

REGULAR SESSION, COMMON COUNCIL, APRIL 24, 2017

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on April 24, 2017. 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 6:31 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. City Attorney Surrisi and Clerk-Treasurer Xaver were also present.

Councilmembers Culp and Ecker moved and seconded to approve the minutes of the last regular meeting on April 10, 2017. The motion carried.

Allie Shook, representative for Discover Plymouth, and Sandy Read, the community loans coordinator for Purdue Extension for Marshall, Pulaski and Starke counties, addressed the council. On September 27, 2016, an active living workshop was held through Discover Plymouth. Shook discussed what was learned from that workshop and what the group has been working on since.

Read said the city was chosen for a grant through Purdue Extension, which resulted in a community health assessment for walk-ability and bike-ability. Seven initiatives and seven committees were formulated as a result of the workshop throughout the one-year grant program. Shook outlined these initiatives through a PowerPoint presentation.

Council Member Houin applauded the efforts of Discover Plymouth. He asked when they can expect to get projects started. Shook said they are just waiting for some good weather and hoping to get the first project started within one month.

Houin also asked what the Common Council can do to help. Shook asked that the city be behind their projects. She said monetary backing would be helpful, but just as useful will be word-of-mouth discussions with community members and participation in subcommittees.

Council Member Ecker thanked Mayor Senter and Utility Superintendent Davidson for their response regarding the Republic Services situation discussed at the Board of Public Works and Safety meeting.

City Attorney Surrisi reported on the proposed lease with Emanuel Reese at 208 Water Street for the space for his restaurant's grill. Surrisi discussed the annual tax for the few requested parking spaces with Mindy Relos-Penrose of the Marshall County Assessor's office. The tax would be \$45.00 annually for the small parcel of land. The proposed lease would be \$10 per month plus taxes. Payment would be made semi-annually in May and November. Surrisi also noted that if the council decides to move forward, there would need to be a public hearing regarding the consideration for leasing this property.

City Attorney Surrisi discussed the proposed vacation of Allen Street. Dr. Stillson had the survey completed, which was handed out to the council members. Surrisi is working on negotiating the details with Dr. Stillson and the city's department heads.

City Attorney Surrisi presented Ordinance No. 2017-2112, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning the Fire Department, on second reading.

Councilmembers Ecker and Walters moved and seconded to approve Ordinance No. 2017-2112, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning the Fire Department, on second reading.

Surrisi explained that this ordinance is increasing the pay for the volunteer firefighters and EMTs. It will also reflect the change in pay schedule from annually to monthly.

It passed by roll call vote.

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

Councilmembers Culp and Fonseca moved and seconded to approve Ordinance No. 2017-2112, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning the Fire Department, on third reading. It passed by roll call vote.

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

City Attorney Surrisi presented Ordinance No. 2017-2113R, An Ordinance to Amend Ordinance 2016-2107, An Ordinance Fixing Salaries of Appointed Officers and Employees, Fire and Police Personnel of the City of Plymouth, Indiana, for the Year 2017, Commonly Known as the 2017 Salary Ordinance, on second reading.

Councilmembers Houin and Walters moved and seconded to approve Ordinance No. 2017-2113R, An Ordinance to Amend Ordinance 2016-2107, An Ordinance Fixing Salaries of Appointed Officers and Employees, Fire and Police Personnel of the City of Plymouth, Indiana, for the Year 2017, Commonly Known as the 2017 Salary Ordinance, on second reading.

Surrisi explained that this ordinance increases the pay for the full-time firefighter and paramedics. The ordinance also allows department heads the option to waive the probationary pay rate for new hires. It will be at the department head's discretion to base new hire pay rates on experience and education rather than the mandatory, lower rate of pay for three months as currently written in the ordinance.

It passed by roll call vote.

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

Councilmembers Culp and Ecker moved and seconded to approve Ordinance No. 2017-2113R, An Ordinance to Amend Ordinance 2016-2107, An Ordinance Fixing Salaries of Appointed Officers and Employees, Fire and Police Personnel of the City of Plymouth, Indiana, for the Year 2017, Commonly Known as the 2017 Salary Ordinance, on third reading.

It passed by roll call vote.

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

Mayor Senter thanked the committee for reviewing the salaries for the fire department and asked that the same committee reconvene to look at the police department next.

City Attorney Surrisi presented Resolution No. 2017-735, A Resolution of the Common Council of the City of Plymouth to Approve the Application of Gregory & Diana Nielsen for a Commercial Revitalization Rebate Program Grant.

Surrisi explained that the application for the Plymouth Commercial Revitalization Rebate Program had just missed the deadline to get on the agenda for the previous council meeting. The low-quoting contractor could either complete the work last week or in May. With May being a busy season for A.S.K. for Flowers, it was in their best interest to complete the project immediately.

Diana Nielson was present to discuss the application. She said the roof at 105 and 107 N Michigan Street both needed to be replaced.

Council Member Grobe asked if the application was submitted prior to the work commencing. Nielson said yes.

Council Members Ecker and Culp moved and seconded to approve Resolution No. 2017-735, A Resolution of the Common Council of the City of Plymouth to Approve the Application of Gregory & Diana Nielsen for a Commercial Revitalization Rebate Program Grant. The motion carried.

The following CF-1's were presented to the council:

- AK Industries (Personal Property 2012-510)
- AK Industries (Personal Property 2014-622)
- Pretzels Plymouth, LLC (Real Property 2016-711)
- Pretzels Plymouth, LL (Personal Property 2016-711)

Councilmembers Grobe and Houin moved and seconded to approve all CF-1's as presented. The motion carried.

Ralph Booker, Plan Consultant for the City of Plymouth, presented PC 2017-03, Certified Proposal to Amend the Zoning Ordinance for the City of Plymouth. He and City Attorney Surrisi outlined the proposed changes that were approved by the Plan Commission on April 4, 2017. Booker noted that the changes have come about due to a new supreme court ruling.

Council Members Ecker and Houin moved and seconded to approve PC 2017-03, Certified Proposal to Amend the Zoning Ordinance for the City of Plymouth, as presented. It passed by roll call vote.

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

City Attorney Surrisi presented Ordinance No. 2017-2114R, An Ordinance to Amend the Code of Ordinances Concerning Deferred Payment Charge, on first reading.

Clerk-Treasurer Xaver explained that when the ordinance was updated in 2014, there was an error made regarding when the 10% penalty is added. It should read that penalties are added 15 days from the billing date and will be assessed if the bill is unpaid by the due date. Xaver asked that the council consider suspending the rules and hear the ordinance on all three readings at this meeting, since penalties will be due to be added before the council's next meeting.

Council Members Cook and Culp moved and seconded to suspend the rules and consider the ordinance on all three readings. The motion carried.

Council Members Grobe and Ecker moved and seconded to approve Ordinance No. 2017-2114R, An Ordinance to Amend the Code of Ordinances Concerning Deferred Payment Charge, on second reading. It passed by roll call vote.

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

Council Members Ecker and Fonseca moved and seconded to approve Ordinance No. 2017-2114R, An Ordinance to Amend the Code of Ordinances Concerning Deferred Payment Charge, on third reading. It passed by roll call vote.

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

Jerry Haeck was present to discuss the following request:

I have been sent a notice through the mail about debris on the property that I own. I did comply with the notice and the tenet living there did most the cleanup. I did haul away tires and previous tenets stuff left behind. There was a dead line and that past. Weeks later, someone drove behind the house and took possession the tenets (there was tire ruts in the lawn and things were messing). Then soon after, was sent a bill for \$446.00 and took it to be the episode of someone taking possessions from property. I now have an added other charges on my property tax. No one spoke to me and I did not get any other notice to doing any more clean up on the property. I feel this is unjustified and was poorly handled. S/ Jerry Haeck, PO Box 181, LaPaz, IN, 574-784-3354

Haeck asked that the council reconsider these charges.

Police Chief Bacon said that code enforcement has mailed a total of five notices for the properties at 326 and 328 Pennsylvania Avenue. He said Assistant Police Chief Mark Owen was present on August 19, 2016, when the Street Department conducted the clean-up. The tenants were at the home at that time and came out and directed the city employees as to what needed to go and what property was to stay.

Street Superintendent said he did not go himself, however his foreman was present and did tell him that the tenants were present during the clean-up and even helped load the dumpster.

Mayor Senter asked how many times the property has been cleaned up. Chief Bacon and Superintendent Marquardt both said one time.

Council Member Cook said he agrees with the lien that was placed on the property. He feels it is justified because Mr. Haeck has had two years to get the property up to code and as the property owner should have told the tenant to maintain the property.

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Council Members Ecker and Culp moved and seconded to decline the request. The motion carried.

Mayor Senter opened the privilege of the floor. 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 April 10, 2017;
Minutes of the Board of Aviation Commissioners meeting of March 14, 2017;
Minutes of the Redevelopment Commission meeting of March 21, 2017;
Letter from Clerk-Treasurer Xaver requesting authorization to approve prepayment
of the Kinetic IT invoice

The motion carried.

There being no further business to discuss, Council Members Houin and Fonseca moved and seconded to adjourn the meeting. The motion carried and the meeting was declared adjourned at 7:40 p.m.

Jeanine M. Xaver, IAMC
Clerk-Treasurer

APPROVED

Mark Senter, Mayor