

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on November 27, 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 Cook, Culp, Ecker, Fonseca, Grobe, Houin and Walters.

Council Members Culp and Houin moved and seconded to approve the minutes of the last regular Common Council meeting on November 13, 2017, as presented. The motion carried.

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

116 Legals	116 Legals	116 Legals
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-	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	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
		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 hspaxlp

Council Members Culp and Walters moved and seconded to open the public hearing. The motion carried and the mayor declared the public hearing open.

City Attorney Surrisi notified the council that Scott Sivan, developer for the project, is unable to attend the meeting tonight. He wanted to be available to answer any questions from the council and the public. Sivan said he can be present at the next meeting if the council would like to extend the public hearing until that time.

Councilman Ecker said he would feel comfortable tabling the public hearing so Mr. Sivan can be present to answer questions.

Councilman Houin clarified that the public hearing will continue for this evening so those in attendance may speak on the topic. Surrisi agreed and said that the public hearing will not need to be advertised for the December 11th meeting.

Steve Guriel, 10875 9A Road, said he has some rental properties within the city. He asked if the council has granted tax abatements to other complexes in the past and if not, why would they grant it now for this company.

Surrisi said he is not aware of any tax abatements that were granted for apartment complexes in the past. He said part of the reason for applying for the tax abatement is the scope of the project has been

identified as a need by local companies and it has been chosen by Regional Cities as one of their projects. Surrisi explained that the developer received a tax abatement in Mishawaka for a similar project in that city. He also said that the Plymouth Economic Development Commission can recommend to the city council that any area within the city be designated as an economic development target area or a residentially distressed area and not more than 15% of the land area of the city, can be eligible for residential tax abatements.

Guriel asked how long the abatement will take place. Surrisi said the abatement is proposed to be for 6 years. Guriel also asked how much the city is anticipated to lose in taxes if this abatement is approved. Surrisi said he did not have those figures with him, but Umbaugh did project those figures in the tax impact statement when the new TIF district was established. He said he will have them available at the next Common Council meeting.

Houin stated that the city has not historically rejected tax abatement proposals for residential complexes, they just have not had any apply. He encouraged developers to work with the city in the future on potential projects so that those developments can be considered for abatements. Surrisi agreed and said the purpose of the tax abatement is to promote investment in the community that otherwise might not happen. The city foregoes that tax revenue in the short-term, but in the long-term the tax revenue will be in place as well as the economic gain from the development.

Councilman Grobe voiced his support for the project and the tax abatement and realizes that if this is not passed, then it will significantly change the business plan for this project.

Houin clarified that tax abatements do not give developers money. He outlined that the city has contributed to the project financially and donated some land, however the tax abatement is not giving money away, it is simply foregoing tax revenue for a certain period of time. He said that money is not being taken from revenue that the city has already received, this abatement is simply easing the property owner into the real estate taxes rather than being hit with 100% of the taxes immediately after the project is complete.

Councilman Cook said he disagrees with Houin and feels tax abatements do give money directly to developers because they are not paying property taxes that would be helping the City of Plymouth. He said the taxes are phased-in but the city is delaying full payment of property taxes during that period and therefore leaving money in the pocket of the developer that they otherwise would have had to pay. Cook went on to say that as a taxpayer and an elected representative of the tax payers, he feels there has already been enough tax dollars contributed to this project. He outlined the monetary contributions, land acquisitions/demolitions, assessments, abstracts, and property tax money that the city and Regional Cities have already contributed to the project. He is also unsure what benefits the development will have on the

community and fears the residents of Plymouth cannot afford to rent at the projected rates. Cook said he is opposed to this tax abatement because of what the city has already contributed.

Councilman Culp said the city will still be receiving tax revenue from this property during five of the six-year abatement because the abatement is tiered to gradually increase tax revenue over the allotted time frame. Year one will be a 100% tax abatement, but the property owner will then start paying taxes during the second year.

Mike Delp, 1707 S. Michigan Street, said he is in full support of the project and the tax abatement. He said the city had contributed funding to demolish one of the old buildings several years ago and then the lot sat vacant, not contributing to the downtown area, waiting for a developer to come forward with ideas. He feels the apartment complex will bring vitality to the area. Delp also expressed that the need for this type of housing was discussed with him while he was a city council member, so he feels there is a market in Plymouth for this development.

Cook agreed that housing needs to be developed for professional employees. He has been in support of all the other tax abatements that have come before the council since he was elected, however the city had never contributed the amount of funding that has gone into this project for any of those abatements.

Clerk-Treasurer Xaver presented the following written correspondence:

Dear Plymouth Common Council,

As the taxpayers either directly or indirectly have contributed three million dollars, I believe that the request for a tax abatement for the River Gate Project should be rejected. Local governments are losing thousands of dollars over tax abatements. It is time in my opinion for this nonsense to stop! This is my first time to ever say no. S/ Doug Kucera, Center Township Trustee, 510 W Adams St, Ste 200, 574-936-3726

Rex Crump, 900 S Michigan Street, said that he is the current president of the Plymouth Housing Providers Association. Crump said he is a local homeowner with multiple rental properties. He said he tends to agree with Councilman Cook and is also worried that the unit prices are too high for this area. Crump asked what will happen if the developer goes bankrupt. Surrisi said that is not in the agreement, but he said the marketplace will take over and someone will see an opportunity in the development.

Houin said he understands the concerns of those that have voiced their opinion. He said that the developer has invested something like \$7 million dollars into the project. Houin also noted that this developer will be charged full property taxes once the tax abatement is over regardless of the number of units filled at any given point in time. The taxes will be based on assessed value of the entire property, not business performance.

Grobe agreed. He feels the developer is the entity at risk and is contributing a substantial amount of money more than the city. Grobe thinks part of the incentive package for this project was the tax abatement.

Jerry Chavez, President and CEO of Marshall County Economic Development Corporation, voiced his support of the tax abatement.

Council Members Houin and Culp moved and seconded to adjourn the public hearing on this tax abatement until the next public Common Council meeting on December 11, 2017. The motion carried.

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

NOTICE OF A HEARING ON PROPOSED WATER & SEWER RATES AND CHARGES

Property owners, ratepayers, and other interested parties in or served or to be served by the Water Utility, the Wastewater Utility, and the Stormwater Utility of the City of Plymouth are hereby notified that Ordinance No. 2017-2128 establishing rates and charges for the use of and services to be rendered by the Wastewater and Stormwater Utilities, and Ordinance No. 2017-2129 establishing rates and charges for the use of and services to be rendered by the Water Utility, were introduced at a meeting of the Common Council on November 13, 2017. At a meeting of the Common Council to be held at 6:30 p.m. on November 27, 2017, in the Plymouth Fire Department Meeting Room, 111 North Center Street, Plymouth, Indiana, (South Entrance), there will be a public hearing on the matter of rates and charges, and consideration of adoption of said ordinances. Ordinance No. 2017-2128 regarding Wastewater and Stormwater rates provides in part as follows:

50.082 SANITARY SEWER RATE FOR VOLUME.

For the use of the service rendered by the Sewage Works for sanitary sewage, rates and charges shall be collected from the owners of each and every lot, parcel of real estate, or building that is connected with the City sanitary system or otherwise discharges sanitary sewage, industrial wastes, water, or other liquids, either directly or indirectly, into the sanitary sewage system of the City of Plymouth. Such rates and charges include user charges, debt service costs, excessive strength surcharges, and other service charges, which rates and charges shall be payable as hereinafter provided and shall be in an amount determined as follows:

(A) The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges as the same is measured by the water meter there in use, plus a base charge based on the size of water meter installed except as herein otherwise provided. For the purpose of billing and collecting the charges for sewage service, the water meter shall be read monthly and the users shall be billed each month (or period equaling a month). The water usage schedule on which the amount of said rates and charges shall be determined is as follows:

Phase I – Effective Upon Adoption of this Ordinance
(Outside corporate City boundaries rates and charges are approximately 14.9% higher than the rates and charges for customers inside corporate city boundaries.)

All Class I Users

(1) Treatment Rate per 1,000 gallons of usage per month:

	User Charge	Debt Service	Total
	\$ 2.01	\$ 1.28	\$ 3.29
plus			
(2) Base rate per month:			
5/8" - 3/4" water meter	\$ 2.29	\$ 8.42	\$ 10.71
1" water meter	4.43	20.98	25.41
1 1/2" water meter	9.10	48.57	57.67
2" water meter	15.08	83.67	98.75
3" water meter	33.48	192.39	225.87
4" water meter	59.05	342.90	401.95
6" water meter	131.48	769.37	900.85

Outside Corporate City Boundaries

(3) Treatment Rate per 1,000 gallons of usage per month:

	User Charge	Debt Service	Total
	\$ 2.27	\$ 1.47	\$ 3.74
plus			
(4) Base rate per month:			
5/8" - 3/4" water meter	\$ 2.84	\$ 9.67	\$ 12.31
1" water meter	5.09	24.12	29.21
1 1/2" water meter	10.44	55.87	66.31
2" water meter	17.31	86.21	113.52
3" water meter	38.49	221.24	259.73
4" water meter	67.93	394.31	462.24
6" water meter	151.21	884.76	1,035.97

Phase II – Effective September 1, 2018 (August Consumption)
(Outside corporate City boundaries rates and charges are approximately 14.9% higher than the rates and charges for customers inside corporate city boundaries.)

All Class I Users

(1) Treatment Rate per 1,000 gallons of usage per month:

	User Charge	Debt Service	Total
	\$ 2.21	\$ 1.41	\$ 3.62
plus			
(2) Base rate per month:			
5/8" - 3/4" water meter	\$ 2.52	\$ 9.26	\$ 11.78
1" water meter	4.87	23.08	27.95
1 1/2" water meter	10.01	53.43	63.44
2" water meter	18.59	92.04	108.63
3" water meter	36.83	211.63	248.46
4" water meter	64.96	377.19	442.15
6" water meter	144.63	846.31	990.94

Outside Corporate City Boundaries

(3) Treatment Rate per 1,000 gallons of usage per month:

	User Charge	Debt Service	Total
	\$ 2.50	\$ 1.62	\$ 4.12
plus			
(4) Base rate per month:			
5/8" - 3/4" water meter	\$ 2.90	\$ 10.64	\$ 13.54
1" water meter	5.60	26.53	32.13
1 1/2" water meter	11.48	61.46	72.94
2" water meter	19.04	105.83	124.87
3" water meter	42.34	243.96	285.70
4" water meter	74.72	433.74	508.46
6" water meter	166.33	973.24	1,139.57

REGULAR SESSION, COMMON COUNCIL, NOVEMBER 27, 2017

Phase III – Effective March 1, 2019 (February Consumption)
 (Outside corporate City boundaries rates and charges are approximately 14.8% higher than the rates and charges for customers inside corporate city boundaries.)

All Class I Users

(1) Treatment Rate per 1,000 gallons of usage per month:

	User Charge	Debt Service	Total
	\$ 2.43	\$ 1.55	\$ 3.98
plus			
(2) Base rate per month:			
5/8" - 3/4" water meter	\$ 2.77	\$ 10.19	\$ 12.96
1" water meter	5.38	25.39	30.75
1 1/2" water meter	11.01	58.77	69.78
2" water meter	18.25	101.24	119.49
3" water meter	40.51	232.79	273.30
4" water meter	71.48	414.91	486.37
5" water meter	159.09	830.94	1,090.03

Outside Corporate City Boundaries

(3) Treatment Rate per 1,000 gallons of usage per month:

	User Charge	Debt Service	Total
	\$ 2.75	\$ 1.78	\$ 4.53
plus			
(4) Base rate per month:			
5/8" - 3/4" water meter	\$ 3.19	\$ 11.70	\$ 14.89
1" water meter	5.16	29.18	35.34
1 1/2" water meter	12.63	67.61	80.24
2" water meter	20.94	116.41	137.35
3" water meter	48.57	267.70	314.27
4" water meter	82.19	477.11	559.30
5" water meter	182.98	1,070.58	1,253.52

(B) For residential users of the Sewage Works that are unmetered water users or accurate meter readings are not available, the monthly charge shall be determined by equivalent single-family dwelling units, except as herein provided. Sewage service bills shall be rendered once each month (or period equating a month). The schedule on which said rates and charges shall be determined is as follows:

Phase I – Effective Upon Adoption of this Ordinance

(Outside corporate City boundaries rates and charges are approximately 14.9% higher than the rates and charges for customers inside corporate city boundaries.)

	User Charge	Debt Service	Total
Residential: Single-family dwelling unit Outside Corporate City Boundaries	\$ 12.01	\$ 14.69	\$ 26.70

	User Charge	Debt Service	Total
Residential: Single-family dwelling unit	\$ 13.78	\$ 16.85	\$ 30.63

Phase II – Effective September 1, 2018 (August Consumption)

(Outside corporate City boundaries rates and charges are approximately 14.9% higher than the rates and charges for customers inside corporate city boundaries.)

	User Charge	Debt Service	Total
Residential: Single-family dwelling unit Outside Corporate City Boundaries	\$ 13.21	\$ 16.16	\$ 29.37

	User Charge	Debt Service	Total
Residential: Single-family dwelling unit	\$ 15.18	\$ 18.54	\$ 33.70

Phase III – Effective March 1, 2019 (February Consumption)

(Outside corporate City boundaries rates and charges are approximately 14.9% higher than the rates and charges for customers inside corporate city boundaries.)

	User Charge	Debt Service	Total
Residential: Single-family dwelling unit Outside Corporate City Boundaries	\$ 14.53	\$ 17.78	\$ 32.31

	User Charge	Debt Service	Total
Residential: Single-family dwelling unit	\$ 16.68	\$ 20.39	\$ 37.07

(C) For the service rendered to the City of Plymouth, said City shall be subject to the same rates and charges established in harmony therewith.

(D) In order to recover the cost of monitoring industrial wastes, the City shall charge the user not less than One Hundred Ninety-two Dollars (\$192.00) per monitoring event, plus the actual cost for each time sampling equipment is used, or One Hundred Fifty-five Dollars (\$155.00) for each time sampling equipment is used, whichever is greater, as determined by the City or by an independent laboratory. This charge will be reviewed on the same basis as all other rates and charges in this Ordinance. 50.083

DETERMINING SANITARY SEWER VOLUME.

The quantity of water discharged into the sanitary sewage system and obtained from sources other than the utility that serves the City shall be determined by the City in such manner as the City shall reasonably elect, and the sewage service shall be billed at the appropriate rates, except as hereinafter provided in this section, the City may make proper allowances in determining the sewage bill for quantities of water shown on the records to be consumed, but which are also shown to the satisfaction of the City that such quantities do not enter the sanitary sewage system.

(A) In the event a lot, parcel of real estate, or building discharging sanitary sewage, industrial wastes, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, is not a user of water supplied by the water utility serving the City, and the water used thereon or therein is not measured by a water meter, or is measured by a water meter not acceptable to the City, then the amount of water used shall be otherwise measured or determined by the City. In order to ascertain the rate for charge provided in this Ordinance, the owner or other interested party shall, at his expense, install and maintain meters, weirs, volumetric measuring devices, or any adequate and approved method of measurement acceptable to the City for the determination of sewage discharge.

(B) In the event a lot, parcel of real estate, or building discharging sanitary sewage, industrial wastes, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, is a user of water supplied by the water utility serving the City, and in addition is a user of water from another source which is not measured by a water meter or is measured by a meter which is not acceptable to the City, then the amount of water used shall be otherwise measured or determined by the City. In order to ascertain the rates or charges, the owner or other interested party shall, at his expense, install and maintain meters, weirs, volumetric measuring devices, or any adequate and approved method of measurement acceptable to the City for the determination of sewage discharge.

(C) In the event two or more residential lots, parcels of real estate, or buildings discharging sanitary sewage, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then, for billing purposes, the base charge and the flow rates and charges shall apply

continued

for each of the number of residential lots, parcels of real estate, or buildings served through the single water meter, with all such rates and charges being billed on a single bill in the name of the property owner.

(D) In the event two or more dwelling units such as mobile homes, apartments, or housekeeping rooms discharging sanitary sewage, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in such case, billing shall be for a single service in the manner set out elsewhere herein, except that an additional unit charge shall be added thereto, in the amount equivalent to the customer's applicable base rate for a 5/8" - 3/4" water meter per month per dwelling unit over one (1) served through the single water meter. In the case of mobile home courts, the number of dwelling units shall be computed and interpreted as the total number of mobile home spaces available for rent plus any other dwelling units served through the meter. A dwelling unit shall be interpreted as a room or rooms, or any other space or spaces in which cooking facilities are provided.

(E) In the event a lot, parcel of real estate, or building discharges sanitary sewage, industrial waste, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, and uses water in excess of 10,000 gallons per month, and it can be shown to the satisfaction of the City that a portion of water is measured by the water meter or meters does not and cannot enter the sanitary sewage system, then the owner or other interested party shall, at his expense, install and maintain meters, weirs, volumetric measuring devices, or any adequate and approved method of measurement acceptable to the City for the determination of sewage discharge.

(F) In order that the residential users of sewage service shall not be penalized for sprinkling lawns during the summer months, the billing for sewage service for such users shall be based upon the water usage of the last previous calendar month of March. In the case of residential users who do not have a billing history for March, their rate will be based on a citywide average from residential customers from the month of March.

(1) In the event the water usage for the months of May, June, July, and August is greater than the water used by such user for the previous month of March, then the billing for sewage service shall be computed on the water use for the last previous month of March.

(2) In the event water usage is less in the months of May, June, July, and August, then billing shall be based upon the actual water used in said month.

Residential sewage services as applicable to the sprinkling rate shall apply to each lot, parcel of real estate, or building which is occupied and used as a residence. Said sprinkling rate shall not apply to any premises which are partially or wholly used for commercial or industrial purposes. In the event a portion of such premises shall be used for commercial or industrial purposes, the owner shall have the privilege of separating the water service so that the residential portion of the premises is served through a separate water meter, and in such case, the water usage as registered by the water meter service portion of the premises used for residential purposes would qualify under the sprinkling rate.

50.084 SANITARY SEWER RATES FOR STRENGTH OF SEWAGE.

In order that the rates and charges may justly and equitably be adjusted to the service rendered to users, the City shall base its charges not only on the volume, but also the strength and character of the stronger-than-normal domestic sewage and wastes which it is required to treat and dispose of. The City shall require the user to determine the strength and content of all sewage and wastes discharged, either directly or indirectly, into the sanitary sewage system, in such manner, by such method, and at such times as the City may deem practicable in light of the conditions and attending circumstances of the case, in order to determine the proper charge. The user shall furnish a central sampling point available to the City at all times.

(A) Normal domestic waste strength should not exceed a biochemical oxygen demand of 240 milligrams per liter of fluid, or suspended solids in excess of 240 milligrams per liter of fluid, or ammonia in excess of 10 milligrams per liter of fluid. Additional charges for treating stronger-than-normal domestic waste shall be made on the following basis:

Phase I - Effective Upon Adoption of this Ordinance

(1) Rate Surcharge Based Upon Suspended Solids

There shall be an additional charge of \$.51 per pound of suspended solids for suspended solids received in excess of 240 milligrams per liter of fluid.

(2) Rate Surcharge Based Upon BOD

There shall be an additional charge of \$.32 per pound of biochemical oxygen demand for BOD received in excess of 240 milligrams per liter of fluid.

(3) Rate Surcharge Based Upon Ammonia

There shall be an additional charge of \$.73 per pound of ammonia for ammonia received in excess of 10 milligrams per liter of fluid.

Phase II - Effective September 1, 2018 (August Consumption)

(1) Rate Surcharge Based Upon Suspended Solids

There shall be an additional charge of \$.58 per pound of suspended solids for suspended solids received in excess of 240 milligrams per liter of fluid.

(2) Rate Surcharge Based Upon BOD

There shall be an additional charge of \$.35 per pound of biochemical oxygen demand for BOD received in excess of 240 milligrams per liter of fluid.

(3) Rate Surcharge Based Upon Ammonia

There shall be an additional charge of \$.40 per pound of ammonia for ammonia received in excess of 10 milligrams per liter of fluid.

Phase III - Effective March 1, 2019 (February Consumption)

(1) Rate Surcharge Based Upon Suspended Solids

There shall be an additional charge of \$.61 per pound of suspended solids for suspended solids received in excess of 240 milligrams per liter of fluid.

(2) Rate Surcharge Based Upon BOD

There shall be an additional charge of \$.33 per pound of biochemical oxygen demand for BOD received in excess of 240 milligrams per liter of fluid.

(3) Rate Surcharge Based Upon Ammonia

There shall be an additional charge of \$.51 per pound of ammonia for ammonia received in excess of 10 milligrams per liter of fluid.

(B) The determination of Suspended Solids, five-day Biochemical Oxygen Demand, and Ammonia contained in the waste shall be in accordance with the latest copy of "Standard Methods for the Elimination of Water, Sewage, and Industrial Wastes", as written by the American Public Health Association, the American Water Works Association, and the Water Pollutant Control Federation, and in conformance with "Guidelines Establishing Test Procedures for Analysis of Pollutants", 40 CFR Part 136. 50.085

STORMWATER USER FEE.

(A) The user fees for stormwater shall be \$2.05 per month per Equivalent Runoff Unit.

(B) Equivalent Runoff Units shall be determined as follows:

	Square Feet	ERUs
For Impervious Area	1 - 12,000	1
For Impervious Area	12,001 - 24,000	2
For Impervious Area	24,001 - 96,000	8
For Impervious Area	Over 96,000	32

BILLING FOR SANITARY AND STORMWATER SERVICE, AND PAYMENT.

Such rates and charges shall be prepared, billed, and collected by the City in the manner provided by applicable statutes and ordinances.

(A) The rates and charges for all users with active accounts shall be prepared and billed monthly.

(B) All rates and charges may be billed to the tenant or tenants occupying the properties served, unless otherwise requested in writing by the owner, but such billing shall in no way relieve the owner from the liability in the event payment is not made as herein required.

The owners of properties served which are occupied by a tenant or tenants shall have the right to examine the collection records of the City for the purpose of determining whether the bills have been paid by such tenant or tenants, provided that such examination shall be made at the office at which such records are kept and during the hours that such office is open for business.

(C) All rates and charges billed for active accounts are billed on or before the 20th day of the month and are due on the 4th day of the following month (in months where the 4th day falls on a weekend, holiday, or other day where the City Clerk-Treasurer's office is closed, the customer is afforded a grace period until the next business day in which the City Clerk-Treasurer's office is open to make payment). Bills that are not paid by the due date, or any applicable grace period, are hereby declared to be delinquent and a delinquency processing fee of ten percent (10%) of the amount of the rates and charges outstanding shall be charged and shall become a part of said bill. Delinquent notices shall be mailed immediately after the due date, or any applicable grace period. Delinquent notices shall be mailed immediately after the due date. This will be the final notice to the customer before disconnection of water service to the property. No other notice of any kind shall be necessary or issued.

Delinquent bills must be paid by 9:00 a.m. local time on the 15th day of any given month (in months where the 15th day falls on a Friday, weekend, holiday, or other day where the City Clerk-Treasurer's office is closed, the time in which to pay delinquent bills is extended until 9:00 a.m. local time on the next business day in which the City Clerk-Treasurer's office is open). If delinquent bills are not paid in the time allowed, including sewer only accounts, the customer's account shall be placed on the delinquency list and assessed an administrative processing fee in the sum of Thirty Dollars (\$30.00). Any water service to the property for such accounts shall be scheduled for disconnection (See City Code 51.43).

(D) When a customer requests that water service, or sewer only service, be disconnected at a property (or requests to discontinue sewer only service) a final bill for all rates and charges shall be prepared. Final bills shall be issued on a rolling basis, within a reasonable time after the requested disconnection date. Final bills are due by the 10th day following the billing date (in months where the 10th day following the billing date falls on a weekend, holiday, or other day where the City Clerk-Treasurer's office is closed, the customer is afforded a grace period until the next business day in which the City Clerk-Treasurer's office is open to make payment). Final bills that are not paid by the due date, or any applicable grace period, are hereby declared to be delinquent and a delinquency processing fee of ten percent (10%) of the amount of the rates and charges outstanding shall be charged and shall become a part of said bill. Delinquent notices shall be mailed immediately after the due date, or any applicable grace period.

50.087 STORMWATER UTILITY REVENUE FUND.

(A) The City has established the Stormwater Utility Revenue Fund. All proceeds received as a result of user fees and charges or other fees assessed by §§ 50.085 and 50.086 or subsequent amendments hereto, shall be deposited in the Stormwater Utility Revenue Fund. Proceeds from this Revenue Fund shall be for the exclusive use of the City's Stormwater Department which includes, but is not limited to, the following:

- (1) Stormwater management services, such as studies, design, permit review, plan preparation, and development review.
- (2) Operation, maintenance, repair, and replacement of the stormwater collection, storage, conveyance, and/or treatment infrastructure.
- (3) Project costs related to constructing major or minor structural improvements to the City's stormwater-related infrastructure.
- (4) Administrative costs associated with the management of the Stormwater Department user fee and the administrative costs associated with MS4 compliance and reporting to the state and federal authorities.
- (5) Debt service financing of the City's stormwater-related capital improvements.
- (6) Funding of studies, such as water quantity and quality monitoring, aerial photography, and geotechnical work associated with the planning of the stormwater-related infrastructure.

(B) On the last day of each month, the Stormwater Department Operating Account shall maintain a balance equal to the operating and maintenance expenses (excluding replacements) of the Stormwater Department for the next two months. Any other proceeds shall be transferred to the Stormwater Depreciation Account. Funds held in the Operating and Depreciation Accounts may be used to pay operating and maintenance expenses of the Stormwater Department.

50.093 DEPOSITS FOR SEWER-ONLY ACCOUNTS.

(A) A prospective residential customer seeking a sewer-only account with the City shall pay a deposit of \$120.00 prior to the furnishing of the services. The deposit shall be refunded to the customer upon payment of the final charges for sewer service after the discontinuance of the services. Payment of such deposit is not required of persons who hold title to the real estate where the sewer service is to be provided, which is sufficient to guarantee the payment of the costs of the sewer service.

(B) If a customer for whom a deposit has been credited remains delinquent on his or her sewer bill for a period of 45 days, the Clerk-Treasurer may apply the deposit to the delinquent sewer bill. If any funds remain after application to the delinquent sewer bill, the Clerk-Treasurer may apply the balance to any other fee owed to the City.

(C) New accounts opened for non-residential sewer-only users shall pay a deposit in the amount equal to the billing for 1-1/2 months of anticipated sewer usage or \$120.00, whichever is greater. Such deposit must be made prior to initiation of sewer service. However, the Plymouth Board of Public Works and Safety is hereby given the authority, after a petition is presented to it, to waive all or any part of the deposit as required and as calculated in this subchapter.

(D) The customer deposits required in divisions (A) and (C) above shall not accrue interest.

(Outside corporate city boundaries rates and charges are approximately 14.9% higher than the rates and charges for customers inside corporate city boundaries.)

Ordinance No. 2017-2129 regarding Water rates provides in part as follows:

51.40 DEPOSITS.

(A) The City Clerk-Treasurer shall collect the payment of a customer deposit of One Hundred and Twenty Dollars (\$120.00) from the prospective residential customers of the City Waterworks for water service prior to the furnishing of such services. Such customer deposit shall be refunded to the customer upon the payment of the final charges for water service after the discontinuance of such services to the customer.

(B) In the event a customer for whom a deposit has been credited remains delinquent on his or her water bill for a period of 45 days, the Clerk-Treasurer shall be empowered to apply said deposit to the delinquent water bill. If any funds remain after application to the delinquent water bill, the Clerk-Treasurer shall be empowered to apply the balance to any delinquent garbage pick-up bill, stormwater bill, wastewater bill, or any other fees said customer may owe the City.

(C) The customer deposit of One Hundred and Twenty Dollars (\$120.00) required in division (A) of this section shall not accrue interest and therefore no interest on the One Hundred and Twenty Dollars (\$120.00) deposit shall be payable to the customer on return of the deposit to the customer after utility services are terminated by said customer.

(D) New accounts opened for non-residential water users are hereby required to first make a deposit with the Water Utility in the amount equal to the billing for one and one-half (1½) times the highest monthly utility bill based upon a review of the past year's billings for the property, or the anticipated amount of one and one-half (1½) months utility service based upon the nature and character of the customer's use of the property for properties connected for the first time, or One Hundred and Twenty Dollars (\$120.00), whichever is greater. This deposit must be made prior to the water being turned on for said user. However, the Plymouth Common Council is hereby given the authority, after a petition is presented to it, to waive all or any part of the deposit as required and as calculated in this subchapter.

NOTICE OF A HEARING ON PROPOSED WATER & SEWER RATES AND CHARGES CONTINUED

51.41 SCHEDULE GENERALLY.

That there shall be and there are hereby established for the use of and the service rendered by the Waterworks system of the City of Plymouth the following rates and charges, based on the use of water supplied by said Waterworks system: Effective Upon Adoption of This Ordinance

(Outside corporate city boundaries rates and charges are approximately 14.9% higher than the rates and charges for customers inside corporate city boundaries.)

(A) Quantity of Water Used

Gallons Per Month		Rate Per 1,000 Gallons	
		Inside Corporate City Boundaries	Outside Corporate City Boundaries
First	3,000	\$4.72	\$5.42
Next	7,000	4.27	4.90
Next	20,000	3.55	4.07
Next	70,000	2.87	3.29
Next	200,000	2.17	2.49
Over	300,000	1.85	2.12

(B) Minimum Charge Per Month. Each user shall pay a minimum charge per month in accordance with the following applicable size of meter installed for which the user will be entitled to the quantity of water set out in the above schedule of rates.

Size of Meter (Inches)	Gallons	Monthly Minimum	
		Inside Corporate City Boundaries	Outside Corporate City Boundaries
5/8" - 3/4"	3,005	\$ 14.18	\$ 16.28
1"	7,953	35.31	40.53
1 1/2"	11,467	49.26	56.53
1 3/4"	17,430	70.43	80.80
2"	27,303	105.48	120.98
3"	51,172	175.81	201.62
4"	115,237	351.18	402.69
6"	277,855	701.46	804.62

(C) Fire Hydrants

Municipal or private fire hydrants, per hydrant, per year	\$457.90
Flushing hydrants	No Charge

(D) Fire Protection Services - Sprinkler Connections

Size	Rate Per Year (Billed Monthly)	
	Inside Corporate City Boundaries	Outside Corporate City Boundaries
1"	\$18.36	\$21.00
1 1/2"	53.76	61.80
2"	113.76	130.68
3"	330.48	379.68
4"	703.68	808.56
6"	2,043.84	2,348.40
8"	4,354.56	5,003.28
10"	7,831.44	8,998.32
12"	12,849.80	14,534.64

(E) Temporary Users. Water furnished to temporary users, such as contractors, shall be charged on the basis of the metered rates set forth above, as estimated and established by the Waterworks Superintendent.

(F) Charges for Partial Month Service. When a Utility customer either connects to or disconnects from the Utility at a time of the month other than the first business day of the month or meter reading date (i.e., service for a partial month), then that customer shall be charged as follows:

(1) For flat rate connection charges (i.e., sprinkler connections and hydrant service), the customer shall be charged for one-half (1/2) of the monthly rate if the services were connected for one (1) to and including fifteen (15) days of the calendar month. If the customer was connected for sixteen (16) through thirty-one (31) days of the calendar month, the customer shall be charged for the entire monthly rate.

(2) Metered connections shall be billed for one-half (1/2) of the minimum rate, or actual consumption, whichever is greater, for service that has been provided for only one (1) through fifteen (15) days of the calendar month. Service provided for metered connections for sixteen (16) through thirty-one (31) days of the calendar month shall be charged the entire minimum monthly rate, or the actual consumption rate, whichever is greater.

51.43 BILLING FOR WATER SERVICE; AND PAYMENT.

Such rates and charges shall be prepared, billed, and collected by the City in the manner provided by applicable statutes and ordinances.

(A) For the purpose of billing and collecting the rates and charges for water use, water meters shall be read monthly and the users shall be billed monthly; provided, however, that the City shall have the option of reading meters on a quarterly basis and billing the customer estimated bills in the first 2 months of each quarter with the final bill based upon meter reading until such time as the replacement meters and remote reading devices have been installed.

(B) All rates and charges may be billed to the tenant or tenants occupying the properties served, unless otherwise requested in writing by the owner, but such billing shall in no way relieve the owner from the liability in the event payment is not made as herein required.

The owners of properties served which are occupied by a tenant or tenants shall have the right to examine the collection records of the City for the purpose of determining whether the bills have been paid by such tenant or tenants, provided that such examination shall be made at the office at which such records are kept and during the hours that such office is open for business.

(C) All rates and charges for active accounts are billed on or before the 20th day of the month and are due on the 4th day of the following month (in months where the 4th day falls on a weekend, holiday, or other day where the City Clerk-Treasurer's office is closed, the customer is afforded a grace period until the next business day in which the City Clerk-Treasurer's office is open to make payment). Bills that are not paid by the due date, or any applicable grace period, are hereby declared to be delinquent and a delinquency processing fee of ten percent (10%) of the amount of the rates and charges outstanding shall be charged and shall become a part of said bill. Delinquent notices shall be mailed immediately after the due date, or any applicable grace period. This will be the final notice to the customer before disconnection of water service to the property. No other notice of any kind shall be necessary or issued.

Delinquent bills must be paid by 9:00 a.m. local time on the 15th day of any given month (in months where the 15th day falls on a Friday, weekend, holiday, or other day where the City Clerk-Treasurer's office is closed, the time in which to pay delinquent bills is extended until 9:00 a.m. local time on the next business day in which the City Clerk-Treasurer's office is open). If delinquent bills are not paid in the time allowed, the customer's account shall be placed on the delinquency list and assessed an administrative processing fee in the sum of Thirty Dollars (\$30.00). Any water service to the property for such accounts shall be scheduled for disconnection. All accounts placed on the delinquency list are assessed the administrative fee regardless of whether the bill is paid in full prior to the time the water service is physically disconnected.

(D) When a customer requests that water service be disconnected at a property a final bill for all rates and charges shall be prepared. Final bills shall be issued on a rolling basis, within a reasonable time after the requested disconnection date. Final bills are due by the 10th day following the billing date (in months where the 10th day following the billing date falls on a weekend, holiday, or other day where the City Clerk-Treasurer's office is closed, the customer is afforded a grace period until the next business day in which the City Clerk-Treasurer's office is open to make payment). Final bills that are not paid by the due date, or any applicable grace period, are hereby declared to be delinquent and a delinquency processing fee of ten percent (10%) of the amount of the rates and charges outstanding shall be charged and shall become a part of said bill. Delinquent notices shall be mailed immediately after the due date, or any applicable grace period.

(E) Water service to a customer shall be disconnected for any of, but not limited to, the following reasons:

(1) A result of the nonpayment of any water account in the customer's name, in accordance with the rules, regulations and ordinances previously establishing the policy for delinquent charges.

(2) Any check issued to the City in payment of charges or fees that is returned to the City and dishonored because of nonsufficient funds in the issuer's bank account or because of a closed account, the water service shall be disconnected immediately.

(3) Service shall be disconnected immediately in the event that the mailed utility bill is returned to the City as undeliverable by the United States Postal Service.

(F) A customer must become current on their outstanding water service bill and all associated fees before reconnection of service will be scheduled.

(G) Notwithstanding, any other policy for review of utility charges, if a customer disputes the rates and charges reflected on a monthly bill, he may request a hearing before the Plymouth Board of Public Works and Safety prior to any disconnection of water service. Such requests must be filed in writing with the Clerk-Treasurer by the 4th day of the month (in months where the 4th day falls on a weekend, holiday, or other day where the City Clerk-Treasurer's office is closed, the customer is allowed until the next business day in which the City Clerk-Treasurer's office is open to file the request). The hearing will be scheduled during the first regularly scheduled meeting of the Plymouth Board of Public Works and Safety held during the month in which the request is filed. Any late request, filed after the time allowed, will not delay disconnection of water service. After hearing all evidence presented at a hearing, the Board is empowered to order any relief it deems appropriate under the circumstances, including, but not limited to, directing the Clerk-Treasurer to waive delinquency processing fees or other fees or charges assessed.

*[Outside corporate city boundaries rates and charges are approximately 14.9% higher than the rates and charges for customers inside corporate city boundaries.]

At such public hearing and prior to final adoption of said ordinances, all interested parties may appear and be heard. A copy of Ordinance Nos. 2017-2128 and 2017-2129 may be examined at the temporary office of the Clerk-Treasurer, 118 North Michigan Street, Plymouth, Indiana.

Dated November 16, 2017
Jeanine M. Xavier, Clerk-Treasurer
City of Plymouth, Indiana

November 17, 2017 PH5080 hsc:ajp

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

Eric Walsh, Partner with Umbaugh & Associates, addressed the council. He said that the purpose of the proposed changes stems from the closure of both Bay Valley and Del Monte, which encompasses 23% of the city's wastewater revenues and 8-10% of water revenues. Walsh said this comes down to approximately \$85,000 per month in lost revenues. He explained that water rates were already needing a

small rate adjustment regardless of the loss of these two businesses, so instead of a 3-5% increase this ordinance is proposing a 12% increase.

Walsh explained that the impact on wastewater is greater than that of water, therefore this ordinance is proposing a three phase increase for the wastewater portion with a 10% increase during each phase. He said overall, this will translate to a \$5.10 per month increase for all services for an average customer in phase one, \$2.72 in phase two which will go into effect in September 2018, and \$2.98 in the final phase in March 2019. Walsh said that the wastewater ordinance is proposed to be in three phases because the city is hoping to help residents and businesses budget for the overall increases over time and also the city recognizes that there is a potential for one or both of these businesses to be replaced. He said that should a company come in and fill the void, there is the potential for the council to amend the ordinance and not enact the final phase of the wastewater increase.

Next, Walsh discussed the estimated effect on cash reserves. Throughout the entire phase of the ordinance increase, the city is expected to spend approximately \$530,000 in cash reserves. He said the City of Plymouth has healthy cash reserves in their wastewater utility, however that took decades to build up. The phase-in approach will dip into those reserves until the final rate increase.

Utility Superintendent Davidson addressed the council. He said he felt the fairest way to balance the burden of these losses was to increase rates the same to all consumers. Davidson explained that the projected savings in expenses with the loss of these two business is roughly 10%, however the impact is really unknown since they have both been functioning for over 40 years. He explained that having cash reserves on-hand has helped keep utility rates lower over the years, aided in funding necessary mandates, improvements and extensions without the need to issue bonds to pay for those necessities. Davidson said that a lot of work is seasonal, so it will take an entire year to see accurate figures on the amount of savings in operating expenses. He clarified that just because 30% of our revenue has been lost, does not mean that 30% of our operating costs go away as well. There are still the same number of water and sewer mains, lift stations and facilities to maintain, etc. He said that even though our rates are low compared to other cities of similar size, the cost is relative to your location and he understands that an increase effects all customers.

Bill Emery, 14680 Candie Lane, asked if there has been any consideration to Councilman Houin's position to leave things as is and see if changes need to be made down the road. Mayor Senter said yes and that is what the council will be voting on later in the meeting.

Rex Crump, 900 S Michigan Street, asked if there are any other options on the table that would offset the raises other than levying more taxes on the people and if there are any potential prospects to fill these businesses. Mayor Senter said the city and Marshall County representatives have met with the

Indiana Chamber of Commerce as well as Indiana Economic Development to discuss the situation and help try to fill the void.

Clerk-Treasurer Xaver discussed Mr. Crump's question regarding taxes. She clarified that the city's utilities are treated as business enterprises, are self-sufficient and they are funded solely by rates. She said they do not receive property taxes at all.

Al Eisenhour, 14680 Lincoln Highway, said he has rentals within the city limits and is a member of the Plymouth Housing Providers Association. That organization includes other rental property owners who are all opposed to this increase because they think it will be more difficult for them to get paid because their tenants are putting down multiple deposits and trying to maintain their regular bills.

Mike Delp, 1707 S Michigan Street, said something needs to be implemented immediately but suggested the time frame be extended to a 24, 30, or even 36-month period.

Chris Siebenhaar, a representative from Zentis, said he is concerned about how this will impact businesses in the area. He said Zentis will now be the largest user for the City of Plymouth. Zentis is a leader in their industry and often operates on a slim-margin budget to remain competitive in their field. He noted that there are other Zentis facilities through North America and fears that an increase in the budget in Plymouth may force operations to move elsewhere. Siebenhaar said that if the rate increases pass, the facility will be looking at making improvements to operations that will reduce the amount of water consumption which could ultimately result in a reduction of revenue from their facility.

Krystyna Hyczyk, 621 Ferndale Street, said her family moved to Plymouth within the last year. Over this time, there are been two separate instances of water leaks that lead to high bills at her house. Her family does run on a budget and asked if the facilities get filled, will the city consider reducing the rates for consumers. Eric Walsh said statewide, rates are rarely reduced once they are increased. However, if a company comes in and fills the void that these two companies are leaving, it will be significant. Walsh explained that the city analyzes utilities every four months and five-year projections for expenses and revenues are analyzed annually. He said he cannot guarantee that a decrease would occur, but he said the council does review this information three times per year.

Councilman Ecker said that not decreasing rates allows for a longer time between increases. He also said that delaying these rate increases will certainly have an affect on the budget and could impact projects that are scheduled for the future. He asked Utility Superintendent Davidson if he could elaborate on the impact to future projects.

Davidson explained that projects could be delayed and he wants to be cautious on delaying too many of them. He said the city has historically been proactive rather than reactive which has helped keep rates lower than other cities of similar size. He explained that larger cities through the state are getting hit with updating their Combined Sewer Overflow systems to meet current standards and that is costing them

hundreds of thousands of dollars, even \$1 million in Indianapolis. The City of Plymouth has those standards already complete due to proactively planning over many years. Davidson said the city has two water tower painting projects that are coming up, as well as a wastewater digester project. He explained that these two projects were not rolled into the \$10.8 million wastewater facility bond because they wanted to keep those bond payments manageable and prevent an increase in rates when the bond was issued. It was unknown at that time that the city's two largest users would close in 2017.

Ecker asked Marshall County Economic Development Corporation President, Jerry Chavez, what the timeline is to get new businesses into these two vacant buildings. Mr. Chavez said that he cannot speculate on when those voids can be filled, but he did say there is a concerted effort between state representatives, county representatives and city representatives to find viable businesses that are interested in occupying those buildings.

Keith Gerrard, 209 Baker Street, said it sounds like utilities have mostly fixed expenses rather than variable expenses and sees the need for the increase, however he would like to see it stretched out over a longer period of time. He asked at what capacity the utilities are currently operating. Mayor Senter noted that the current wastewater improvement project is expanding those capabilities. Davidson said full capacity is currently unknown at this time until the wastewater improvement project is complete, however he estimated that we are currently operating at 50-60% capacity after Bay Valley and Del Monte leave. Gerrard asked if there are any large expansions planned. Davidson said no.

Steve Guriel, 10875 9A Road, asked what the cost is to pump water and treat wastewater per gallon. Davidson it is possible to break that down when comparing operational costs versus expenses. He said he does not have that figure with him, but said wastewater is unique in that weather impacts costs. He explained that dry years have less expenses because there is less pumping. In wet years, there is more infiltration so the cost goes up, including electric utility expenses for the city.

Eric Walsh explained that the city is not losing a significant amount of revenue to water flow charges. Two-thirds of the lost revenue is coming from wastewater surcharges. He explained that should a new company begin operating out of one or both of these buildings, even if they have similar water usage, if the surcharges for food production are not similar then revenue generated from that new business is not going to fill this large void.

Rex Crump asked what impact this will have on the Pretty Lake Conservancy sewer account. Davidson said it will impact them the same as all other consumers that utilize city services. He did note that consumers outside the city limits do pay a 14.9% higher rate than those that live within city limits. Walsh clarified that these consumers outside the city limits are already paying the 14.9% higher rate and these increases are across the board for all consumers.

City Attorney Surrisi said that the revised ordinances include clarification on the billing procedure for the Clerk-Treasurer's office. He also said a provision has been added for billing disputes and gives consumers the opportunity to go before the Board of Public Works and Safety prior to disconnection if a written request has been submitted to the Clerk-Treasurer's office by the 4th day of the month or the next business day if the 4th is on a holiday or weekend.

Councilman Culp asked what kind of impact it would have on budgets and operations if the increase is delayed 3-6 months. Eric Walsh said the projections are that the city would lose \$70,000 per month in wastewater cash reserves and \$15,000 per month in water cash reserves. He said if delayed three months, the council can expect to increase the cash reserve debt from \$500,000 to \$710,000 in total lost revenue. Walsh also laid out the scenario of extending the increases to 24-months with phase one being effective 1/1/18, phase two going into effect 1/1/19, and phase three going into effect 1/1/20. The city would be dipping into wastewater cash reserves at roughly \$900,000 to \$1,000,000 over that time frame. Walsh said the city does have \$4-5 million in the Wastewater Depreciation Fund, which is a healthy amount that has taken decades to build, that the city can use for projects that come up without the need to get bond issuances for projects such as extending utility services to a new economic development project. He said most municipalities that Umbaugh works with do not have that luxury of having cash on-hand and must get bonds that cost time and ultimately cost more money with interest built into that type of financing.

Davidson said other avenues were explored. There was a self-imposed hiring freeze put in place which the department is now feeling the effects of and they are starting to get behind on maintenance. Davidson was recently told by a longtime employee that he will be retiring in June of 2018. He has tried to experiment with cutting back in certain areas, however maintenance of equipment is a constant task.

Councilman Walters said he is in full support of the increases after meeting with Superintendent Davidson and Clerk-Treasurer Xaver to discuss the consequences of delaying the increase for six months. He said even with the current proposal, the city will still be dipping into \$500,000 worth of reserves to get by. He understands that the city has healthy reserves, but after hearing from Davidson and Walsh, it is clear why those reserves are in place. Walters thinks waiting to increase the rates is just delaying the inevitable and potentially setting the city up for an even larger increase to make up for the deficit. He proposed that the ordinances be passed tonight and the council reevaluate the utility accounts in June, July, or August of 2018 prior to the implementation of phase two and see if the city has been fortunate enough to fill the losses of Del Monte and Bay Valley in that time frame. At that time, it is possible phase two would not even need to be enacted. He asked that his fellow council members pass this ordinance, at least on second reading tonight.

There being no further 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. 2017-2128, Sewage Rate Ordinance for the City of Plymouth, on second reading.

Council Members Grobe and Walters moved and seconded to pass Ordinance No. 2017-2128, Sewage Rate Ordinance for the City of Plymouth, on second reading.

Council Member Houin said he feels these increases are a good solution to the problem at hand, but stands by his proposal to wait six months and use up some of the reserves that the utilities have in place. He thinks this will give some time to hopefully fill those buildings with new businesses and see what the picture looks like in a few months. Houin said that if there are no changes, he does not see any other option than what is being proposed with these increased rates.

Council Member Cook said his constituents have contacted him and the majority have asked that the council wait six months to see if the two voids can be filled. He agrees with Houin that if there are no changes, then the rate increases cannot be avoided.

Council Member Grobe said that everyone agonizes over raising rates but he would hate to put our utilities at risk and the future growth of the city at risk by delaying these rate increases.

Council Member Ecker said that he originally came into the meeting wanting to push the increases back six months. However, the comments made tonight regarding the lost revenue in surcharges alone, has caught his attention. He now realizes that even if new businesses fill the two vacant buildings, there is a potential that they will not re-capture the lost revenue in wastewater surcharges. He said he does now support the immediate implementation of these ordinances in order to maintain our utilities and stay current with state and federal requirements.

Cook asked if the ordinance will go into effect on January 1, 2018 or if it is immediate. City Attorney Surrisi said the ordinance reads that it will take immediate effect. Walsh said it will take effect the first full billing cycle. Clerk-Treasurer Xaver said that if these are passed on second and third readings tonight, then the first full billing cycle will be December 2017 usage that the city will bill in January 2018.

It passed by roll call vote.

AYES: Culp, Ecker, Grobe, Walters

NAYS: Cook, Fonseca, Houin

Council Members Grobe and Culp moved and seconded to pass Ordinance No. 2017-2128, Sewage Rate Ordinance for the City of Plymouth, on third reading. It passed by roll call vote at 8:05 p.m.

AYES: Culp, Ecker, Grobe, Walters

NAYS: Cook, Fonseca, Houin

Mayor Senter presented Ordinance No. 2017-2129, Water Rate Ordinance for the City of Plymouth, on second reading.

REGULAR SESSION, COMMON COUNCIL, NOVEMBER 27, 2017

Council Members Ecker and Walters moved and seconded to pass Ordinance No. 2017-2129, Water Rate Ordinance for the City of Plymouth, on second reading. It passed by roll call vote.

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

Council Members Culp and Ecker moved and seconded to pass Ordinance No. 2017-2129, Water Rate Ordinance for the City of Plymouth, on third reading. It passed by roll call vote at 8:06 p.m.

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

City Attorney Surrisi presented Ordinance No. 2071-2130, An Ordinance Fixing Salaries for the Year 2018 for the Elected Officials of the City of Plymouth, Indiana, on first reading.

City Attorney Surrisi said Resolution No. 2017-777 will be presented at the next Common Council meeting following the closing of the public hearing for the tax abatement for the River Gate South Development, LLC.

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 13, 2017;
Minutes of the Urban Forest and Flower Committee meeting of November 15, 2017;
Clerk-Treasurer's Financial Reports and Cash Reconciliation for October 2017

The motion carried.

There being no further business to discuss, Council Members Walters and Fonseca moved and seconded to adjourn the meeting. The motion carried and the meeting was declared adjourned at 8:07 p.m.

Jeanine M. Xaver, IAMC / CMC
Clerk-Treasurer

APPROVED

Mark Senter, Mayor