

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on August 14, 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 6:38 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.

Council Member Grobe asked that the July 24, 2017 meeting minutes be amended to reflect to show that he would not support additional revenue unless something on the budget end is corrected. (In reviewing the tape, the actual verbiage was, *"I don't think, I guess, I would support additional revenue unless we address the problem."* Which was misunderstood as support during transcription.)

Council Members Grobe and Houin moved and seconded to approve the minutes of the last regular Common Council meeting on July 24, 2017, as amended.

The motion carried.

The following legal notice was advertised in the Pilot Newspaper on July 21, 2017:

116  
Legals

NOTICE OF PUBLIC HEARING ON PETITION FOR VOLUNTARY ANNEXATION INTO THE CITY OF PLYMOUTH, INDIANA

WEIR ENTERPRISES LLC, the sole landowner of the property commonly known as the east half of 1715 Lake Avenue, Plymouth, Indiana 46563, Parcel ID# 50-32-05-000-002.000-018, has filed a petition for voluntary annexation of said property into the City of Plymouth, Pursuant to Indiana Code § 36-4-3-5.1 and other applicable law, a public hearing on the proposed annexation will be held at the regularly scheduled meeting of the Plymouth Common Council on Monday, August 14, 2017, at 6:30 p.m., local time, at the Council Chambers, 124 N. Michigan St., Plymouth, IN 46563 (Garro St. Entrance).

All interested parties will have the opportunity to testify at the public hearing as to the proposed annexation. If you are disabled and need special accommodations, please call the ADA Coordinator at 574-936-2948.

PLYMOUTH COMMON COUNCIL

Jeanine M. Xaver,  
Clerk-Treasurer  
July 21, 2017 P1428361  
hspxkfp

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

City Attorney Surrisi discussed the property and the new property owner's intended use. He said this is a 100% voluntary annexation of a parcel that is currently outside the city limits.

Houin asked if there is going to be any expense for establishing utility services at this location. Utility Superintendent Davidson said the sewer extension will cost approximately \$20,000 and the water extension will be less than \$5,000.

Mayor Senter opened the privilege of the floor to the public for comment. There were no comments.

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

The following legal notice was advertised in the Pilot Newspaper on August 4, 2017:

116 Legals	116 Legals
<p><b>Notice of Hearing</b> <b>City of Plymouth,</b> <b>Indiana</b> <b>Vacation of a</b> <b>Portion of Miller Dr.</b> The Plymouth Common Council has received a petition from CTE Properties, Inc. requesting the vacation of approximately the northern semi-circle of a proposed cul-de-sac in the right-of-way reserved at the west end of Miller Dr. Pursuant to Indiana Code § 36-7-3-12, a hearing on the petition is now scheduled for the Common Council's regularly scheduled meeting on Monday, August 14, 2017, at</p>	<p>6:30 p.m., 124 N. Michigan St. (Garro St. Entrance), Plymouth, IN 46563. At the hearing, any person aggrieved by the proposed vacation may object to it as provided by Indiana Code § 36-7-3-13. After the hearing, the Common Council may, by ordinance, vacate the public street. Plymouth Common Council Jeanine M. Xaver, Clerk-Treasurer August 4, 2017 PN269240 hspaujp</p>

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

City Attorney Surrisi introduced Mark Stukenberg of CTE Properties, Inc. to discuss the company's plans for this area. Mr. Stukenberg said CTE Properties owns four lots, Lots #1, 2, 7, & 8, in the TechFarm area. He said the plan is to put a building on these lots in the future and it would be advantageous to have a portion of the current cul-de-sac as part of their property for truck traffic.

Surrisi explained that in exchange for this vacation, CTE would grant a strip of land in that area as an easement to the city.

Council Member Houin asked if Chief Miller or Chief Bacon had any safety concerns with being able to turn emergency vehicles around in that area. Miller said his only concern would be to make sure the access road to the building would be meet the setback standards. Surrisi noted that the Technical Review Committee has reviewed the safety triangle for the proposed changes to the area.

Mayor Senter opened the privilege of the floor to the public. There were no comments.

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

The following legal notice was advertised in the Pilot Newspaper on July 13, 2017:

<b>116 Legals</b>	<b>116 Legals</b>	<b>116 Legals</b>
<b>NOTICE TO TAXPAYERS OF PUBLIC HEARING</b> Notice is hereby given that the Common Council for the City of Plymouth, Indiana, will conduct a public hearing in the Council Chambers of the City Building, 124 North Michigan Street (Garro Street entrance), Plymouth, Indiana, on Monday, August 14, 2017, to consider a City of Plymouth Mu-	nicipal Motor Vehicle License Excise Surtax and Municipal Wheel Tax. The public hearing will be held at 6:30 p.m., or immediately following the Board of Works meeting. Taxpayers appearing at the meeting shall have a right to be heard. Handicapped citizens needing special accommodations for the meeting, please call the ADA Coordinator, 574-936-2948.	Jeanine M. Xaver, IAMC / CMC Clerk-Treasurer July 31, 2017-P July 31, 2017 PN268919 hspaxlp

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

City Attorney Surrisi said an ordinance will be presented on first reading later in the meeting. That ordinance will need additional and specific information plugged into it before it could be read on second and third readings.

Clerk-Treasurer Xaver clarified that the city's bond rating was not lowered by Standard & Poor when the City Hall Renovation Project bond was compiled. She said to her knowledge, the city has never had a bond rating before, only the water and sewer departments have had bond rating, and they are separate entities.

Xaver went on to discuss the Motor Vehicle Highway Fund including the trend of funding of tax dollars from the state for 2016, 2017 and projected amounts for 2018. She said that cities, towns and township across the state share 14.2% of the recent increase in gas taxes, the remaining amount is distributed between the county and state. Xaver stated that revenue collected from a wheel tax can only be spent on road reconstruction costs – it cannot be used for salaries or anything other than the construction, reconstruction and maintenance of roads.

Mayor Senter introduced Eric Walsh, of Umbaugh and Associates, to discuss the wheel tax. He said the wheel tax was put in place by state legislation as a tool for municipalities. He explained that there are two parts: excise surtaxes which are for passenger vehicles and the wheel tax which is for larger, commercial vehicles. The passenger excise surtax can range from a minimum of \$7.50 to a maximum of \$25.00. The wheel tax can range from \$5.00 to \$40.00 per vehicle.

Walsh said there are two driving points which brought this possible tax forward. First, there is the need for paving streets in the city and the opportunity to get matching grant dollars from the state for the Community Crossings Fund Grant. Secondly, circuit breaker tax caps are really starting to take a toll on this community. He said this is good for tax payers because it caps the amount they can be taxed, but that it

is lost revenue that the city is now not getting. Walsh said the loss for the city in 2013 was around \$380,000. In 2017, this total will be around \$650,000.

Walsh said if the city chose the maximum rates of \$25 for passenger vehicles and \$40 for commercial vehicles, the city would generate roughly \$320,000 in revenue. The minimum rate of \$7.50 for passenger and \$5.00 for commercial would generate approximately \$80,000 in revenue.

Council Member Cook said that Walsh stated in a recent meeting that the city was financially sound. He asked if that is still true. Walsh said yes. He explained that the fiscal management of the city is in very good shape and the city has healthy cash balances. What they are currently looking at are the trends over the years and the current trend is showing that the city is gradually dipping into and spending down those cash balances. This means the city is relying on those cash reserves to fund operations, which has not been done in the past.

Penny Lukenbill of 1008 Ferndale Street, asked what the wheel tax revenue is going to be used towards. She said she is in favor of the recent salary increases for the fire and police departments, but she is against a wheel tax and feels it is the city's responsibility to be fiscally responsible. She felt it was irresponsible to pass ordinances with a \$500,000 increase in the budget without having a funding mechanism in place. She asked if the wheel tax money will go towards road improvements or is it to replace the revenues in the general fund that are now being used for the roads and streets.

Clerk-Treasurer Xaver said the wheel tax will be used to help the city take advantage of the state's 50/50 match for the Community Crossings Grant.

Lukenbill asked that someone explain the wheel tax in relation to the recent salary raises for public safety. Xaver said they are two separate items and feels they are falsely perceived as being correlated. Xaver had recently asked the city engineer to compile a list of the road improvements needs and explained that this wheel tax is needed for those road improvements in order to supplement the tax cap losses.

Father Theodosius, 1000 S Michigan Street, said he did not agree with the assessing the wheel tax and, in his opinion, the city has the money they need to pave city roads.

Wilson Gerrard, 209 Baker Street, voiced his opposition to the wheel tax because it is a hardship for individuals on fixed incomes.

Keith Gerrard, 209 Baker Street, asked Eric Walsh, with the tax cut circuit breaker in relation to the assessed value of the property, how is the assessed value of Plymouth expected to grow to replace the need for this tax. Walsh said there is no way of knowing what the assessed property values are going to be, but historically they dropped 12% in 2013, increased 3% in 2014, increased 0.5% in 2015, and decreased 0.5% in 2016.

Gerrard then asked how much is being withdrawn from the city's income from tax abatements and TIF funding.

Mayor Senter said he does not know how much the city has in tax abatements, but feels they are worth it in the end.

Council Member Grobe asked if the wheel tax revenue would be going into the MVH fund. Walsh said yes. Grobe asked if this would free up property tax assessment for the city to use in the General Fund. Walsh said the city can transfer property tax money from MVH back into the General Fund, but that the revenue from the wheel tax and the excise surtax cannot be used for police salaries.

Fred Webster, 320 Roy Street, said he not opposed to the wage and salary increases for the police and fire departments and he's not opposed to a wheel tax but would like it pushed off to next year. He is concerned about the water and sewer impact on residents once Pilgrim Farms (Bay Valley) closes in December 2017.

Anita Goodan, Max 98.3 News, said she apologizes for any confusion that was publicized regarding the tie between the wheel tax and the recent raises in salaries for the fire and police departments. She did not understand that there was no relation between to two, but understands that now. She said it will be corrected in tomorrow's news.

Jeff Jones, 213 N Michigan Street, said he is against the wheel tax being used to cover salaries.

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

City Attorney Surrisi presented Ordinance No. 2017-2119, An Ordinance of the Common Council of the City of Plymouth Authorizing the Investment of Public Funds, on second reading.

Council Members Ecker and Culp moved and seconded to approve Ordinance No. 2017-2119, An Ordinance of the Common Council of the City of Plymouth Authorizing the Investment of Public Funds, on second reading. It passed by roll call vote.

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

Council Members Ecker and Walters moved and seconded to approve Ordinance No. 2017-2119, An Ordinance of the Common Council of the City of Plymouth Authorizing the Investment of Public Funds, on third reading. It passed by roll call vote.

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

City Attorney Surrisi presented Ordinance No. 2017-2123, An Ordinance to Vacate a Portion of Miller Drive, on first reading.

City Attorney Surrisi presented Ordinance No. 2017-2124, An Ordinance to Annex Approximately 1.00 Acre of Real Estate Located Immediately Adjacent to the Southern Corporate Boundary of the City of Plymouth, Indiana, on first reading.

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

REGULAR SESSION, COMMON COUNCIL, AUGUST 14, 2017

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

Minutes of the Board of Public Works and Safety meeting of July 24, 2017;  
Minutes of the Board of Aviation Commissioners meeting of July 11, 2017;  
Minutes of the Technical Review Committee meeting of August 1, 2017;  
Minutes of the Marshall County Council on Aging meeting of July 18, 2017;  
Clerk-Treasurer's Financial Reports and Cash Reconciliation for July, 2017;  
Indiana Dept of Natural Resources Letter dated June 5, 2017 RE: Floodplain  
Analysis

The motion carried.

There being no further business to discuss, Council Members Fonseca and Grobe moved and seconded to adjourn the meeting. The motion carried and the meeting was declared adjourned at 7:31 p.m.

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Jeanine M. Xaver, IAMC / CMC  
Clerk-Treasurer

APPROVED

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Mark Senter, Mayor