

REGULAR SESSION, COMMON COUNCIL, JUNE 24, 2013

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on June 24, 2013. 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 6:30 p.m.

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

Senter presided for Council Members Delp, Culp, Ecker, Smith and Grobe. Clerk-Treasurer Hutchings, City Engineer Gaul and City Attorney Surrisi were also present.

Councilmen Delp and Culp moved and seconded to approve the minutes of the last regular meeting on June 10, 2013 and to dispense with reading them since they have been reviewed and found to be correct. The motion carried.

Mayor Senter asked for two volunteers from the council to serve with him on a task force to review the current ordinances of the cemetery department and possibly look at a cemetery board.

Councilmen Ecker and Delp both volunteered.

Senter said he would set a meeting.

Senter announced that there would be a ribbon cutting at Alick's Home Medical Tuesday, June 25th at 2:00. He asked the council members to attend.

Mayor Senter referred to the employee handbook, which gives him the authority to specify the days for the Christmas holiday for the city employees. He announced the city would take Christmas Eve and Christmas Day off.

City Attorney Surrisi presented PC 2013-03, Certified Proposal to Amend the Zoning Ordinance for the City of Plymouth.

Plan Consultant Ralph Booker presented information to the council on the proposed amendments. There were sections of the ordinance regarding swimming pools and swimming pool covers that were changed to align with Indiana Residential Code. There is also an amendment regarding recreational vehicles

Councilmen Delp and Culp moved and seconded to approve PC 2013-03, Certified Proposal to Amend the Zoning Ordinance for the City of Plymouth.

Steve DeLee, read the following letter, which he wrote on June 8th.

Your Honor,

I wanted to speak to you and the council on a matter that I think needs addressed. The matter is that the Board of Zoning Appeals definition of the term "occupied". I realize it took a lot of work and discussion to arrive at the conclusion they did, but I think the definition they decided on is too broad. Many campers and RVs would fit this definition of occupied and not even have a person inside. I have talked to RV and camper owners who will de-winterize their campers at the beginning of the season, leave them plugged in for the food and refrigerator. They also leave them plugged in to keep the battery charged. They may also have water hooked up from time to time for flushing and sanitizing the plumbing system throughout the summer season. These would all fit the definition of occupied and not even have someone sleeping in it. This could occur from May possibly through August and even into September. Therefore I think something needs to be changed before the definition is voted on by the council. Since it was so hard to find an agreeable definition by the BZA, I think it would be easier to change the time frame instead of re-discussing the definition. This was not discussed in the previous meetings. If the time frame was changed from sixty days to 120 days, I think there would not be many conflicts with the ordinance, as this would cover most of the camping season. If the ordinance were voted through as is, the building commissioner would be flooded with complaints and violations. The original intent of the ordinance was to prevent permanent occupation of a camper on a proper, not to punish recreational campers and their families. Thank you for allowing me to express my view on this matter. All I ask for is that the council send the ordinance back to the BZA to lengthen the time frame.

City Attorney Surrisi noted that the fourth proposed change to the ordinance has to do with how the clerk-treasurer's office advertises legal notices. It notes that the tax ID parcel number can be used to identify a property when it is more convenient, rather than a full legal description.

Councilman Delp moved to pass PC 2013-03, Certified Proposal to Amend the Zoning Ordinance for the City of Plymouth. Councilman Culp seconded the motion. It passed by roll vote.

AYES: Delp, Culp, Ecker, Smith and Grobe
NAYS: None

Plan Consultant Booker presented PC 2013-04, Certified Proposal to Amend the Official Zoning Map for the City of Plymouth.

Councilmen Delp and Culp moved and seconded to pass PC 2013-04, Certified Proposal to Amend the Official Zoning Map for the City of Plymouth. It passed by roll call vote.

Surrisi presented Ordinance No. 2013-2058, An Ordinance of the City of Plymouth Approving a Lease by the Plymouth Redevelopment Commission, on first reading. He said that originally the intent was to ask the council to consider this ordinance on all three readings, but the Marshall County Economic Development Corporation might have modifications to the lease.

Surrisi presented Ordinance No. 2013-2060, An Ordinance to Repeal and Replace Section 130.13 of the Code of Ordinance of the City of Plymouth Concerning Unnecessary Noise Prohibited, on first reading.

Surrisi presented Ordinance No. 2013-2061, An Ordinance to Repeal and Replace Sections of the Code of Ordinances of the City of Plymouth Concerning the Community Improvement Commission, on first reading.

Surrisi presented Resolution No. 2013-567, A Resolution of the Common Council of the City of Plymouth to Increase the Membership of the Plymouth Board of Aviation Commissioners. He noted that state statute allows for four or five members.

Councilmen Ecker and Smith moved and seconded to adopt Resolution No. 2013-567, A resolution of the Common Council of the City of Plymouth to Increase the Membership of the Plymouth Board of Aviation Commissioners. It passed by roll call vote.

AYES: Delp, Culp, Ecker, Smith and Grobe
NAYS: None

Surrisi presented Resolution No. 2013-568, A Resolution of the Common Council of the City of Plymouth to Approve the Proposed Update to the City's Comprehensive Plan.

Jackie Turner, Ratio Architects, made a presentation to the council.

Mayor Senter thanked Ms. Turner for her work and help with the comprehensive plan.

Councilmen Smith and Culp moved and seconded to adopt Resolution No. 2013-568, A Resolution of the Common Council of the City of Plymouth to Approve the Proposed Update to the City's Comprehensive Plan. It passed by roll call vote.

AYES: Delp, Culp, Ecker, Smith and Grobe
NAYS: None

Jay Bahr, Executive Director of Marshall County Economic Development Corporation and the city's representative to the MCEDC, Jim Condon, addressed the council.

City Attorney Surrisi presented the following compliance forms for tax abatement for the council's consideration:

Aker Composites Solutions, Inc. – CF-1 / Personal Property

Aero Technologies / 3M Company. – CF-1 / Personal Property

VanVactor Farms, Inc. . – CF-1 / Real Property

Glenmark Industries, Inc. . – CF-1 / Personal Property

Glenmark Industries, Inc. . – CF-1 / Real Property

Councilmen Grobe and Delp moved and seconded to accept the CF-1 forms as presented. The motion carried.

Senter offered the privilege of the floor to members in the audience.

Doug Feece, thanked the council for passing the comprehensive plan. He said that he would like to see consistency with the application of the new comprehensive plan.

Councilmen Ecker and Grobe moved and seconded to accept the following communications: minutes of the Board of Public Works and Safety meeting of June 10, 2013; minutes of the Board of Aviation Commissioners meeting of May 14, 2013; minutes of the Redevelopment Commission meeting of May 21, 2013, minutes of the Marshall County Council on Aging meeting of May 22, 2013; and Umbaugh Financial Reports for the period ending April 30, 2013. The motion carried.

There being no further business to discuss, Councilmen Ecker and Smith moved and seconded to adjourn the meeting. The motion carried; the meeting was declared adjourned at 7:20 p.m.

S/Toni L. Hutchings, IAMC/CMC/CPFA
Clerk-Treasurer

APPROVED

S/Mark Senter, Mayor