

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on August 11, 2014. 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.

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

Councilmen Delp and Culp moved and seconded to approve the minutes of the last regular meeting of July 28, 2014 and to dispense with reading them since they have been reviewed and found to be correct. The motion carried.

City Attorney Surrisi presented Ordinance No. 2014-2079R, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning Keeping Cattle, Goats and the Like Unlawful, on second reading.

Councilmen Smith and Culp moved and seconded to adopt Ordinance No. 2014-2079R, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning Keeping Cattle, Goats and the Like Unlawful, on second reading.

Surrisi said that he met with the mayor, Councilman Delp, Police Chief Bacon, Assistant Police Chief Owen, Building Commissioner Hammonds to discuss the ordinance and the general consensus was that it would be easier to implement if there were specific penalty provisions.

The motion to pass Ordinance No. 2014-2079R, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning Keeping Cattle, Goats and the Like Unlawful, on second reading passed by roll call vote.

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

Councilmen Delp and Ecker moved and seconded to pass Ordinance No. 2014-2079R, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning Keeping Cattle, Goats and the Like Unlawful, on third reading. It passed by roll call vote.

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

Councilman Delp asked Street Superintendent Marquardt for an updated of list of which sidewalk projects have been completed.

City Attorney Surrisi presented the Approval of High Speed Rail Memorandum of Understanding:

MEMORANDUM OF AGREEMENT

BY AND AMONG THE FOLLOWING PARTIES (hereinafter, “**the Parties**”) City of Columbus, Ohio; City of Lima, Ohio; City of Kenton, Ohio; City of Marysville, Ohio; City of Fort Wayne, Indiana; City of Warsaw, Indiana; City of Plymouth, Indiana; City of Valparaiso, Indiana; City of Gary, Indiana; and the Mid-Ohio Regional Planning Commission;

BE IT KNOWN THAT:

WHEREAS, utilizing the Northern Indiana / Ohio Passenger Rail Corridor Feasibility Study and Business Plan as a basis for action, the Parties propose to systematically and incrementally develop the intercity passenger rail system in cooperation with existing freight rail operators and owners of right-of-way along a corridor from Chicago to Columbus through northern Indiana hereafter known as the **Northern Indiana/Ohio Passenger Rail Initiative**; and

WHEREAS, a well-coordinated transportation system of rail, air, highways, and water provide economic benefits and efficiencies to all municipalities along and in close proximity to the rail line; and

WHEREAS, Chicago is the largest economic center of the Midwest and creating another transportation link between this Midwest hub and a growth corridor stretching through Northern Indiana to Columbus will make the entire corridor more economically competitive and stimulate economic benefits to the cities, counties, villages, and townships along and in close proximity to the line, according to the Northern Indiana/Ohio Passenger Rail Corridor Feasibility Study and Business Plan; and

WHEREAS, each of the major municipalities along the corridor contributes unique economic strengths that benefit the entire corridor:

Columbus, Ohio and Franklin County (pop. 1,195,537) are home to Nationwide Mutual Insurance, Limited Brands, Huntington Bancshares, Cardinal Health, American Electric Power, Battelle Memorial Institute, Chemical Abstracts, Wendy's, Bob Evans, Big Lots, and The Ohio State University, as well as regional facilities of JPMorgan Chase, The Kroger Company, Express Scripts, and Alliance Data Retail Systems.

Marysville, Ohio and Union County (pop. 52,300), one of the fastest growing areas of Ohio, are home to the North American headquarters of Honda of America Mfg., Inc., the world headquarters of the Scotts Miracle-Gro Company, Veyance Technologies (formerly Goodyear) and Parker Hannifin.

Kenton, Ohio and Hardin County (pop. 32,058), provide a transportation hub, as six state and federal highways travel through the City, including U.S. Route 68 and State Routes 53, 67, 31, 309, and 292. Hardin County is seen as a manufacturing, agriculture, and educational center because of the presence of a dynamic blend of major manufacturers, a diverse agriculture base, and one of the nation's finest private universities.

Lima, Ohio and Allen County (pop. 105, 825) are a regional hub for manufacturing such as Ford Motor Company, Procter & Gamble, Dana, General Dynamics, Husky Energy, Ashland Chemicals, PCS Nitrogen, Ineos, Linde, American Trim and Metokote.

Fort Wayne, Indiana and Allen County (pop. 355,329) offer cultural attractions, arts, and theater that rival those of the United States' larger metropolitan cities. Attractions such as Fort Wayne Children's Zoo, Science Central, and Tin Caps minor league baseball offer something for everyone. The city is home to Fortune 500 Company Steel Dynamics, Inc. and numerous other manufacturing-related businesses.

Warsaw, Indiana and Kosciusko County (pop. 77,609) are home to many prominent orthopedic companies including DePuy, Zimmer / Biomet, and Medtronic, totaling \$11 billion in annual sales, representing 1/3 of the world's orthopedics sales volume, and representing an employment base of 13,000 direct and indirect jobs. Grace College & Seminary in Winona Lake offers its 1,600 students a diverse environment with high academic standards in over 60 majors.

Plymouth, Indiana and Marshall County (pop. 47,024) have the advantage of being centrally located between Chicago, Indianapolis, and Detroit. With its small town feel and big city proximity, it is the perfect location to call home or to locate a business. Internationally- recognized Culver Academies, hosting secondary students from 19 countries and 41 states, is the largest single employer within Marshall County.

Valparaiso, Indiana and Porter County (pop. 165,682) are located in the northwest corner of the state and are considered part of the Chicago Metropolitan area. Valparaiso University, an independent Lutheran, liberal arts institution with 3,000 undergraduates and 1,000 law and graduate students from most U.S. states and 50 countries, calls the city home.

Gary, Indiana and Lake County, Indiana (pop. 80,294) are located in the southeastern portion of the Chicago metropolitan area. Gary, known for its steel-manufacturing legacy, seeks to capitalize on its proximity to the Midwest region's economic core with a major public - private development partnership centered on the Gary - Chicago International Airport.

WHEREAS, there are 141 institutions of higher education located within 25 miles of the railheads designated in the Feasibility Study and Business Plan for the passenger rail corridor, and there are more than 896,000 students enrolled at these 141 institutions; and

WHEREAS, an economically vibrant Midwest will provide a higher quality of life for its residents; and

WHEREAS, the passenger rail corridor, in cooperation with the owners of the existing rail

right-of-way, would accommodate both future high speed passenger rail and freight rail service within the corridor by utilizing and improving the existing track configuration and rail crossings; and

WHEREAS, it is the intent and purpose of this Agreement to continue to cultivate a working relationship among the parties to facilitate the development and implementation of passenger rail service, and to plan for future integration of the Northern Indiana / Ohio Corridor into a larger regional and national passenger rail network; and

WHEREAS, high speed rail encourages higher-density, mixed-use development at or near stations, improves business productivity, expands visitor opportunities, broadens regional labor markets, and helps support the growth of technology clusters, according to the U.S. Conference of Mayors report, "The Economic Impacts of High Speed Rail on Cities and their Metropolitan Areas"; and

WHEREAS, the Parties propose to act in partnership with the Federal Railroad Administration (FRA) in advancing the development of an inter-city passenger rail corridor on existing right-of-way linking several communities in the states of Ohio, Indiana, and Illinois; and

WHEREAS, it is necessary for municipal and county governmental and regional planning jurisdictions in the three States to jointly undertake and coordinate a variety of tasks in order to realize the objective of creating an inter-city passenger rail corridor mutually benefitting the constituencies served by such governments and planning authorities; and

WHEREAS, significant interstate, regional and inter-local cooperation will be required to coordinate the planning and predevelopment of high speed passenger rail service within this corridor, including tasks of procuring and administering grants; acquiring allocations from the States or from political subdivisions of the States, or from the Federal government; soliciting assistance from private corporations and from other organizations both public and private; and

WHEREAS, the Parties are or may be involved, individually or collectively, in the planning and funding, of inter-city passenger rail transportation services within the corridor, including linkages between surface and air transportation modes; and

WHEREAS, one or more of the Parties or a consortium of the Parties may subsequently agree to collaborate to make available such administrative and coordinating support as may be necessary to the successful fulfillment of the purposes of this Agreement;

NOW THEREFORE, BE IT RESOLVED: That the Parties will cooperate with each other in order to enable a **Tier One Environmental Impact Study (EIS)** and related documents as required by regulations adopted and published by the FRA, and as required by the FRA for their approval of inter-city passenger rail corridors, and to proceed with the EIS at the earliest opportunity;

AND IN FURTHERANCE OF THAT RESOLUTION, THE PARTIES AGREE:

(1) To cooperate in such joint budgeting, fund-raising, appropriation and procurement activities as may be necessary to obtain the planning, environmental, engineering, and operational analyses required by the FRA for completion of a Tier One EIS;

(2) To explore the funding needed for the Tier One EIS process and to determine in a fair manner the amount needed from each participating jurisdiction hereafter by the Parties and specified in a separate agreement;

(3) To participate together with representatives of the Parties in such planning, coordinating, and decision-making activities as may be required from time to time, particularly to guide the bid and contractor selection process, and to manage, evaluate, and complete the EIS;

(4) To furnish such information whether to the Parties in their collective capacity, to the EIS contractor, or to the FRA, as may be necessary for the completion of the various analyses required by the Tier One EIS process;

(5) To endeavor in good faith to secure funding, consistent with and in accordance with the schedule and project expenditure plan as approved by the Parties in their collective capacity;

(6) To coordinate the creation and distribution of education and outreach materials to be used to gain support for the continuation of the project;

(7) That the Parties of the Northern Indiana/Ohio Corridor and appropriate partners will coordinate fundraising using a mutually agreed-upon strategy. In the event that funding for the program is constrained by statute, rescission of existing law, change in funding requirements or eligibility; or reduction in identified funding levels or availability, the Parties and any partners shall take steps to notify each other as needed in a timely manner;

(8) To explore the establishment of a management structure for the project, governed by a board of directors appointed by the Parties, to serve as the project manager and provide advocacy, branding, fundraising, and project development and execution on behalf of the parties.

(9) This MOA constitutes the entire agreement among the parties, and no changes or modifications to this MOA shall be made unless agreed to by all parties to this MOA in writing; and

(10) Upon consent of the original parties to the MOA, additional parties may become signatories to the MOA.

Surrisi said that Mayor Senter is proposing a \$20,000 contribution from the city in the 2015 budget. He asked for approval of the memorandum.

Councilmen Smith and Delp moved and seconded to approve the memorandum.

Councilman Grobe asked what the future financial commitment of the city will be if this is approved.

Surrisi said that there would not be any commitment at this point.

Bill Walters, 822 W. LaPorte Street, said he his property butts right up to the railroad and he said that he is very opposed to the project. He and his wife are very upset at the talk of high speed rail traffic going past his house.

The motion to adopt the memorandum passed.

City Attorney Surrisi presented Resolution No. 2014-619, 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.)

Jerry Chavez, Executive Director of the Marshall County Economic Development Corporation reviewed the following letter with the council:

Marshall County Economic Development Corporation
2864 Miller Drive
Plymouth, Indiana 46563

August 7, 2014

Mayor Mark Senter
City of Plymouth
124 N. Michigan St.
P.O. Box 492
Plymouth, IN 46563

RE: AK Industries Tax Abatement Application

Mayor Senter:

The Marshall County Economic Development Corporation (MDEDC) is pleased to support an application by AK Industries for personal property tax abatement. Please find the application forms attached with this letter.

Background:

AK Industries began operations in Plymouth, IN in 1981 at a location at Markley Drive. This company has experienced a number of expansions through the years leading them to their current location at PIDCO Drive. This expansion to the current location occurred in 1991.

As you can see from the following expansion highlights....AK Industries has been committed to keep operations in this community. Additionally, the company continues to be a valued employer.

In 2000 the company continued with an expansion to more buildings and in 2004 the need for office drove yet another expansion.

In 2013, AK Industries requested and was granted a tax abatement for an expansion of about \$90,000.

Today, AK Industries employs about 90 FTE's with an annual payroll of about \$3.5 MM.

Scope of Expansion

Please consider, the long history of operations and the amount of capital invested by this company over the number of years since 1981. The planned expansion represents new opportunities for AK Industries.

Capital investment for this expansion in about \$320,000 for the purchase of machinery and equipment. Also, CTA anticipates hiring another 3 FTE's.

Conclusion:

MCEDC respectfully requests that the City of Plymouth approves the AK Industries application for tax abatement for a period of seven years.

On behalf of the MCEDC Board of Directors, we thank you for consideration and action taken on the tax abatement request. We also appreciate support given to economic development and the growth of community businesses.

If you have any questions or concerns prior to the Council meeting, please do not hesitate to contact our office at (574)935-8499.

Respectfully,

S/ Jerry Chavez
Executive Director

John Sabo, of AK Industries, addressed the council regarding their product.

Councilmen Grobe and Smith moved and seconded to adopt Resolution No. 2014-619, 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.). It passed by roll call vote.

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

Jerry Chavez, Executive Director of the Marshall County Economic Development Corporation reviewed the following letter with the council:

Marshall County Economic Development Corporation
2864 Miller Drive
Plymouth, Indiana 46563

August 7, 2014

Mayor Mark Senter
City of Plymouth
124 N. Michigan St.
P.O. Box 492
Plymouth, IN 46563

RE: Composite Technology Assemblies (CTA) Tax Abatement Application

Mayor Senter:

The Marshall County Economic Development Corporation (MDEDC) is pleased to support an application by Composite Technology Assemblies (CTA) for real property, vacant building deduction and personal property tax abatements. Please find the application forms attached with this letter.

Background:

CTA has a rich history associated with operating a facility in Plymouth, IN.

Beginning in 2007, Oasis Bath moved to Indiana and in April 2009 the company expanded in Plymouth, IN.

CTA was formed in 2013 and is now the parent company of Oasis Bath. The two companies have a combined workforce of over 130 employees. Payroll for this workforce is over \$3.0 MM, annualized.

Scope of Expansion

The planned expansion represents new opportunities for CTA. Please consider, CTA will put new life into a building that has sat dormant for over two years. Capital investment to purchase the building, purchase equipment and machinery and building improvements costs for the setup of the new production line is expected to be approximately \$1.2 MM.

Also, CTA anticipates hiring another 53 FTE's, which will more than double the current level of employees and provide about \$5.0 MM in payroll annually.

Conclusion:

MCEDC respectfully requests that the City of Plymouth approves the CTA application for tax abatement for a period of seven years.

On behalf of the MCEDC Board of Directors, we thank you for consideration and action taken on the tax abatement request. We also appreciate support given to economic development and the growth of community businesses.

If you have any questions or concerns prior to the Council meeting, please do not hesitate to contact our office at (574)935-8499.

Respectfully,
S/ Jerry Chavez
Executive Director

Andy Aker addressed the council; he said that he, Mark Naylor and John Smith bought the company Oasis in 2007. He gave background information on the company.

City Attorney Surrisi presented Resolution No. 2014-620, 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. (Composite Technology Assemblies LLC).

Councilmen Ecker and Culp moved and seconded to adopt Resolution No. 2014-620, 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. (Composite Technology Assemblies LLC). It passed by roll call vote.

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

Ann Davis, owner of Harriet's Closet, 110 N. Michigan St., addressed the council regarding work on the façade of her building. She applied for the Plymouth Commercial Revitalization Rebate Program.

Councilman Ecker asked Ms. Davis if she had received the necessary permits with INDOT, etc.

She said she would apply for those by the end of the week.

Councilmen Delp and Ecker moved and seconded to adopt Resolution No. 2014-621, A Resolution of the Common Council of the City of Plymouth to Approve the Application of Ann Davis for a Commercial Revitalization Rebate Program Grant. It passed by roll call vote.

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

Clerk-Treasurer Hutchings asked permission to transfer \$8,000 from the City Development Fund to the Transportation Fund to cover the Transportation Agreement with the Marshall County Council on Aging.

Councilmen Ecker and Grobe moved and seconded to approve the transfer. The motion carried.

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

Councilmen Ecker and Culp moved and seconded to accept the following communications: minutes of the Board of Public Works and Safety meeting of July 28, 2014; minutes of the Park and Recreation Board meetings of June 2 and July 7, 2014; minutes of the Board of Zoning Appeals meeting of July 1, 2014; minutes of the Plan Commission meeting of July 1, 2014; minutes of the Board of Aviation Commissioners meeting of July 8, 2014; minutes of the Downtown Revitalization Committee meeting of July 9, 2014; minutes of the Technical Review Committee meeting of August 5, 2014; and the Clerk-Treasurer's Financial Reports for July 31, 2014. The motion carried.

There being no further business to discuss, Councilmen Grobe and Smith moved and seconded to adjourn the meeting. The motion carried; the meeting was declared adjourned at 7:08 p.m.

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

APPROVED

S/Mark Senter
Mayor