

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on December 11, 2017. The meeting was held in the meeting room of the Plymouth Fire Department, 111 N. Center St., Plymouth, IN. The meeting was called to order at 6:30 p.m.

Mayor Senter led the Pledge of Allegiance and Council Member Ecker offered prayer.

Mayor Senter presided for Councilmembers Gary Cook, Duane Culp, Don Ecker, Shawn Grobe, Jeff Houin, Shiloh Carothers Milner (formerly Shiloh Fonseca), and Bill Walters.

Council Members Culp and Houin moved and seconded to approve the minutes of the last regular Common Council meeting on November 27, 2017, as presented. The motion carried.

The following legal notice was advertised on November 17, 2017:

116 Legals	116 Legals	116 Legals
<p>NOTICE OF PUBLIC HEARING Notice is hereby given to the citizens of Plymouth, Marshall County, Indiana, that a public hearing will be conducted by the Common Council of the City of Plymouth on a re-</p>	<p>quest for tax abatement on real property improvements by River Gate South Development, LLC, located at 122 E. Lake Ave., Plymouth, IN. A statement of benefits is on file in the temporary office of the Clerk-Treasurer, 118 N. Michigan St., Plymouth, IN. The real estate has been designated within an Economic Revitalization Area pursuant to</p>	<p>IC 6-1.1-12.1-1 on November 13, 2017. A description of the affected area is available and can be inspected in the County Assessor's Office. Said hearing will be held on Monday, November 27, 2017, in the Plymouth Fire Department meeting room, 111 N. Center St., (south entrance), Plymouth, IN at the Common Council</p>
		<p>meeting at 6:30 p.m. Persons appearing at such public hearing shall have the right to be heard on the proposed project. Disabled persons needing special accommodations, please contact the ADA Coordinator at 574-936-2948. Dated this 14th day of November, 2017. Jeanine M. Xaver, IAMC / CMC Clerk-Treasurer City of Plymouth, Indiana November 17, 2017 - P November 17, 2107-PN274972 hspxlp</p>

The public hearing was held at the November 27, 2017 council meeting and continued until tonight's meeting.

Council Members Houin and Grobe moved and seconded to re-open the public hearing. The motion carried and the mayor declared the public hearing open.

Scott Sivan, representative from River Gate South Development, LLC, addressed the council. He provided an update on the project's progress.

Mayor Senter opened the floor to the council and the public. There were no comments or questions.

Council Members Houin and Ecker moved and seconded to close the public hearing. The motion carried.

City Attorney Surrisi presented Ordinance No. 2017-2130, An Ordinance Fixing Salaries for the Year 2018 for the Elected Officials of the City of Plymouth, Indiana, on second reading.

Council Members Ecker and Houin moved and seconded to approve Ordinance No. 2017-2130, An Ordinance Fixing Salaries for the Year 2018 for the Elected Officials of the City of Plymouth, Indiana, on second reading.

Ecker asked Mayor Senter and/or Clerk-Treasurer Xaver to explained why neither of them would be receiving a raise in 2018. Senter said 2017 has not gone well for the city's utilities with the company closings of two large utility users. He said part of the salaries of elected officials is paid from utilities and he feels it would not be right to accept raises during this time. Xaver said she agreed.

Houin asked the council members who conducted the city-wide salary review if these two positions were looked at during this process. Ecker said only non-elected positions were reviewed and considered for the rate increases. He said there was a substantial increase for both of these positions when compared to other cities our size.

Mike Delp thanked the mayor and clerk-treasurer for not accepting raises.

It passed by roll call vote.

AYES: Cook, Culp, Ecker, Grobe, Houin, Milner, Walters

NAYS: None

Council Members Ecker and Milner moved and seconded to approve Ordinance No. 2017-2130, An Ordinance Fixing Salaries for the Year 2018 for the Elected Officials of the City of Plymouth, Indiana, on third reading. It passed by roll call vote.

AYES: Cook, Culp, Ecker, Grobe, Houin, Milner, Walters

NAYS: None

City Attorney Surrisi presented the following Agreement for Transportation Services:

AGREEMENT FOR TRANSPORTATION SERVICES

This agreement is entered into by and between the CITY OF PLYMOUTH, a municipal corporation of the State of Indiana acting by and through its duly elected Common Council, hereinafter referred to as "the City," and the MARSHALL COUNTY COUNCIL ON AGING, INC., an Indiana not-for-profit corporation with Federal Identification Number 35-1522711, hereinafter referred to as "Older Adults."

Statement of Purpose and Intent

Older Adults manages a program entitled "Marshall County Public Transportation Program" which in part provides partially subsidized public transportation to citizens of Marshall County, including citizens of Plymouth. For several years, the City has contributed to the funding of this public transportation program. The City desires to continue with its financial support of public transportation for the citizens of Plymouth and Older Adults desire to maintain the program into 2018.

NOW, THEREFORE, in consideration of the mutual promises and subject to the terms and conditions listed below, the parties agree as follows:

1. **SERVICES TO BE PERFORMED**
Older Adults agrees to maintain the Marshall County Public Transportation Program in its present form which consists of providing public transportation to citizens of Plymouth for a nominal and subsidized fee.
2. **VOLUNTARY AUDIT AT REASONABLE TIMES WITH REASONABLE ADVANCE NOTICE**
Older Adults agrees to allow the City, or the City's designee, to audit all records of Older Adults related to the Marshall County Public Transportation Program at all reasonable times and with reasonable advance notice, to ensure that Plymouth citizens are being adequately served by the program relative to the monetary subsidy provided by City.
3. **NON-AGENCY RELATIONSHIP**
The parties specifically agree that one is not the agent of the other. In other words, Older Adults acknowledges that, in managing and providing services to the citizens of Plymouth,

it is neither an agent of the City, nor in any way takes direction from the City in its management of the program, or Older Adults supervision of and relationship with the drivers providing services to citizen riders.

4. HOLD HARMLESS
Older Adults agrees to hold the City harmless from any cause of action arising out of Older Adults' management of the Marshall County Public Transportation Program or its supervision of the employees providing services to citizen riders.
5. SUBSIDY PAYMENT FOR SERVICES
In exchange for the performance of the obligations of this Agreement by Older Adults, City shall pay to Older Adults the annual sum of \$8,000.00, payable in at least semi-annual increments throughout the calendar year 2018. Older Adults shall prepare and submit to the Office of the Clerk-Treasurer a duly executed claim in proper form, with any other documentation requested by the Clerk-Treasurer.
6. BINDING AGREEMENT
This Agreement shall be binding upon the parties pursuant to its terms and conditions and both parties acknowledge each is duly authorized to enter into, effectuate and carry out this Agreement pursuant to said terms. Neither this Agreement nor any interest therein may be assigned by either party without the prior written consent of the party being first had and obtained.
7. TERM OF AGREEMENT
It is agreed the effective date of this Agreement shall be January 1, 2018, and that this Agreement shall be in full force and effect for the entire calendar year of 2018.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 11th day of December, 2017.

Surrisi said the version distributed to the council members have several date references that need to be corrected. The final signed version will reflect that it was approved in 2017 and the effective dates of the contract will be during the calendar year of 2018. Surrisi said the financial contribution has not changed.

Council Members Cook and Houin moved and seconded to approve the Agreement for Transportation Services. Walters said he is abstaining from voting due to working for the Marshall County Council on Aging. The motion carried.

City Attorney Surrisi presented Ordinance No. 2017-2131, An Ordinance Adopting the Fee Schedule for the Department of Parks and Recreation for the City of Plymouth, on first reading.

Council Members Houin and Grobe moved and seconded to suspend the rules and consider the ordinance on all three readings. Park Superintendent Hite was present to discuss the rates and answer any questions. It passed by roll call vote.

AYES: Cook, Culp, Ecker, Grobe, Houin, Milner, Walters
NAYS: None

Council Members Houin and Cook moved and seconded to approve Ordinance No. 2017-2131, An Ordinance Adopting the Fee Schedule for the Department of Parks and Recreation for the City of Plymouth, on second reading. It passed by roll call vote.

AYES: Cook, Culp, Ecker, Grobe, Houin, Milner, Walters
NAYS: None

Council Members Ecker and Houin moved and seconded to approve Ordinance No. 2017-2131, An Ordinance Adopting the Fee Schedule for the Department of Parks and Recreation for the City of Plymouth, on third reading. It passed by roll call vote.

AYES: Cook, Culp, Ecker, Grobe, Houin, Milner, Walters
NAYS: None

City Attorney Surrisi presented Resolution No. 2017-777, A Resolution of the City of Plymouth Confirming the Adoption of the Declaratory Resolution Designating Certain Real Estate to be Within an "Economic Development Target Area" and also Within an "Economic Revitalization Area" for Purposes of Real Property Tax Abatement Pursuant to I.C. 6-1.1-12.1 et seq. (River Gate South Development, LLC).

Council Members Grobe and Ecker moved and seconded to pass Resolution No. 2017-777, A Resolution of the City of Plymouth Confirming the Adoption of the Declaratory Resolution Designating Certain Real Estate to be Within an "Economic Development Target Area" and also Within an "Economic Revitalization Area" for Purposes of Real Property Tax Abatement Pursuant to I.C. 6-1.1-12.1 et seq. (River Gate South Development, LLC).

Council Member Cook spoke against the tax abatement based upon taxpayer money already invested in the project.

Mike Delp spoke in favor of the tax abatement.

The resolution passed by roll call vote.

AYES: Culp, Ecker, Grobe, Houin, Milner, Walters
NAYS: Cook

City Attorney Surrisi presented Resolution No. 2017-778, Resolution of the City of Plymouth to Transfer Cash from the City Development Fund to the Safe Routes to School Project Fund.

Clerk-Treasurer Xaver explained that this project is coming to an end and due to the reimbursement process through INDOT and with the state being behind on paying their 80% share, the fund is starting to run out of money. She said that funds are not allowed to go in the red, so this transfer will cover the expenses until INDOT can catch back up on their payments. Ecker asked if the funds would go back to the City Development Fund once INDOT catches back up. Xaver explained that the council can make that part of their motion if they so choose.

Council Members Ecker and Cook moved and seconded to approve Resolution No. 2017-778, Resolution of the City of Plymouth to Transfer Cash from the City Development Fund to the Safe Routes to School Project Fund. It passed by roll call vote.

AYES: Cook, Culp, Ecker, Grobe, Houin, Milner, Walters
NAYS: None

Councilman Walters discussed the intersection at Plum and Jefferson Street. He said there have been previous discussions on potentially making improvements in this area and wanted to know where

things stand. Fire Chief Rod Miller said he and Street Superintendent Jim Marquardt have discussed potential solutions, as this area is very difficult for fire engines to turn north on Plum and have access to the industrial park. Miller said that Marquardt thought there would be an issue with taking out the sidewalk on the north side of the Jefferson to widen the road because North and South Plum would then not match up – North Plum would be wider. There was discussion about changing the first block on North Plum to no parking. Mayor Senter said that this can be discussed with the Board of Public Works and Safety.

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

Members Ecker and Houin moved and seconded to accept the following communications:

Minutes of the Board of Public Works and Safety meeting of November 27, 2017;
Minutes of the Redevelopment Commission meeting of October 17, 2017;
Memo from City Attorney Surrisi RE: River Gate South Tax Abatement;
TIF 4 Impact Study South Gateway/Western Downtown Economic Development Area

The motion carried.

There being no further business to discuss, Council Members Grobe and Milner moved and seconded to adjourn the meeting. The motion carried and the meeting was declared adjourned at 6:55 p.m.

Jeanine M. Xaver, IAMC / CMC
Clerk-Treasurer

APPROVED

Mark Senter, Mayor