

REGULAR SESSION, COMMON COUNCIL, JULY 8, 2013

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on July 8, 2013. The meeting was held in the Council Chambers of the City Building, 124 N. Michigan Street, Plymouth, Indiana. The meeting was called to order at 6:30 p.m.

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

Senter presided for Council Members Delp, Culp, and Smith. Clerk-Treasurer Hutchings, City Engineer Gaul and City Attorney Surrisi were also present. Councilmen Ecker and Grobe were absent.

Councilmen Delp and Culp moved and seconded to approve the minutes of the last regular meeting on June 24, 2013 and to dispense with reading them since they have been reviewed and found to be correct. The motion carried.

Councilman Delp thanked the mayor for his leadership and the city emergency services for their work on the meth situation in town.

Delp also thanked the mayor on the weekly updates of the ordinances on the radio station.

Surrisi presented Ordinance No. 2013-2058, An Ordinance of the City of Plymouth Approving a Lease by the Plymouth Redevelopment Commission, on second reading.

Councilmen Smith and Culp moved and seconded to pass Ordinance No. 2013-2058, An Ordinance of the City of Plymouth Approving a Lease by the Plymouth Redevelopment Commission, on second reading.

Surrisi referred to a red line version of the ordinance that the councilmen received in their packets, noting that they day of the last meeting there was some contact from the attorney for the Marshall County Economic Development Corporation asking that the council not pass the ordinance on all three readings at the last meeting because they had some changes they wanted made. Surrisi said that he has since met with them as well as Jay Bahr, the executive director of the MCEDC. He said that they came to terms on the changes, of which the only significant change is the addition of a clause that provides that if the city were to breach the lease agreement and that were to result in any penalties incurred by MCEDC from either PIDCO or Garmong, that the city would be responsible for paying for those costs due by the city's default.

Ordinance No. 2013-2058, An Ordinance of the City of Plymouth Approving a Lease by the Plymouth Redevelopment Commission, passed on second reading by roll call vote.

AYES: Delp, Culp and Smith  
NAYS: None  
ABSENT: Ecker and Grobe

Councilmen Delp and Culp moved and seconded to adopt Ordinance No. 2013-2058, An Ordinance of the City of Plymouth Approving a Lease by the Plymouth Redevelopment Commission, on third reading. It passed by roll vote.

AYES: Delp, Culp and Smith  
NAYS: None  
ABSENT: Ecker and Grobe

Surrisi presented Ordinance No. 2013-2060, An Ordinance to Repeal and Replace Section 130.13 of the Code of Ordinance of the City of Plymouth Concerning Unnecessary Noise Prohibited, on second reading.

Councilmen Smith and Culp moved and seconded to adopt Ordinance No. 2013-2060, An Ordinance to Repeal and Replace Section 130.13 of the Code of Ordinance of the City of Plymouth Concerning Unnecessary Noise Prohibited, on second reading.

Smith asked Police Chief Bacon if it would be difficult for his department to enforce this ordinance and how they take measurements.

Bacon said that it is not a problem; he said that they do not have a meter, but that the ordinance allows for a fine if the noise can be heard a certain distance away.

Surrisi noted that the only real change in the ordinance allows for an organization holding an event to request an exemption from the council. He asked that Smith and Culp consider amending their motion and second and direct him to create an application for exemption comparable to the Application for Exemption from the Licensing Requirements of Ordinance 1309. He noted that the code allows for fines up to \$2,000 or \$2,500.

Ordinance No. 2013-2060, An Ordinance to Repeal and Replace Section 130.13 of the Code of Ordinance of the City of Plymouth Concerning Unnecessary Noise Prohibited, passed on second reading by roll call vote.

AYES: Delp, Culp and Smith  
NAYS: None  
ABSENT: Ecker and Grobe

Surrisi presented Ordinance No. 2013-2061, An Ordinance to Repeal and Replace Sections of the Code of Ordinances of the City of Plymouth Concerning the Community Improvement Commission, on second reading.

Councilmen Delp and Culp moved and seconded to pass Ordinance No. 2013-2061, An Ordinance to Repeal and Replace Sections of the Code of Ordinances of the City of Plymouth Concerning the Community Improvement Commission, on second reading. It passed by roll call vote.

AYES: Delp, Culp and Smith  
NAYS: None  
ABSENT: Ecker and Grobe

Councilmen Smith and Culp moved and seconded to pass Ordinance No. 2013-2061, An Ordinance to Repeal and Replace Sections of the Code of Ordinances of the City of Plymouth Concerning the Community Improvement Commission, on third reading. It passed by roll call vote.

AYES: Delp, Culp and Smith  
NAYS: None  
ABSENT: Ecker and Grobe

Surrisi presented Ordinance No. 2013-2062, An Ordinance of the Common Council of the City of Plymouth Authoring the Investment of Public Funds Pursuant to IC 5-13-9-5, IC 5-13-9-5.3 and IC 5-13-9-5.7, on first reading.

Surrisi presented Ordinance No. 2013-2063, An Ordinance of the Common Council of the City of Plymouth Authorizing and Approving the Entry into an Interlocal Agreement for the Investment of Public Funds, on first reading.

Surrisi presented Resolution No. 2013-570, A Resolution of the City of Plymouth Declaring Certain Real Estate to be Within an "Economic Revitalization Area" Pursuant to IC 6-13-12.1 et seq. He noted that this is for the proposed shell building that they just approved the lease on that the

redevelopment commission is pursuing. He said that for the time period that the city and MCEDC are involved in it, the development contract proposes that Garmong Development is responsible and pay for all taxes during the term until the building is ultimately sold to a third party or until a long term lease is entered into, but any expenses they incur for paying the tax bills will be rolled into their ultimate price tag, so keeping the costs down will make the property more marketable. Additionally, the rent that the redevelopment commission pays during that time is a percentage of their expenses that they invest in the property.

Councilmen Delp and Smith moved and seconded to adopt Resolution No. 2013-570, A Resolution of the City of Plymouth Declaring Certain Real Estate to be Within an "Economic Revitalization Area" Pursuant to IC 6-13-12.1 et seq. It passed by roll call vote.

AYES: Delp, Culp and Smith  
NAYS: None  
ABSENT: Ecker and Grobe

Senter offered the privilege of the floor to members in the audience. No one accepted.

Councilmen Delp and Smith moved and seconded to accept the following communications: minutes of the Board of Public Works and Safety meeting of June 24, 2013; minutes of the Plan Commission meeting of June 4, 2013; minutes of the Redevelopment Commission meeting of June 18, 2013, minutes of the Downtown Revitalization Committee meeting of June 13, 2013; and the Clerk-Treasurer's Financial Reports for June, 2013. The motion carried.

There being no further business to discuss, Councilmen Smith and Culp moved and seconded to adjourn the meeting. The motion carried; the meeting was declared adjourned at 6:48 p.m.

S/Toni L. Hutchings, IAMC/CMC/CPFA  
Clerk-Treasurer

APPROVED

S/Mark Senter, Mayor