gets boarded up, we're going to potentially have that issue again with somebody stowed

away in there. He stated it was not a great situation, but it made no sense to go this far and then stop. He understood the price, but this building could cost the city more down the road.

Morrow stated he agreed with Longanecker and if we could get the contractor to honor that bid, he believed it would be crazy not to go ahead with the demolition. He stated we had been messing with this property for two years.

Gorski informed the council that in the Unsafe Building Fund there was only $51,000 cash, so if they wanted to spend $85,000 then they would have to come up with the money someplace else. This would completely deplete the Unsafe Building Fund.

Mayor Listenberger stated his two recommendations would be Rainy Day or general reserves. He suggested general reserves and not to touch Rainy Day. He stated we would have to find the other $34,000, plus we should give him more so we're not back to this point again. He asked if the $51,000 was all appropriated. Gorski disagreed. Mayor Listenberger stated we would need to do an additional appropriation of that money while transferring money into the fund.

Culp stated he did not want to take everything he had because he would have no account to do anything.

Mayor Listenberger suggested giving him another 20,000 or something because he had some other projects pending that he was going to need that for.

Morrow asked how much was spent last year out of that fund.

Mayor Listenberger replied that they appropriated funds to do this last year, but we did not do the work due to the asbestos.

Gorski added that a purchase order was not created, so it was not encumbered.

Manuwal stated they did spend some for the original test to see if there was asbestos and then another $600 to do the point count analysis, which saved us $30,000.

Morrow asked what our normal appropriation was for that fund.

Mayor Listenberger replied that we don’t have a normal appropriation as it changed yearly. He stated we would probably need another $50,000 to tear the building down and make the fund whole for the year.

Houin suggested that a motion could be to direct the administration of the Clerk-Treasurer’s Office to prepare the additional appropriation.

Starr asked Manuwal if he was relatively sure that the contractor was not going to raise his price on us.

Manuwal replied that he was not sure. He stated that if it was him, he would find any way he could to raise the price because he got awarded the bid in August.

Longanecker stated that in the business he was in, you would probably be looking at a 15-20% increase at least.

Mayor Listenberger asked for clarification that the motion was to appropriate the funds and give the Unsafe Building Fund $50,000 from general reserves. The council agreed.

Ecker asked Mayor Listenberger if he was in favor of this.

Mayor Listenberger replied that he was in favor of either option. He clarified that we would not see any money back ever for this and we would have to live with that. He believed that we would take control of that property eventually, but there's no guarantee on that either.

Morrow stated this all started because it was an unsafe building, and that was where it would be ending. He stated we've gone through all the processes of offering the owner to make repairs, but we've come to this point where it is still an unsafe building. He stated, in his opinion, that it should be torn down now or later, and we may as well do it now.

Culp asked if it would be worth our while to have Manuwal contact him and ask him if he'll honor that price and give us two weeks to get the money.

Houin replied that you still had to do the additional appropriation before it was finalized.

Gorski stated that the additional appropriations won't be until the end of March because the Department of Local Government Finance changed the process and she would not be here at the March 8th meeting.

Council members Longanecker and Ecker moved and seconded to direct the administration of the Clerk-Treasurer's Office to prepare the necessary steps for an additional appropriation into the Unsafe Building Fund. The motion passed by roll call vote with all in favor.

City Attorney Houin asked for acceptance of the annual Uniform Conflict of Interest Statements for Robert Listenberger and Randy Longanecker.

Council members Ecker and Starr moved and seconded to accept the Uniform Conflict of Interest Statements as presented. The motion passed by roll call vote with Longanecker abstaining from his Uniform Conflict of Interest Statement.

Clerk-Treasurer Gorki stated that the city had received 4 donations in the amount of $1,000.00/each from Comcast, Pro Resources Inc., Collins & Company Realtors, and First Federal Savings Bank to be used for the Mayor's Summer of Music. She asked if they wished to accept the donations with the restricted terms, conditions, and purpose attached to the donation. She stated the donations would be receipted into the Monetary Gift Fund.

Council members Ecker and Starr moved and seconded to approve the donations as presented. The motion passed by roll call vote with all in favor.

City Attorney Houin introduced Ordinance No. 2026-2256, An Ordinance to Permit the Collection of a Fee for Returned Payment to the City of Plymouth on first reading.

City Attorney Houin introduced Ordinance No. 2026-2257, An Ordinance to Amend the City of Plymouth Building Code Regarding Application for Permit on first reading.

City Attorney Houin introduced Resolution No. 2026-1190, A Resolution of the Common Council of the City of Plymouth to Approve the Application of Susan Sullivan for a Commercial Revitalization Rebate Program Grant. Susan Sullivan and Tuvia Polishkin were in attendance to speak on behalf of this request.

Houin stated that one of the changes approved in the new ordinance required some additional documentation along with the application, and that was all submitted so you all have the photos that show the area that was going to be repaired.

Morrow asked what the commercial usage of the building was.

Sullivan replied that they were a design-build company and they do architecture and design-build. She stated they live on the top floor, and we have our studio on the base.

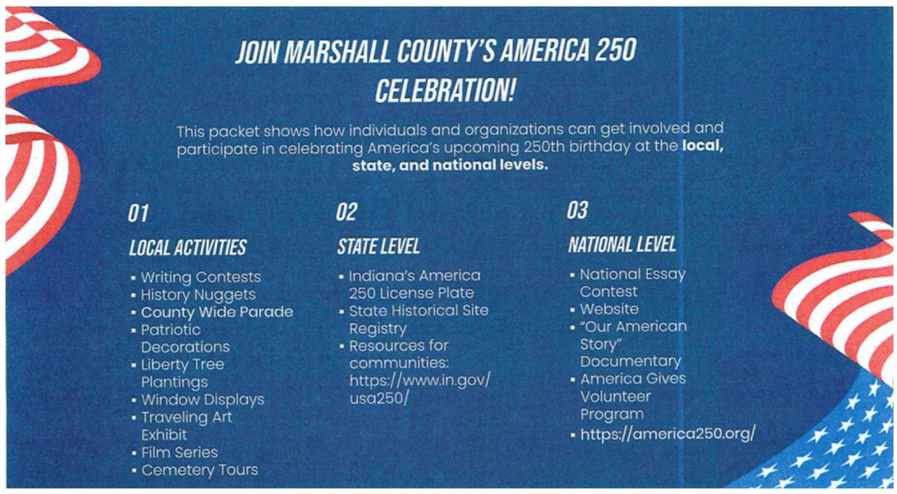
Houin added that in the packet there were excerpts from the Board of Zoning Appeals meeting where they were approved for the special use exception because it is zoned residential but historically has been a commercial building.

They talked about the historic nature and use of the building since it was built.

Council members Longanecker and Starr moved and seconded to approve Resolution No. 2026-1190, A Resolution of the Common Council of the City of Plymouth to Approve the Application of Susan Sullivan for a Commercial Revitalization Rebate Program Grant as presented. The motion passed by roll call vote with all in favor.

Mike Miley and Nelson “Nathaniel” Chipman provided an update on the Marshall County 250 progress as seen below:

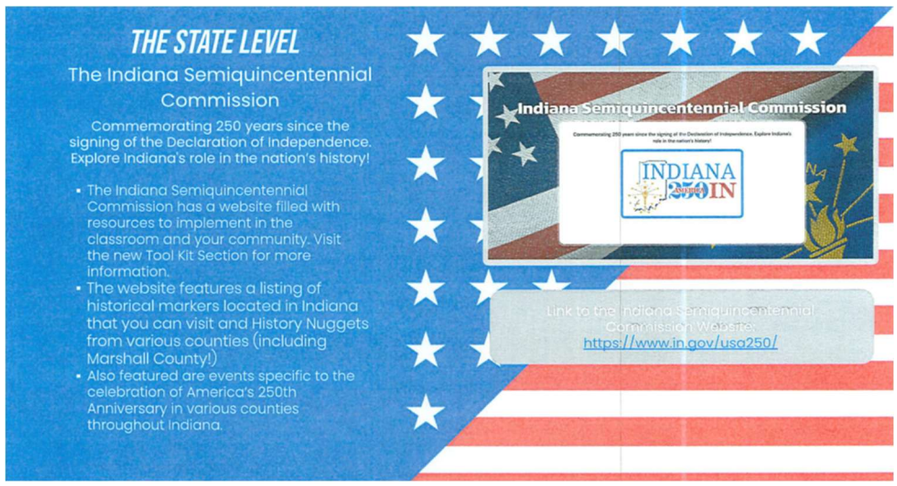



JOIN MARSHALL COUNTY'S AMERICA 250 CELEBRATION!
This packet shows how individuals and organizations can get involved and participate in celebrating America's upcoming 250th birthday at the local, state, and national levels.
01
LOCAL ACTIVITIES
• Writing Contests
• History Nuggets
• County Wide Parade
• Patriotic Decorations
• Liberty Tree Plantings
• Window Displays
• Traveling Art Exhibit
• Film Series
• Cemetery Tours
02
STATE LEVEL
• Indiana's America 250 License Plate
• State Historical Site Registry
• Resources for communities: https://www.in.gov/usa250/
03
NATIONAL LEVEL
• National Essay Contest
• Website
• "Our American Story" Documentary
• America Gives Volunteer Program
• https://america250.org/

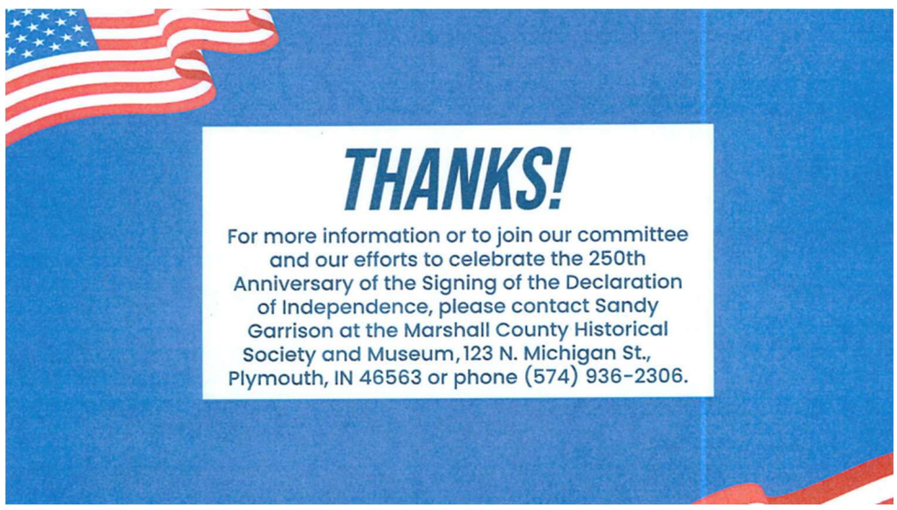

LOCAL ACTIVITIES
PARTICIPATE IN MARSHALL COUNTY AND YOUR LOCAL COMMUNITY!
Marshall County's America 250 Committee is planning a film series, cemetery walks, writing contests, a traveling art exhibit and more! We have a Facebook page you can visit to see projects we are working on leading up to July 4, 2026. The next page shares some ideas you can plan for yourself and your community to get involved. We can help you market and advertise your events!
Search for "Marshall County's America 250" on Facebook to find our page!


HOW CAN I, MY ORGANIZATION OR MY TOWN PARTICIPATE?
Have an idea you're really passionate about? Contact our committee at 574-936-2306 and we will be happy to meet with you and discuss it!
01
PUBLIC ART
Consider starting with your own home! Hang a flag or decorate patriotically. Consider a larger project for your town such as a mural or decorating utility boxes (with permission)!
02
WRITING AND ART CONTEST
There will be a county-wide Art and Essay Contest open to all middle and high school students in the County. The contest will open for entries beginning in January 2026.
03
COUNTY TIME CAPSULE
Want to create a snapshot of what is going on in our local community? We can collect items to preserve this moment in time for future generations!
04
TRAVELING ART EXHIBIT
Heartland Artist Gallery is planning a traveling art exhibit. Watch for more details to come!


MARSHALL COUNTY'S JULY 4TH PARADE
Join in the Celebration!
TWO
HUNDRED
FIFTY
YEARS
• All Marshall County communities invited to participate!
• Parade will travel from Oak Hill Cemetery down Michigan Street to River Park Square in Plymouth
• Floats welcomed and encouraged from all of our communities
• Black Horse Troop and Equestriennes from Culver Academies featured
• Picnic in River Park Square
• Celebrate with the whole family
• Celebrate the birth of our nation by hearing the Declaration of Independence read aloud







Gary Neidig and Kevin Danti provided a progress update on ONE Marshall County.

Plan Director Ty Adley updated the council on the Comprehensive Plan. He listed the following information on projects in the city:

- Historic Firehouse – Ball State University and their Historic Preservation Department are looking at use and direction for building by the middle of second quarter.
- Northeast Neighborhood Study – Bounded by US 30, US 31, CSX Rail, and Michigan Street. Working with the Department of Urban Planning at Ball State University to update the plan for this area to help guide future development, infrastructure improvements, housing, transportation, economic development, and neighborhood

enhancements over the next 15 years. Public input session scheduled for Wednesday, February 25th, from 5:00 PM to 7:00 PM at the Heartland Art Center.

Manuwal stated he reached out to the contractor and his response was, “We waited this long, what was a couple more months.”

Council members Ecker and Starr moved and seconded to accept the following communications:

- Minutes of the Board of Public Works and Safety meeting of January 26, 2026
- February 9, 2026 Check Register
- January 27, 2026 Technical Review Committee Minutes

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

There being no further business to come before the Council, Council members Longanecker and Starr moved and seconded to adjourn. Mayor Listenberger declared the meeting adjourned at 8:07 p.m.

/s/ Lynn M. Gorski
Clerk-Treasurer

APPROVED

/s/ Robert Listenberger
Mayor