

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on September 11, 2017. The meeting was held in the meeting room of the Plymouth Fire Department, 111 N. Center St., Plymouth, IN. The meeting was called to order at 6:38 p.m.

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

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

Council Members Culp and Houin moved and seconded to approve the minutes of the last regular Common Council meeting on August 28, 2017, as presented. The motion carried.

The following legal notice was advertised in Gateway on September 1, 2017, as required:

8/31/2017 Local Budget Notices

Prescribed by the Department of Local Government Finance Approved by the State Board of Accounts Budget Form No. 3 (Rev. 2016) Online

NOTICE TO TAXPAYERS

The Notice to Taxpayers is available online at www.budgetnotices.in.gov or by calling (888) 739-9826.

Complete details of budget estimates by fund and/or department may be seen by visiting the office of this unit of government at 124 N Michigan St Plymouth IN.

Notice is hereby given to taxpayers of **PLYMOUTH CIVIL CITY, Marshall County**, Indiana that the proper officers of **Plymouth Civil City** will conduct a public hearing on the year 2018 budget. Following this meeting, any ten or more taxpayers may object to a budget, tax rate, or tax levy by filing an objection petition with the proper officers of **Plymouth Civil City** not more than seven days after the hearing. The objection petition must identify the provisions of the budget, tax rate, or tax levy to which taxpayers object. If a petition is filed, **Plymouth Civil City** shall adopt with the budget a finding concerning the objections in the petition and testimony presented. Following the aforementioned hearing, the proper officers of **Plymouth Civil City** will meet to adopt the following budget:

Public Hearing Date	Monday, September 11, 2017	Adoption Meeting Date	Monday, September 25, 2017
Public Hearing Time	6:30 PM	Adoption Meeting Time	6:30 PM
Public Hearing Location	Fire Station meeting room, 111 N Center St (south entrance), Plymouth IN 46563	Adoption Meeting Location	Fire Station meeting room, 111 N Center St (south Entrance), Plymouth IN 46563
Estimated Civil Max Levy	\$6,647,120		
Property Tax Cap Credit Estimate	\$1,394,518		

1 Fund Name	2 Budget Estimate	3 Maximum Estimated Funds to be Raised (including appeals and levies exempt from maximum levy limitations)	4 Excessive Levy Appeals	5 Current Tax Levy
0005-CASINO/RIVERBOAT	\$71,800	\$0	\$0	\$0
0101-GENERAL	\$7,350,987	\$4,190,372	\$0	\$2,181,985
0341-FIRE PENSION	\$73,315	\$0	\$0	\$0
0342-POLICE PENSION	\$292,431	\$0	\$0	\$0
0706-LOCAL ROAD & STREET	\$45,000	\$0	\$0	\$0
0708-MOTOR VEHICLE HIGHWAY	\$2,040,935	\$1,232,636	\$0	\$2,439,796
1151-CONTINUING EDUCATION	\$15,000	\$0	\$0	\$0
1301-PARK & RECREATION	\$1,086,459	\$828,850	\$0	\$1,016,745
2102-AVIATION/AIRPORT	\$247,431	\$113,682	\$0	\$182,975
2120-CEMETERY	\$402,757	\$153,265	\$0	\$381,230
2379-CUMULATIVE CAPITAL IMP (CIG TAX)	\$25,000	\$0	\$0	\$0
2391-CUMULATIVE CAPITAL DEVELOPMENT	\$65,000	\$166,465	\$0	\$195,905
9500-Aviation Rotary	\$117,310	\$0	\$0	\$0
Totals	\$11,833,425	\$6,685,270	\$0	\$6,398,636

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

Mayor Senter opened the floor to the council members and the public.

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

City Attorney Surrisi presented Ordinance No. 2017-2125, Ordinance for Appropriations and Tax Rates for 2018, on first reading.

City Attorney Surrisi presented Ordinance No. 2017-2127, Ordinance Fixing Salaries of Appointed Officers and Employees, Fire and Police Personnel of the City of Plymouth, Indiana, for the Year 2018, on first reading.

City Attorney Surrisi presented Ordinance No. 2017-2126, Ordinance to Vacate Allen Street, on first reading.

Surrisi introduced Dr. Stillson, who was present to answer any questions. Surrisi distributed a hard copy of the ordinance for Council members. He said the proposal is that Plymouth Properties, LLC and the Robert C Gross Revocable Living Trust will each get a portion of the vacated street with the remaining property going to Milten Properties, LLC. The proposal also states that the city will retain ingress and egress easements and utilities. Surrisi said this will be heard on second and third readings at the next Council meeting.

City Attorney Surrisi presented Resolution No. 2017-765, Resolution of the City of Plymouth Declaring Certain Real Estate to be Within an "Economic Revitalization Area" Pursuant to I.C. 6-1.1-12.1 et. seq. (American Containers, Inc.).

There was a scrivener's error in the original resolution that was distributed to Council members. Section 1b was written as, "forty (1) new employment..." and should have read "one (1) new employment..."

Jerry Chavez, of Marshall County Economic Development Corporation, addressed the council. He introduced Michael Isban, of American Containers. Mr. Isban discussed the proposed expansion of American Containers including additional equipment for the company to help increase productivity.

Council Members Cook and Houin moved and seconded to approve Resolution No. 2017-765, Resolution of the City of Plymouth Declaring Certain Real Estate to be Within an "Economic Revitalization Area" Pursuant to I.C. 6-1.1-12.1 et. seq. (American Containers, Inc.). The motion carried.

City Attorney Surrisi presented Resolution No. 2017-766, Resolution Providing for the Transfer of Appropriations in the General Fund of the City of Plymouth, Indiana as Requested by the Mayor and Forwarded to the Common Council for Their Action and Passage Pursuant to IC 6-1.1-18-6 et seq.

There was a scrivener's error in the original resolution that was distributed to Council members. The resolution number was written as "2016-766" in the packet information and should have read "2017-766".

Surrisi explained that this transfer of \$12,600.00 is to cover the rent for the Clerk-Treasurer's and Mayor's offices to relocate to 118 N Michigan Street during the duration of the City Hall Renovation Project.

Council Members Grobe and Walters moved and seconded to approve Resolution No. 2017-766, Resolution Providing for the Transfer of Appropriations in the General Fund of the City of Plymouth, Indiana as Requested by the Mayor and Forwarded to the Common Council for Their Action and Passage Pursuant to IC 6-1.1-18-6 et seq. It passed by roll call vote.

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

City Attorney Surrisi told the council that it was determined after the last pre-construction meeting with the City Hall Renovation project contractor, that the impact to the city staff and citizens coming to do business at city hall would be greater than originally anticipated. Surrisi discussed the lease agreement between the city and Mike Umbaugh, owner of 118 N Michigan Street. He said occupation will begin on September 19th and extend through May 2018 with the potential to extend on a month-by-month basis depending on the progress of the renovation project. Rent is \$1,400.00 per month.

Cook asked if insurance will cover all of our equipment at this location. Surrisi said yes and a listing of estimated property/equipment values was provided to Gibson Insurance.

Walters asked if the drop box would still be available for citizens to utilize. Surrisi said yes, the Clerk-Treasurer's staff will have daily access to the drop box and safe.

Council Members Cook and Walters moved and seconded to approve the Umbaugh Building Lease. Grobe asked if the lease had customary rental language in it. Surrisi said yes. The motion carried.

Emily Seltenright addressed the council with the following request:

I would like to propose an urban chicken ordinance for the City of Plymouth, similar to South Bend. Neatly penned, clean, and a limit on the number of chickens. No roosters, only hens. S/ Emily Seltenright, 217 William St., Plymouth, 574-952-4143

Councilman Houin and City Attorney Surrisi discussed the South Bend ordinance. Surrisi said he has reviewed it and several others around the state, but it has been several years ago. Houin said the South Bend ordinance requires an annual fee and the display of a medallion which must be visible from the property line so that it is easily verifiable. Grobe asked what the fee is that is currently being charged. Houin thought it was \$20.00. Grobe thinks this charge does not seem sufficient to cover overhead for inspections.

Grobe voiced his concern over enforcement and whether that is something the city wants to take on. He feels this could open the door for requests of other animals.

Surrisi explained that the Plan Commission has discussed adding definitions to the zoning ordinance to allow 4-H animals in the rural residential districts. He said the Board of Zoning Appeals has seen an increase in the number of requested variances for these types of animals.

Cook asked if Seltenright had contacted her neighbors. She said yes and they do not seem to mind. She said chickens do not make much noise.

Houin said he has heard citizens state that they are in favor of having urban chickens. He said he would like Ms. Seltenright to investigate some comparable ordinances from other communities and bring information back to the council.

Council Members Cook and Houin moved and seconded to table the request until additional information is brought forward. The motion carried.

City Attorney Surrisi presented Executive Order 2017-04, Regarding Geese at the Plymouth Municipal Airport. Airport Manager Sheley was present to discuss the executive order. He said migratory geese can be a problem and hazardous when they are on the airport runway. Mayor Senter asked if he would be the one using firearms to remove the geese. Sheley said it would be either himself or one Plymouth resident who he has been in contact with. Sheley did clarify that firearms would only be used away from buildings and towards the east end of the runway.

City Attorney Surrisi explained that the airport does have a federal U.S. Fish & Wildlife Service Permit (number MB48349B-0), but this executive order was designed to be in effect until September 11, 2017 for Mr. Sheley to be able to act. Surrisi requested ratification of the executive order and for the council to grant an exemption from City Code 130.07 to allow discharge of a firearm and allow Mr. Sheley to act under the federal permit moving forward from this date.

Houin asked if the council has the authority to grant exception to a city ordinance without going through the process of amending the ordinance. Surrisi said yes, the council frequently grants exceptions for other ordinances and this would be no different.

Council Members Culp and Grobe moved and seconded to ratify Executive Order 2017-04 and grant exemption from City Code 130.07 moving forward. It passed by roll call vote.

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

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

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

Minutes of the Board of Public Works and Safety meeting of August 28, 2017;
Minutes of the Plan Commission meeting of August 1, 2017;
Minutes of the Board of Zoning Appeals meeting of August 1, 2017;

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Minutes of the Board of Aviation Commissioners meeting of August 8, 2017;
Minutes of the Redevelopment Authority meeting of July 18, 2017;
Minutes of the Redevelopment Commission meeting of July 18, 2017;
IDEM Public Notice dated August 28, 2017

The motion carried.

There being no further business to discuss, Council Members Ecker and Culp moved and seconded to adjourn the meeting. The motion carried and the meeting was declared adjourned at 7:17 p.m.

Jeanine M. Xaver, IAMC / CMC
Clerk-Treasurer

APPROVED

Mark Senter, Mayor