REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, July 13, 2026

The Board of Public Works and Safety of Plymouth, Indiana, met in Regular Session at 6:00 p.m. on July 13, 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., Shiloh Milner, and Dave Morrow, who were physically present. City Attorney Jeff Houin and Deputy Clerk-Treasurer Kyle Williams 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 Morrow and Ecker moved and seconded to approve the minutes of the regular session of the Board of Public Works and Safety meeting of June 22, 2026. The motion carried.

City Engineer Dan Sellers stated he provided a contract for professional engineering services for the Oak Road sidewalk project. He stated that Katie Richert with USI Consultants was here to answer any questions you might have. He explained that this contract would be for $841,000, with 20% of that being our responsibility and the remaining 80% INDOT's. He stated that once this was finalized, INDOT would submit a contract with us for their portion.

Richert stated this went through the RFP process earlier this Spring and the entire project was funded at 80/20, with construction anticipated to be in fiscal year 2031.

Culp asked for the scope of this project.

Sellers replied that things may change, but at this time it was anticipated that it would be on the east side of the road from Lake Avenue to Jefferson Street, and then it would be on both sides of the road from Jefferson Street all the way to US 30.

Culp asked if there was a reason why we were doing both sides of the road.

Sellers replied that it would be to connect both sides and provide a path on either side, so people did not have to cross as often. He explained that we were trying to mitigate the biking, taking turns that would be dangerous. He stated that, to safely do that, the best way would be to have them on both sides of the street going the proper way with traffic. He stated it was a busy thoroughfare, and it was high speed.

Houin stated that at this point we have feasibility and preliminary designs. He stated the purpose of this contract with USI Consultants was to do the actual design engineering. He stated those were questions that could be addressed through that process if we determine that there's a reason to do something different from what's been proposed so far.

Culp asked where he could find a preliminary design to review.

Richert replied that Sellers did a study with a different engineering firm prior. She stated that they would not have anything nailed down on the project until they get survey data.

Morrow asked if this was strictly pedestrian or if it changed the flow/lanes of traffic.

Sellers replied that from Pidco Drive to US 30, we would have bike lanes on the road, and to do that, we would have to go from four lanes of traffic with two lanes going in both directions to three lanes of two single lanes and a center turn lane. He stated that would alleviate the jockeying for position on the road, which invites speed.

Morrow agreed that was a good idea. He asked Houin if the contract had his approval.

Houin replied in agreement and stated that Sellers reviewed it meticulously, so by the time he reviewed it, he had already worked out some details with USI.

Mayor Listenberger stated that Troyer Group did the original preliminary work and Sellers revised it to be more detailed for the grant application, so he could email that to Culp.

Board members Morrow and Milner moved and seconded to approve the Oak Drive consulting agreement with USI Consultants as presented. The motion passed by roll call vote with all in favor.

Building Commissioner Dennis Manuwal stated he had demolition orders that he would like to have affirmed. He explained he was looking for approval of the following lots:

- 1535 N. Michigan Street Lot 221
- 1687 N. Michigan Street Lot 108
- 1687 N. Michigan Street Lot 136
- 1687 N. Michigan Street Lot 158
- 1687 N. Michigan Street Lot 163

Manuwal stated that Abraham Anderson of Northgate had already applied for and purchased the demolition permit for Lot 158, so there was no need for a hearing on that one.

Anderson stated he had no problem with that one but would like to request a continuance as he was in the process of obtaining local counsel for the other lots.

Houin stated that, as a board, it was their decision whether to continue this at your next meeting to give time or to proceed with the hearing now and hear the evidence from Manuwal.

Mayor Listenberger asked for a time frame on this.

Manuwal replied that the demolition order was received and signed for on July 1st by somebody in his office.

Morrow asked Anderson if he thought these properties were not unsafe and needed to be maintained as is.

Anderson replied in agreement and stated that in the meantime, he would have no problem with what we've done with some other lots by securing them with weatherproof boards. He stated that it could be done within a couple of days. He stated he wished to obtain local counsel as he believed these other four lots could be safely repaired.

Manuwal stated he would disagree with that because out of those four lots, only Lot 163 would fall under the manufactured housing rules. He stated that the rest of them were old enough that if you tried to repair them, you would have to follow the current Indiana residential code. He stated he didn't see how they could be repaired to meet all the energy standards and current building codes.

Anderson stated that two weeks would be sufficient time to seek counsel.

Ecker asked who would be evaluating the structures.

Anderson replied that they had an employee who lived on the property, but as far as who was going to be evaluating them as a third party, he was not sure now, but if he had two weeks, he would be able to identify someone.

Mayor Listenberger asked Anderson when the last time was that he put his eyes on these units personally.

Anderson replied that it would have been the end of last year. He did not believe the conditions had changed much from when he last saw them, but he had seen photos of these lots within the last week.

Houin stated that some of the questions were getting into the evidence that you would use to make your determination. He stated the question now was whether they wanted to hear evidence tonight or allow Anderson time to obtain counsel.

Anderson stated they had demolished half a dozen homes, and he wouldn't be asking for a continuance if he did not think these could be saved. He stated if they got another evaluation and determined that they could not be saved, then we would agree to demolish them like we're doing with the other ones.

Ecker stated he was reluctant to grant the request because of continuous issues.

Mayor Listenberger stated a year and a half ago Anderson was coming to the table and doing everything he was going to say. He explained that he had fallen off that agenda and that time frame, and it was disappointing. He stated he needed to see him moving forward and communicating with us. He stated there was a time, not long ago, when we had some issues and could not get ahold of you, and it was frustrating on our part.

Anderson apologized for the lack of communication and stated that there had been issues that had come up. He stated that he was under the impression that everything else had been resolved, like we did the paving, tree work, fixed water leaks, installed water meters, etc.

Manuwal stated that paving was not done, as potholes were filled.

Morrow stated that he also recalled that Anderson said he would be bringing in either new homes or renovated new homes to the property, and we hadn't seen them. He didn't believe we should kick the can down the road any longer.

Board members Ecker and Culp moved and seconded to table the request and allow continuance for two weeks. The motion failed by roll call vote.

In Favor: Culp and Ecker

Against: Morrow, Milner, and Listenberger

They proceeded with the evidentiary hearings.

Manuwal explained that Lot 108 was a 1969 unit, which means that if he were to renovate it, it would have to meet all the current residential codes. He stated that it did not fall under the manufactured housing laws. He stated that even though it was slated for demolition, this unit was one of the better units of the remaining demolition orders. He stated there were rotting floor joists, the windows were rotted out, and after he did the inspection, the Fire Department was called out there because they had a gas leak at this unit. He explained that nobody was living in the unit. He stated the photos were shared with the board. He stated there were utility sheds and a makeshift addition that the roof caved in on.

Houin recommended acting on each unit individually.

Board members Ecker and Milner moved and seconded to affirm the demolition order for Lot 108. The motion passed by roll call vote with all in favor.

Manuwal explained that Lot 136 had been vacant for a while and the ceiling was starting to cave in in multiple areas that they apparently tried patching using duct tape. He stated the original windows were leaking, the structural members were rotted out, the sewer

line was not connected, and there was another makeshift porch addition that was loaded full of old tires, debris, and everything else.

Houin noted that he was not sure if Anderson had anything else to add, but you should also allow him to add any comments or respond.

Mayor Listenberger asked Anderson if he had anything for Lot 108.

Anderson replied that he did not, and that was the reason why he wanted a continuance. He explained they had a child born 4 days ago and it had been hectic, but he had no comments for Lot 108 or Lot 136.

Board members Milner and Culp moved and seconded to affirm the demolition order for Lot 136. The motion passed by roll call vote with all in favor.

Manuwal stated that Lot 158 had already been agreed to be demolished.

Manuwal explained that Lot 163 was a 1985 unit, and this was the only one that he could potentially remodel to the current manufacturer housing code. He stated that the photos submitted show multiple holes in the floor. He stated that he was assuming that the past resident taped Visqueen on all the exterior walls to eliminate the draft coming through because the windows do not seal properly. He stated there were rotted floor joists in this one also, and it also had a makeshift porch addition that was rotting out and other accessory structures full of trash. He stated there's a mattress underneath the unit that he assumed someone was sleeping on.

Anderson stated that with the age of this one, he reviewed photos of all of these about a week ago, and this one would not be very difficult to rehabilitate. He stated it would be very easy and not complicated, but it would cost money. He stated it would require fixing the holes and removing the addition that the tenant added. He believed this one could be saved and would be fine with proceeding to repair it in short order.

Manuwal asked if he would be willing to fix the roof on this one. Anderson agreed.

Ecker stated that he did not see it. He believed there was way too much to be done to even come close to getting this within specifications.

Manuwal stated this unit would have to be brought up to the current manufacturer housing codes, and if he replaced any structural membrane, then he would have to have an engineer supply the documentation showing that it meets all the housing codes of a manufactured home.

Board members Ecker and Morrow moved and seconded to affirm the demolition order for Lot 163. The motion passed by roll call vote with all in favor.

Manuwal explained that Lot 221 was a 1971 model. He stated that from the photos, it had another makeshift porch added onto it. He stated this was also manufactured with a kickout, but unfortunately, that entire thing was starting to separate from the main unit. He explained that someone tried to spray foam it to seal it off. He believed that someone went through and tried to make it look presentable.

Mayor Listenberger asked if all of these were vacant right now.

Manuwal agreed. He stated that, in trying to make it look presentable, they installed vinyl plank flooring, painted the walls, etc. He stated it was unfortunate that in some of the areas where they put vinyl plank flooring, they put it over the rotted floor, so when you walk across it, the floor starts to collapse underneath you. He stated they replaced the water heater, but it was inaccessible. He stated they upgraded the electric meter, and it's inside an inaccessible closet.

Board members Ecker and Culp moved and seconded to affirm the demolition order for Lot 221. The motion passed by roll call vote with all in favor.

Mayor Listenberger asked if Anderson would demolish the units. Manuwal agreed. Mayor Listenberger asked if he didn't demolish the lots, if we would.

Houin replied that it depends. He provided information for Anderson. He explained that Manuwal would issue an official notice of the results of the hearing tonight, and you would have 10 days from today's action to request review by circuit or superior court. He stated he was sure he had spoken with attorneys already and had familiarity with the process, but if he felt that the decisions were made in error tonight, he could appeal this to the court. He stated that if action was not taken by the time given, then the city would have the option to enforce the order. He stated we would have to go to court to get an order allowing the city to take action for the demolition, at our cost, but we were hopeful that they would comply.

Manuwal stated the other item that he had that was not part of the agenda was that he had a complaint filed for 1014 W. Madison Street. He explained that he did an inspection and issued a vacate order. He stated that with vacate orders, they had a right to come before you.

Becky Jean Thornberg Abair (1014 W. Madison Street, Plymouth, IN 46563)

Thornberg stated she had been there for over 30-40 years and was married and divorced in that house, so she was currently single in the house. She stated that she had papers

here and that they entered her home illegally. She stated she was assaulted by the Marshall County Police Department, and the dates on these papers verify illegal entry into my home, and they also took pictures. She stated that her home was not in the best shape, and she was living with her daughter until she recently went back into it so that she could fix it up or decide to tear it down. She stated that they came and they never gave me any notification whatsoever of anything that needed to be fixed. She read off some dates from the papers she brought and stated that her daughter helped her write regarding her notice of intent to challenge the demolition and request to cease further enforcement from law enforcement from bullying, intimidation, and the brutalness that they caused against her, which can be seen on the cameras on their vest.

Mayor Listenberger asked for clarification that she filed suit.

Thornberg replied that she was going to.

Mayor Listenberger asked what she was presenting.

Thornberg stated that the city police entered her home illegally and she had proof and evidence. She stated she was 69 and a half and she was using her retirement money for the house. She stated she had OSB to fix the roof, which was in the shape that it was because the City of Plymouth had given her a lot of trouble in the past.

Mayor Listenberger asked if she was currently living there or at her daughter's place.

Thornberg replied that she had been staying there for about a month, as that was the only place she had to go. She stated she wanted to fix it up and sell it.

Mayor Listenberger stated this was a vacate request and not a demolition order.

Manuwal stated the complaint he received was that she was living there without water, gas, or electricity. He stated he went there on July 9th, presented her with papers asking if he could inspect the property. He stated that she told them to leave, so he left, got an inspection warrant, went back on July 10th, and we proceeded with the inspection. He stated he proceeded with all this because, after speaking with the utility clerks, the water had been shut off for over a year. He stated the original complaint was not 100% accurate because she does have gas and electricity to the structure. He stated the gas was shut off at the water heater and furnace. He explained that having electricity on does pose safety issues, which could be seen from the photos.

Thornberg stated those photos were illegally taken.

Manuwal replied that it was in the warrant.

Anee Edington (426 E. 18th Street, Rochester, IN 46975)

Edington stated that Manuwal had to prove, with pictures from within the home, all the damage to obtain that warrant. She stated there was never any proof when asked to present evidence.

Manuwal stated he spoke with city utilities.

Edington argued that it was not evidence. She stated that she called and had the water shut off as she was not living there at the time for a while. She stated that she was staying with her sister and could have the water turned back on. She stated that they were told that she had spent a month there, but she was back and forth between my sister and herself. She stated that she's always willing to stay at her house, but she always had a place to go. She stated she wanted to do the renovation and had proof of the cost of materials that she already paid for.

Mayor Listenberger stated that we were worried about her safety, and if she could stay at their place, that would be great. He stated that if you got a contractor involved, then you could do the work on the structure while you're living somewhere else.

Stephen Abair (12129 Plymouth-Goshen Trail, Plymouth, IN 46563)

Abair stated that what he was hearing now from his mom and sister was that all Manuwal had was circumstantial evidence, which meant that he did not have physical evidence, trying to obtain pictures that you guys have in front of you now.

Houin stated all he was hearing were challenges to the probable cause of the warrant. He stated the warrant was approved by Judge Aldridge of Superior Court Two. He stated the point was that the Board of Public Works and Safety was not in a position to make a determination on the probable cause of the warrant, as that was the judge of Superior Court Two. He stated if they wanted to challenge the sufficiency of the warrant, it had to be done through the court. He stated that the judge felt that the Building Commissioner had sufficient information to justify the warrant, and that was why the judge signed it.

Regardless of what Houin said above, the discussion did not change from challenging the warrant for a lengthy period of time.

Houin stated what was being presented to the board tonight was an order to vacate, which means that in the current condition of the property, you should not live there.

The discussion continued to deviate from the vacate order, regardless of both parties being in agreement that the property was not up to a livable standard.

Abair asked for 60-90 days to allow them to do renovations on the property, along with additional commentary.

Morrow stated we were not taking her property from her. He stated that as far as 60-90 days, she would receive that, but you can't live there until the status of the home changes. He stated that where she stays was between them, but the order that the Building Commissioner issued was to vacate the property. He stated you could fix it up and sell it, as we were not infringing on their ability to do that whatsoever. He stated that from these pictures, he could not, in good conscience, allow anybody to live there.

Ecker stated we had experienced similar unsafe conditions before, and this was not a demolition order. He stated this vacate order was to give them ample time to get it into a salvageable situation, because it was not salvageable in its current condition. He stated it had to be vacated, cleaned out, structurally reconditioned, etc.

They said they had gone and tried to ask for evidence that day but went to the wrong building and were escorted out.

Mayor Listenberger redirected the conversation back to the subject. He stated they must take into consideration whether a first responder had to get into the property to help their mother. They all agreed that they did not want their mother living there.

Manuwal stated he planned on asking the board to allow him to issue an order to take action for repair. He stated he was willing to work with them if they were willing to repair it. He stated that, in the current state, it was not safe to live in.

Culp stated you could go into the building; you just can't live there or spend the night. He explained that was the only thing tonight, so if you go in there, fix it up, and work with him, he can rescind the order and we're good to go.

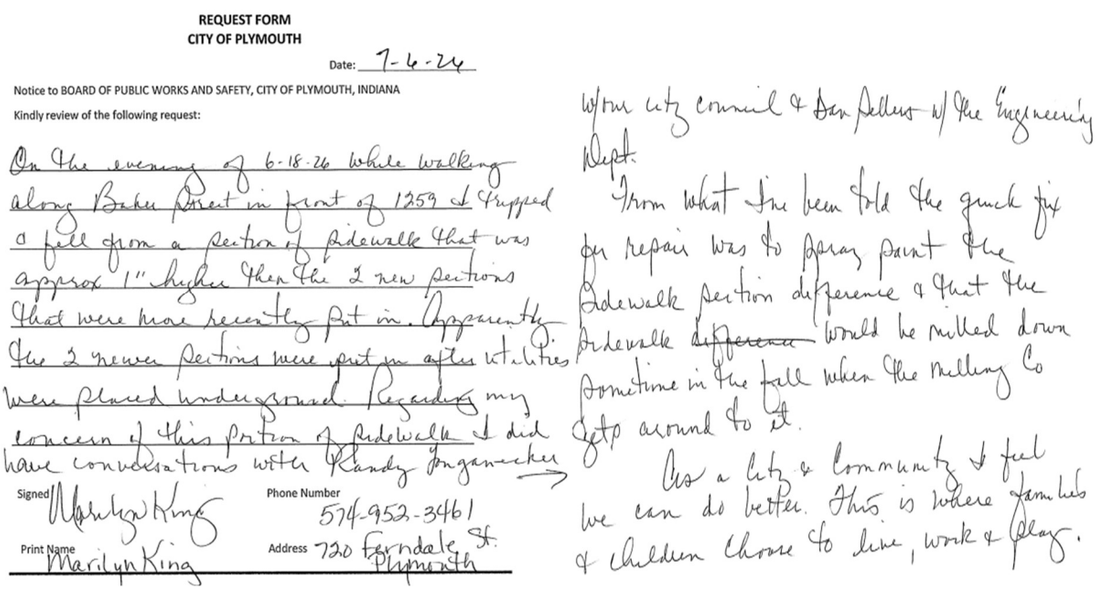
Manuwal stated, as he said on Friday, there were grant monies she could apply for as the owner and occupier of this property to help with the renovation of this.

Board members Morrow and Ecker moved and seconded to affirm the order to vacate 1014 W. Madison Street. The motion passed by roll call vote with all in favor.

Airport Manager Bill Sheley stated that on July 2, 2026, the FAA announced $1.776 billion in grants, and Plymouth would receive $172,464 of that to go toward rehabilitation, widening, and relocating the lights that Michiana Contracting just installed at the airport. He stated that was mostly for engineering that we received the funds for, which means we would likely get a grant to do the actual work the following year.

Deputy Clerk-Treasurer Williams presented a request for reimbursement of building permit fees from JLBS Construction. He stated that the request was rescinded as they sent an email saying they were no longer seeking reimbursement.

Williams presented a sidewalk request from Marilyn King. Marilyn King and Dennis Long were present to speak on behalf of this request.



REQUEST FORM
CITY OF PLYMOUTH

Date: 7-4-24

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

Kindly review of the following request:

On the evening of 6-18-26 while walking along Baker Street in front of 1259 I tripped & fell from a section of sidewalk that was approx 1" higher than the 2 new sections that were more recently put in. Apparently the 2 newer sections were put in after utilities were placed underground. Regarding my concern of this portion of sidewalk I did have conversations with Randy Jongewaard from city council & Dan Sellers w/ the Engineering Dept.

From what I've been told the quick fix for repair was to spray paint the sidewalk section difference & that the sidewalk difference would be milled down sometime in the fall when the milling Co gets around to it.

As a city & community I feel we can do better. This is where families & children choose to live, work & play.

Signed Marilyn King Phone Number 574-952-3461

Print Name Marilyn King Address 720 Ferndale St. Plymouth

Dennis Long (720 Ferndale Street, Plymouth, IN 46563)

Long stated the big issue that we had was that at that time she tried to call people in the city and basically got no response aside from the fluff job. He stated we knew there was an issue, and the sad part was she walked the city a ton and could tell you about every sidewalk on the east side of town because she walks three to four miles every day. He stated you knew where the bad sidewalks were, but when you are walking down a sidewalk and you see a brand-new section, you expect it to match the old, which isn't really that old out there, so obviously the contractor ran out of concrete when they got there, so they made the sidewalk lower. He stated there wasn't any doubt in his mind, as he had 15 years in public works. He stated we used to have to go out and inspect every job to see it was done right. He stated we're slacking as a city on what we should be doing, and to get the answer of there's nothing we can do or that we can't really go after them or that it would be Fall before we could get it fixed was not a legitimate answer. He stated that she didn't get hurt badly, but she could have, and if she could fall, every kid or anyone walking down there could fall. He stated you're big on building sidewalks and making everybody put sidewalks in, but we're not even putting them into code. She stated, frustration-wise, she was frustrated because 3 weeks later, here we stand, and that's the concern. He stated they were not trying to get any money or trying to sue,

but we've got to do our jobs, and someone skipped a job someplace, and that needs to be addressed.

Randy Longanecker (880 Baker Street, Plymouth, IN 46563)

Longanecker stated King contacted him. He stated his opinion was that it was probably put in during the wintertime and settled. He did not believe that the contractor backfilled and compacted underneath or that there was some frost that caused this to sink. He stated that he did see that it was painted, but he was unsure if we could go back on the contractor for this because he did not believe that it was the city's financial responsibility.

Culp asked how long this section was.

Longanecker replied that it was about two sections of sidewalk.

Sellers stated he did approach the contractor about repairing that portion of sidewalk. He stated they had not gotten back with him yet, so he was not sure where that was at.

Culp asked who the contractor was.

Longanecker replied that it was Allen Edwin Homes. He stated this was the same contractor we had been having multiple issues with in the subdivision he lived in.

Sellers stated that they sub their work out to other contractors, and that was the difficulty there.

Ecker stated that, as the general contractor, they were ultimately responsible for the quality of work. Sellers agreed.

Manuwal stated at the time of inspection that it was level. He agreed with Longanecker that it was most likely not backfilled properly, if they backfilled it at all.

Mayor Listenberger stated he was out there and it was painted. He stated that was not the fix and the company that does the shaving would be out that Friday, weather permitting.

Culp asked what the cost would be to replace it and then deal with the company that said no.

Longanecker replied that concrete was $200 a yard, not including the contractor's cost.

Sellers stated we could try to get some costs for fixing it.

Longanecker stated it would be best to compact it correctly. He added that there were spots all over that concerned him and that it was not just one section. He stated they built four houses there and every location where they did a utility tie-in would be the same situation.

Manuwal stated this was an ongoing issue with this contractor.

Mayor Listenberger stated he would like a little direction on whether we wanted to spend the $750 on the shaving contractor or not.

Sellers added that it seemed pricey.

Mayor Listenberger and Morrow believed that it had to be done right away to make it safe. Mayor Listenberger stated that we didn't have to vote on it or anything. He stated that he talked to King this morning about this, and this year's budget was $5,000, and that does not get you much. He believed that it was probably not adequate in the budget to really put a dent. He stated it may have been because, if you look around, you see the shaves, but we've got so many. He suggested upping that budget or perhaps buying the equipment for that type of work and doing it ourselves.

Longanecker stated that we needed to re-evaluate our sidewalks entirely again.

Morrow stated he would like to pursue the contractor also. He stated that we were not happy and our citizens were not happy.

Board members Ecker and Milner moved and seconded to allow the payroll for June 30, 2026, and the claims for July 13, 2026, as entered in Claim Register #2026-13. The motion carried.

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

- July 13, 2026 Docket
- June 23, 2026 Technical Review Committee Minutes
- Order to Take Action – 1535 N. Michigan Street Lot 221
- Order to Take Action – 1687 N. Michigan Street Lot 108
- Order to Take Action – 1687 N. Michigan Street Lot 136
- Order to Take Action – 1687 N. Michigan Street Lot 158
- Order to Take Action – 1687 N. Michigan Street Lot 163
- Building Department Activity Reports – June 2026
- Code Enforcement Activity Reports – June 2026

The motion carried.

There being no further business, Board members Morrow and Milner moved and seconded to adjourn. Listenberger declared the meeting adjourned at 7:08 p.m.

/s/ Lynn M. Gorski
Clerk-Treasurer

APPROVED:

/s/ Robert Listenberger
Mayor