

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on September 12, 2016. 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 6:55 p.m.

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

Mayor Senter presided for Council Members Cook, Culp, Delp, Ecker, Fonseca and Houin. City Attorney Surrisi and Clerk-Treasurer Xaver were also present. Councilman Grobe was absent.

Council Members Delp and Culp moved and seconded to approve the minutes of the last regular meeting and budget work session of the Common Council on August 22, 2016, as presented. The motion carried.

The following legal notice was advertised in the Pilot Newspaper on September 2, 2016:

**NOTICE TO TAXPAYERS
OF PROPOSED ADDITIONAL APPROPRIATIONS**

Notice is hereby given the taxpayers of the City of Plymouth, Marshall County, Indiana that the proper legal officers of the Common Council at their regular meeting place of the Council Chambers of the City Building, 124 North Michigan Street (Garro Street entrance), Plymouth, Indiana at 6:30 p.m., Monday, September 12, 2016, will meet in regular session to consider the following additional appropriations in excess of the budget for the current year.

<u>Fund Name:</u>	Rainy Day Fund
<u>Major Budget Classification:</u>	Capital Outlays
<u>Amount:</u>	\$ 2,000,000.00
<u>Fund Name:</u>	Local Road and Bridge Matching Grant
<u>Fund</u>	
<u>Major Budget Classification:</u>	Capital Outlays
<u>Amount:</u>	\$1,911,401.00

Taxpayers appearing at the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the Department of Local Government Finance (DLGF). The DLGF will make a written delamination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a Certified Copy of the action taken. Handicapped citizens needing special accommodations for the meeting, please call the ADA Coordinator, 574-936-2948.
Jeanine M. Xaver
Clerk-Treasurer

September 2, 2016 PN1263 hspaxlp

Councilmembers Ecker and Cook moved and seconded to open the public hearing. The motion carried.

City Attorney Surrisi explained that the \$2,000,000 from the Rainy Day Fund includes \$500,000 for the Boys and Girls Club plus \$1.5 million for the proposed public/private partnership through the Regional Cities Initiative building project for the construction of 60 apartment units on the south bank of the Yellow River.

Surrisi further explained that the \$1,911,401.00 additional appropriation from the Local Road and Bridge Matching Grant Fund is for the \$444,577 from the Rainy Day Fund plus the \$555,423 from the LOIT Special Distribution Fund plus the \$911,401.00 grant from the state for the 50/50 Community Crossing Match. The maximum award for the grant was \$1,000,000, which the council was previously asked to approve \$1,000,000.

Rex Crump of 900 S. Michigan St said that he does not have a problem with development but questioned the incentives and asked for clarification regarding the South Gateway project and the \$1.5 million going towards that project.

Surrisi explained that the funds were awarded through the Regional Cities Initiative, a 2014 General Assembly-approved initiative to spur growth through public/private sector interactions. He urged everyone to review the Executive Summary of Regional Cities report. The report explains that studies have been conducted on cities across the country analyzing areas of declining or stagnant populations which are now thriving due to community leaders creating collaborative projects with state, regional, and local entities to foster private investment and bring in population growth. The Regional Cities Initiative allows collaborative investment which totals 20% from the local government, 20% from the state and 60% coming from the private sector. Surrisi noted that \$1.3 million was unanimously appropriated into the Rainy Day Fund in 2013 by the previous Council in order to be used for projects just like this one in the future and has been included in the city's comprehensive plan. The total cost of the project is estimated at \$11 million and the City of Plymouth will be contributing \$1.5 million.

George Schricker of 11644 Maple Road voiced his concern about this project as a downtown building owner and citizen of the community. He stated that he feels the public trust has been compromised by coupling this \$1.5 million dollar decision alongside the Boys and Girls Club donation. He asked that the council vote on each project separately.

Surrisi explained that this public hearing is specifically designed to hear the public opinion on appropriating the funds for these projects. The council may choose to appropriate less than \$2 million, but due to law, could not appropriate any more than that. The \$2 million is advertised in one public hearing because it is all coming from the same fund.

Frank Filson, of 406 Miner Street, provided a list of South Gateway Apartment Project Questions:

- What will be the cost of design and cost of construction required for needed utility installations and/or upgrades necessary to allow the construction of this large number of apartments on the South Gateway footprint. Who will bear these costs? What would be the time frame for the installation? Please consider the need for sewer, water, gas, electrical, grey water runoff, sidewalks & curbs.
- What is the complete footprint for the apartments and parking lots? Does the City already own all the necessary properties? If not, which properties does the project require? Has the City made any contacts with the owners of the needed properties? Does the City have any agreements with any land owners regarding the possible future purchase of the needed properties? Is the City considering Eminent Domain to acquire any of the needed properties? What will be the cost of additional property purchases?
- What is the projected monthly rental fee to be charged for the apartments?
- Who is expected to live in these apartments, people from outside Plymouth or current renters from within Plymouth?
- Has there been a traffic study done?
- What is the cost of the traffic study & who bears the cost?
- Will there be any consideration to giving a Tax Abatement for this project?
- How will the public right-a-way and public free use on the river front, to be maintained?
- Under the terms of the South Gateway Grant (Federal Highway Funds), how many dollars from the sale of the Cook Furniture property to this apartment project is to be returned to the Grant Funding Source?

- Has the Northern Indiana Landmarks Division been notified to see if there are any requirements under the Historical District Zoning for the exterior construction of these apartments?
- Will any additional firefighting equipment or training be needed local to service this height of building?
- How was the amount of the Community Funds to be provided to this project determined?
- What other type of projects could the Community Funds be used for?
- Will school buses pick up the children at these apartments, or will they walk to school?
- Why so many units? This seems like over building to project the investors RIO. This seems like economic development, but for the investors, not the taxpayer.
- What is the projected economic return to the taxpayer?
- Why wreck the view of the South Gateway to the Downtown with a building that might be better suited to be constructed on any of a number of other sights within the city?

City Attorney Surrisi began by clarifying that the \$1.5 million is all that the city will be contributing to the project. Additional costs for utility setup, including sewer and water, will be at the expense of the developer.

Surrisi stated that two twenty-unit buildings would be constructed on property already owned by the city. An additional twenty-unit building is designed to be where one duplex and one single-family home currently stand. Surrisi discussed this at the Redevelopment meeting recently and highlighted that both homeowners have been contacted and have agreed to sell their property for a fair and negotiated price.

The price for rental of the apartments has not yet been discussed. The building has been classified as middle-class apartments where a household income of roughly \$50,000 per year could afford to rent. The target population is young professionals in which the idea is to attract this clientele to pursue professional jobs with local companies and establish residency in our community.

Surrisi went on to explain that the city would maintain possession of the Riverwalk area and it would continue to be public space. The latest concept of the building includes a lower level parking area with an elevated common area for the apartment building.

Mayor Senter noted that we are still in a public hearing and we are going to be switching focus from the South Gateway Project to the Boys and Girls Club. Council Member Cook asked for a show of hands for those in favor of the Boys and Girls Club donation. Several people raised their hands.

Dan Schmelter of 16606 Pretty Lake Road thanked the council for their consideration of the donation. He believes it will add value to the community and provide power and a safe haven for the children of this community.

Rick Liedtky of 902 W Adams Street asked the council to endorse this because the Boys and Girls Club meets the needs of a lot of parents in this community who need them. The organization provides sporting activities and tutoring for children who need this support and an expansion would help bring in those children that are on a waiting list to be part of this organization. He said that a yes vote from this council will be a legacy they leave behind for this community.

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Shannon King of 611 Randolph Drive asked that the town get behind this project. As a citizen who has children that utilize the program, he feels the organization is beneficial to the community and provides amazing after school programs.

Bill Walters, 822 W LaPorte Street, as a citizen who has no ties to the Boys and Girls Club stated that an investment in our youth is an important investment in the community.

There being no further questions or comments, Councilmembers Cook and Culp moved and seconded to close the public hearing. The motion carried.

Brian Montgomery requested a sidewalk variance for his property at 340 Juniper Lane in Eastwood Estates. The current city standard is for 5-foot wide sidewalks and when the subdivision was developed the sidewalks were constructed to be 4-feet wide.

Surrisi noted that the recommendation is for the council to approve the exemption from the city ordinance from 5-feet to 4-feet with the exception that the ADA requirements be met. ADA requirements include the installation of 5-foot passing blisters every 200 feet.

Council Member Delp said that he agrees continuity is important, however he believes the second phase of the subdivision should have 5-foot sidewalks installed when that development occurs so ADA requirements are met.

The council members discussed and agreed that all future sidewalk installations would need to follow current code and specifications or be granted a variance through the Board of Works and Council.

Council Members Delp and Ecker moved and seconded to grant the sidewalk variance request to Brian Montgomery on his property at 340 Juniper Lane. The motion carried.

Clerk-Treasurer Xaver requested permission to transfer \$10,000 from the City Development Fund to the 200 S. Michigan Street Settlement Fund for completion of the groundwater remediation site work.

City Attorney Surrisi explained that this was a miscommunication on his part. Several months ago he asked the council's permission for Sesco to work in the city's right-of-way to close out the groundwater monitoring wells and we had yet to receive that invoice and we getting close on the remainder of the insurance settlement funds that the city had received. This additional funding would a cushion to ensure that we get the closeout wrapped up.

Council Members Cook and Ecker moved and seconded to approve the transfer of funds. The motion carried.

City Attorney Surrisi presented Ordinance 2016-2103, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning Adoption of Personnel Policy by Reference, on first reading.

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Surrisi presented Ordinance 2016-2104, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning Prepayment of Certain Claims, on first reading. Surrisi asked that the council consider suspending the rules and adopting this ordinance on all three readings this evening.

Council Members Houin and Delp moved and seconded to suspend the rules to hear Ordinance 2016-2104 on all three readings. It passed by roll call vote.

AYES: Cook, Culp, Delp, Ecker, Fonseca, Houin
NAYS: None
ABSENT: Grobe

Council Members Culp and Delp moved and seconded to approve Ordinance 2016-2104, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning Prepayment of Certain Claims, on second reading. It passed by roll call vote.

AYES: Cook, Culp, Delp, Ecker, Fonseca, Houin
NAYS: None
ABSENT: Grobe

Council Members Delp and Fonseca moved and seconded to approve Ordinance 2016-2104, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning Prepayment of Certain Claims, on third reading. It passed by roll call vote.

AYES: Cook, Culp, Delp, Ecker, Fonseca, Houin
NAYS: None
ABSENT: Grobe

City Attorney Surrisi presented Resolution No. 2016-706, Additional Appropriation Resolution. This is requesting the appropriation of \$500,000 for the Boys and Girls Club and \$1.5 million for the South Gateway apartment project out of the Rainy Day Fund along with \$1,911,401 out of the Local Road and Bridge Matching Grant Fund.

Council Members Cook and Houin moved and seconded to separate the vote into three sections, one for the Boys and Girls Club, one for the South Gateway project and one for the Local Road and Bridge Matching Grant Fund. The motion carried with one Council Member opposing.

Council Members Cook and Houin moved and seconded to appropriate \$500,000 from the Rainy Day Fund to the Boys and Girls Club of Marshall County. It passed by roll call vote.

AYES: Cook, Culp, Ecker, Fonseca, Houin
NAYS: Delp
ABSENT: Grobe

Council Members Houin and Ecker moved and seconded to appropriate \$1.5 million from the Rainy Day Fund to the South Gateway Project. It passed by roll call vote.

AYES: Culp, Delp, Ecker, Houin
NAYS: Cook, Fonseca
ABSENT: Grobe

Council Members Cook and Culp moved and seconded to appropriate \$1,911,401 to the Local Road and Bridge Matching Grant Fund. It passed by roll call vote.

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AYES: Cook, Culp, Delp, Ecker, Fonseca, Houin
NAYS: None
ABSENT: Grobe

City Attorney Surrisi presented Resolution No. 2016-707, Resolution of the City of Plymouth to Create a Fund Entitled "Local Road and Bridge Matching Grant Fund".

Council Members Houin and Ecker moved and seconded to approve Resolution No. 2016-707, Resolution of the City of Plymouth to Create a Fund Entitled "Local Road and Bridge Matching Grant Fund". It passed by roll call vote.

AYES: Cook, Culp, Delp, Ecker, Fonseca, Houin
NAYS: None
ABSENT: Grobe

City Attorney Surrisi presented Resolution No. 2016-708, A Resolution of the Common Council of the City of Plymouth Approving Resolution No. 2016-701, A Resolution By the Plymouth Plan Commission Which Approved Resolution No. 2016-699, A Resolution by the Plymouth Redevelopment Commission Amending the Economic Development Plan for the US 30/Pine Rd Economic Development Area (TIF #3).

Surrisi explained that this a step in the process for the Redevelopment Commission to amend their project list. The two projects added to the list are the contribution to the construction of a multi-component fitness, athletic and wellness venue including an 8-10 lanes swimming pool, daycare facility, educational classrooms and seating for more than 500 spectators along with an indoor/outdoor soccer complex with two indoor turf arenas and a general purpose field along with two outdoor turf soccer fields. The second project is the installation of a 9-foot diameter culvert under Pioneer Drive under Miller Drive to aid with floodplain issues in that area. The estimated amount of the Redevelopment contribution towards the fitness center is \$2.2 million and \$100,000 toward the culvert installation.

Chad Barden addressed the council and voiced his excitement for Plymouth to have world-class athletic attraction for the city. He provided additional information and was available to answer question.

Council Member Ecker asked Barden what the study found by comparing other cities of this size or slightly larger with the economic impact on the community and also would the facilities be available to the public and how will they go about this?

Barden said the facilities will be available to the public and at a discounted rate to the residents of the City of Plymouth. He noted that the facilities will not only have a competitive attraction, but will also have recreational areas available as well. He said the economic impact on the city of North Manchester when they constructed an aquatic facility has been a positive change in quality of life. This has helped to attract both businesses and residents to that community. He did not have statistics on-hand.

Council Members Culp and Ecker moved and seconded to approve Resolution No. 2016-708, A Resolution of the Common Council of the City of Plymouth Approving Resolution No. 2016-701, A

Resolution By the Plymouth Plan Commission Which Approved Resolution No. 2016-699, A Resolution by the Plymouth Redevelopment Commission Amending the Economic Development Plan for the US 30/Pine Rd Economic Development Area (TIF #3). It passed by roll call vote.

AYES: Cook, Culp, Delp, Ecker, Fonseca, Houin
NAYS: None
ABSENT: Grobe

City Attorney Surrisi presented Resolution No. 2016-709, A Resolution of the Common Council of the City of Plymouth Approving Resolution No. 2016-702, A Resolution by the Plymouth Plan Commission Which Approved Resolution No. 2016-70, A Resolution by the Plymouth Redevelopment Commission Declaring the South Gateway/Western Downtown Economic Development Area, Approving an Economic Development Plan and Establishing an Allocation Area for Purposes of Tax Increment Financing. Surrisi explained that this is under the same statutory procedure as the last resolution. The previous resolution was adding projects to an existing TIF district. This resolution is creating a new TIF district and approving the initial project list. Both of these will require a public hearing before the Redevelopment Commission, but in advance of that hearing a report must be generated that shows the impact of creating a new TIF district on the surrounding and overlapping taxing units.

Council Members Ecker and Delp moved and seconded to approve Resolution No. 2016-709, A Resolution of the Common Council of the City of Plymouth Approving Resolution No. 2016-702, A Resolution by the Plymouth Plan Commission Which Approved Resolution no. 2016-70, A Resolution by the Plymouth Redevelopment Commission Declaring the South Gateway/Western Downtown Economic Development Area, Approving an Economic Development Plan and Establishing an Allocation Area for Purposes of Tax Increment Financing.

AYES: Culp, Delp, Ecker, Houin
NAYS: Cook, Fonseca
ABSENT: Grobe

City Attorney Surrisi presented Resolution No. 2016-710, A Resolution Declaring Certain Real Estate to be Within an "Economic Revitalization Area" Pursuant to IC 6-1.1-12.1 et seq (Pretzels, Inc.).

Steve Huggins and Craig Anderson of Pretzels, Inc. talked about the company and the reason behind picking Plymouth to house their operation. They also discussed their intention to request a tax abatement in the future in order to obtain additional equipment needed for expansion of their operation.

Council Members Cook and Ecker moved and seconded to approve Resolution No. 2016-710, A Resolution Declaring Certain Real Estate to be Within an "Economic Revitalization Area" Pursuant to IC 6-1.1-12.1 et seq (Pretzels, Inc.). It passed by roll call vote.

AYES: Cook, Culp, Delp, Ecker, Fonseca, Houin
NAYS: None
ABSENT: Grobe

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

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Minutes of the Board of Public Works and Safety meeting of August 22, 2016;
Minutes of the Urban Forest and Flower Committee meeting of August 17, 2016;
Minutes of the Technical Review Committee meeting of August 23, 2016;
Minutes of the Technical Review Committee meeting of September 6, 2016;
Clerk-Treasurer's Financial Reports for August, 2016;

The motion carried.

There being no further business to discuss, Council Members Fonseca and Delp moved and seconded to adjourn the meeting. The motion carried and the meeting was declared adjourned at 8:34 p.m.

S/Jeanine M. Xaver
Clerk-Treasurer

APPROVED

S/Mark Senter, Mayor