

REGULAR SESSION, COMMON COUNCIL, JANUARY 28, 2019

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on January 28, 2019. The meeting was held in the Council Chambers, 124 N. Michigan St., Plymouth, Indiana.

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

Mayor Senter presided for Councilmembers Culp, Ecker, Houin, Longanecker, Milner and Walters. Also present were City Attorney Surrisi and Clerk-Treasurer Xaver. Councilman Cook was absent

Council Members Culp and Longanecker moved and seconded to approve the minutes of the last regular Common Council meeting on January 14, 2018, as presented. The motion carried.

Mayor Senter announced that the Conservation Clubhouse would be available as a warming center during the upcoming inclement weather. He said that it would be unmanned until needed; residents needing assistance should call the police department.

Councilman Walters said that he had spoken with Nancy Cox, Director of the Marshall County Humane Society regarding items that our current ordinance does not address. He recommended a committee be formed to discuss the current ordinance and suggest amendments to address the current needs of the community. He noted that the Town of Argos recently updated their ordinance, so that would be a good reference tool. He suggested that Nancy Cox and representation from the Common Council and police department be a part of the committee. He said that the clerk-treasurer from Argos is interested in sitting in on the meetings as well.

City Attorney Surrisi opened the floor for discussion on the proposed Transportation Agreement, which was tabled at the December 10, 2018 meeting. The members were provided the following information regarding the proposed transportation agreement:

To: Mayor Senter
Council Members
City Attorney Surrisi

From: Clerk-Treasurer Xaver
Date: January 23, 2019
Re: Transportation Agreement and Cleaning Services

All,

Transportation Agreement - At the December 10, 2018 Common Council meeting, City Attorney Surrisi presented the proposed Agreement for Transportation Services for 2019, which I have attached for your convenience. The proposed agreement with Marshall County Council on Aging was for \$8,000, as in past years. At the meeting, Mayor Senter stated that they had asked that the City increase our payment for 2019 to \$10,000.

In addition to the annual \$8,000 that we pay them according to the Agreement for Transportation Services, we have been paying them \$5,000 per year since 2002, when the Council adopted Resolution No. 2002-88, attached.

The following has been budgeted for 2019:
\$8,000 from the Transportation Fund
\$5,000 from the City Properties and Maintenance Department of the General Fund,

I would like for you to decide how much you wish to pay them for 2019 for Transportation Services; if you are increasing the amount, are you doing so by an additional appropriation? I would also like for you to update the agreement so that both payments are in one agreement. (I would like to see the new Transportation Agreement state that it is being updated to replace Resolution No 2002-88 and the previous year's Transportation Agreement and that subsequent agreements will cover both documents.)

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Councilman Houin asked City Attorney Surrisi to reach out to the director of the Marshall County Council on Aging to make sure that combining the payments into one agreement will not jeopardize any state or federal funding that they receive.

Councilmen Ecker and Culp moved and seconded to table the agreement. The motion carried.

City Attorney Surrisi presented Resolution No. 2019-839, Resolution of the City of Plymouth Approving the Use of Surplus Bond Proceeds or Investment Earnings Derived from Previous Issuance of Water Works and Sewage Works Revenue Bonds.

Superintendent Davidson said that the proposed projects are outside the original scope of the bond. Originally, they had planned on paying for these projects from the Depreciation Funds. He explained that the bids for the bonded projects for the water department came in lower than expected; and the wastewater department was able to recognize significant savings by taking advantage of the Guaranteed Savings Contract. Some of the projects could be done in-house outside the original contracts associated with the bonds, allowing them to stretch funds.

Davidson said that there are two projects on the list, North Liberty Street and Grand Street that are related to street paving; the mains need replaced prior to paving. Davidson said that he believes that the use of these bond funds in this manner could lengthen the time until a potential future rate increase.

When asked, Davidson said that the most recent engineer's estimate for the Candy Lane project was \$809,000 (all bids came in over \$1 million). Davidson said that in addition to the construction costs, there are remaining engineering costs.

Councilmen Ecker and Houin moved and seconded to adopt Resolution No. 2019-839, Resolution of the City of Plymouth Approving the Use of Surplus Bond Proceeds or Investment Earnings Derived from Previous Issuance of Water Works and Sewage Works Revenue Bonds. The motion carried.

Clerk-Treasurer Xaver addressed the council regarding the cancellation of outstanding unpaid warrants from 2016. She explained that according to IC 5-11-10.5, by March 1 of each year, the clerk-treasurer shall prepare a list of checks outstanding and unpaid for 2 or more years as of December 31, which shall be declared cancelled; one copy of the list is filed with the city council, the other is kept in the clerk-treasurer's office. The funds from the cancelled checks are receipted back into the operating balance of the fund from which it was drawn. This requires no action by the council.

Cancellation of Outstanding Unpaid Warrants - January, 2019

Date	Check #	Amount	Payee	Reason for Check	Fund to Receipt Into
3/14/2016	2331	3.90	KOSTRZEWSKI*KATHLEEN ROSE	water deposit refund	Water Operating Fund
4/11/2016	2600	57.93	FIGUEROA*JESSICA LYNN	water deposit refund	Water Operating Fund
4/11/2016	2602	40.40	NUNEZ-MARTINEZ*HECTOR	water deposit refund	Water Operating Fund
5/9/2016	2853	1.08	HUNSBERGER*LACEY	water deposit refund	Water Operating Fund
5/9/2016	2854	2.36	HURLEY*TINA MARIE	water deposit refund	Water Operating Fund
6/13/2016	3228	5.11	POWELL*SARAH ANNE	water deposit refund	Water Operating Fund
6/13/2016	3232	1.59	WILSON*JOHN R & SHARON	water deposit refund	Water Operating Fund
7/11/2016	3529	12.78	MATA*LACHANDRA LYNN	water deposit refund	Water Operating Fund
7/25/2016	3696	17.07	SALINAS*FERNANDO	water deposit refund	Water Operating Fund
8/8/2016	3820	24.30	GONZALES*MIGUEL RAMIREZ	water deposit refund	Water Operating Fund

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8/8/2016	3821	1.27	MATUTE*JULIA	water deposit refund	Water Operating Fund
8/8/2016	3823	28.63	RIVERA*ARIEL & OMAR	water deposit refund	Water Operating Fund
11/14/2016	4733	<u>20.60</u>	GARBAS*JANET	water deposit refund	Water Operating Fund
		217.02			

All of the checks being cancelled this year are customer deposit refund checks that remain uncashed. The funds will be receipted into the operating fund of the water department.

Councilmen Ecker and Longanecker moved and seconded to accept the list of outstanding checks. The motion carried.

City Attorney Surrisi presented an Application for the Exemption from the Licensing Requirements of Ordinance 1309 from the Knights of Columbus, who wish to hold their annual Tootsie Roll drive at the intersection of Michigan and Jefferson Streets on Friday and Saturday, April 26 and 27th. Their intended rain dates are May 17th and 18th.

Councilmen Houin and Ecker moved and seconded to approve the Application for the Exemption from the Licensing Requirements of Ordinance 1309 as presented. The motion carried.

City Attorney Surrisi reviewed his memo with the council members:

MEMO

TO: Common Council
FROM: Sean Surrisi
DATE: January 24, 2019
SUBJECT: Rees Theater CDBG Grant Application

The Mayor and I met recently with the Rees Theater Committee to discuss a funding opportunity that would provide the group with the last piece of construction funding they need to begin work later this year with the goal of completion in 2020. The group is seeking a \$500,000 grant from the Indiana Office of Community and Rural Affairs, through the Community Development Block Grant (CDBG) Public Facilities Program. These are federal funds that are administered and allocated by the state. Buildings like the Rees, which are owned by a non-profit and serve as community gathering spaces, etc. qualify for the program. However, a governmental entity must be involved to be the applicant for the grant. The proposal is for the City to apply with the Rees being the designated sub-recipient. Randy Danielson and Donna Pontius from the Rees Committee will be at your meeting on Monday to discuss this opportunity. They propose hiring Shannon McLoed of Priority Project Resources, Inc. to write the grant application and to administer the grant through final close-out. Shannon has nearly 30 years of experience in the federal grant industry. Though her company is based in Greensburg, she works frequently with communities in northern Indiana. She is currently working on grants for Marshall County and the Town of Culver and has previously worked with Bremen, Bourbon, etc. Here's her website for more info <https://pprgrant.com>. The Rees would pay for all of Shannon's fees. Shannon would work the project with the Rees and provide the Clerk-Treasurer's office with all of the needed documentation for her files as the grant proceeds. The Committee will be asking your approval to move forward with the application. The first step is filing an initial proposal in March. Next a formal application is filed in May. Decisions on the grants are made in August. We look forward to answering any of your questions at the meeting.

Members of the Rees Committee were present to answer questions.

Members Houin and Longanecker moved and seconded to authorize the committee to move forward with the grant application. The motion carried.

There was a discussion regarding an employee who had requested a leave over the Christmas holiday and then requested payment for the holidays. After a lengthy discussion, Council Members Ecker and Walters moved and seconded to deny the pay. The motion was defeated by roll call vote:

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AYES: Ecker and Walters
NAYS: Culp, Houin, Longanecker, Milner
ABSENT: Cook

Councilmen Ecker and Culp moved and seconded include verbiage in the Employee Handbook when it is amended to make it clear that in order to be paid for holidays in the future, employees must either work or use paid benefit time the day before and the day after a holiday. The motion carried.

Clerk-Treasurer Xavier reviewed the following memo with the council members:

To: Mayor Senter
Council Members
City Attorney Surrisi

From: Clerk-Treasurer Xavier
Date: January 24, 2019

Re: city accounts at local banks

All,

I want to let you all know that after speaking with the State Board of Accounts, I moved the water and sewer money from Lake City Bank to 1st Source Bank yesterday. The account for each utility is still set up the same way as they were at Lake City:

Water: Bond & Interest, Construction, Depreciation and Debt Reserve Fund are in one account
Sewer: Sinking, Construction and Depreciation are in one account

Water: Operating, Customer Deposits
Sewer: Operating, Pretreatment, Storm Water and Storm Water Deprecation
are in the same account at 1st Source with all of the other funds

I debated switching for several months, but Lake City was only paying 1/10th of one percent interest. Several months ago, 1st Source started paying over 2% in interest (with no fees and we are fully insured). I could not, in good conscience, keep the cash at Lake City and lose the interest income at the rate payers' expense. I realize that we are planning to spend down some of the construction funds, but with the current account balances I calculate that the water funds would earn about \$55,000 more in interest than before; and the wastewater funds would earn about \$120,000 more in interest over a one year period. I gave Lake City the opportunity to match the rate from 1st Source, and they were only able to get to about 1.2% interest.

In December, I closed our account at First Federal Bank. They were only paying .15% (one and a half tenth of one percent) interest. My reasoning for closing that account was the same, only in that case, the taxpayers are the ones who will gain the benefit from the increased interest rate. I expect to earn about \$15,000 more per year in interest from 1st Source. I also gave First Federal the opportunity to meet the rate paid by 1st Source, but they were unable to do so.

You will notice these changes on the Clerk-Treasurer's Depository Statement and Cash Reconciliation report that you receive monthly. More importantly, I wanted you to be aware of the changes if you are approached by anyone from the banks. As fiscal officer, it is my responsibility to make these decisions and we are not required to bid these services out. I feel I did my due diligence by speaking with bank representatives and giving them the opportunity to meet the best rate that we currently receive. As always, please feel free to call me if you have questions or concerns.

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

- ❖ Minutes of the Board of Public Works and Safety meeting of January 14, 2019
- ❖ Minutes of the Urban Forest and Flower Committee meeting of January 16, 2019
- ❖ Minutes of the Redevelopment Commission meeting of December 18, 2018
- ❖ Minutes of the Technical Review Committee meeting of January 15, 2019

The motion carried.

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There being no further business to come before the council, Mayor Senter declared the meeting adjourned at 7:31 p.m.

Jeanine M. Xaver, IAMC / CMC
Clerk-Treasurer

APPROVED

Mark Senter
Mayor