

REGULAR SESSION, COMMON COUNCIL, OCTOBER 14, 2019

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on October 14, 2019. The meeting was held in the Council Chambers, 124 N. Michigan St., Plymouth, Indiana. The meeting was called to order at 6:58 p.m.

Mayor Mark Senter led the Pledge of Allegiance and Councilman Don Ecker offered prayer.

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

Council Members Ecker and Milner moved and seconded to approve the minutes of the last regular Common Council meeting on September 23, 2019 as presented. The motion carried.

City Attorney Surrisi presented Ordinance No. 2019-2156, An Ordinance Regarding Solar Permit Fees for the City of Plymouth, on first reading.

City Attorney Surrisi presented Resolution No. 2019-874, A Resolution Providing for the Transfer of Appropriations in the Fire Department of the General Fund of the City of Plymouth, Indiana, as Requested by the Fire Chief and Forwarded to the Common Council for Their Action and Passage Pursuant to IC 6-1.1-18-6.

Council Members Ecker and Longanecker moved and seconded to adopt Resolution No. 2019-874, A Resolution Providing for the Transfer of Appropriations in the Fire Department of the General Fund of the City of Plymouth, Indiana, as Requested by the Fire Chief and Forwarded to the Common Council for Their Action and Passage Pursuant to IC 6-1.1-18-6.

The motion passed by roll call vote.

AYES: Ecker, Houin, Longanecker, Milner, Walters  
NAYS: None  
ABSENT: Cook, Culp

City Attorney Surrisi presented Resolution No. 2019-875, A Resolution of the City of Plymouth Declaring Certain Real Estate to be Within an "Economic Revitalization Area" Pursuant to IC 6-1.1-12.1 et seq (AK Industries, Inc.).

Jerry Chavez, representative from Marshall County Economic Development Corporation (MCEDC), was present to discuss the request and spoke in favor of passing the resolution. The following letter from MCEDC was submitted with the AK Industry's application:

September 19, 2019

Mayor Mark Senter, &  
Plymouth City Council  
City of Plymouth  
124 N. Michigan Street  
Plymouth, IN 46563

**RE: AK Industries Inc.**

Mayor Senter:


The Marshall County Economic Development Corporation (MCEDC) is pleased to support an application by AK Industries Inc. personal tax abatement in conjunction with a capital investment of over \$500,000 in real property and \$1,500,000 in machinery and equipment.

This locally grown company has become a leading producer of fiberglass and polyethylene products for the wastewater industry. AK Industries Inc. purchased the empty facility at 1420 Stanley Drive. This expansion is estimated to include about 30 new jobs.

*MCEDC respectfully requests that the Plymouth City Council approves the AK Industries Inc. tax abatement application as outlined in the Confirming Resolution.*

On behalf of the MCEDC Board of Directors, we thank you for consideration and action taken on this tax abatement request. We also appreciate support given to economic development and the growth in Marshall County and the City of Plymouth.

Respectfully,

  
Jerry Chavez  
President and CEO

He introduced Steve Sabo from AK Industries who detailed the company's plans for expansion at 1420 Stanley Drive.

Council Members Ecker and Walters moved and seconded to adopt Resolution No. 2019-875, A Resolution of the City of Plymouth Declaring Certain Real Estate to be Within an "Economic Revitalization Area" Pursuant to IC 6-1.1-12.1 et seq (AK Industries, Inc.). The motion passed by roll call vote.

AYES: Ecker, Houin, Longanecker, Milner, Walters  
NAYS: None  
ABSENT: Cook, Culp

City Attorney Surrisi presented PC 2019-18, Certified Proposal to Amend the Official Zoning Map for the City of Plymouth. Plan Consultant Ralph Booker detailed the cases, including the findings of fact, information discussed at the Plan Commission meeting, and letters from the applicants, Kristina and Mary Relos:

Dear City of Plymouth,

I was recently given 3.22 acres of land to build a home on from my mother's 40 acre farm that I grew up on. During the process of preparing the land we found out that in 2008 it was rezoned to Industrial. None of the neighbors realized this as well as my parents. I was advised by the City of Plymouth Building Commissioner to apply for a variance of use for this to be legal to build on. After paperwork and meetings, my variance passed and I proceeded to plan my home.

I was in the final stages a few weeks ago, ready to close my loan and break ground when the bank notified me and said I could not get a fixed rate loan as the lot is industrial as is the land around me. They told me the lenders do not want to allow this because being zoned industrial means a factory could pop up around me and lower the value of my home. This is after my banker even said I would not have a problem as he knows the area and there is no industry in sight, but it's not up to him, it's the lenders who make the decision. Even my appraisal said the lot was "illegal" with a small sentence elsewhere that said "legal with a variance". I was informed the lenders did not like this wording either.

My mother is also applying to have the rest of her now 37 acre farm rezoned back to residential/agricultural, the way it was when she bought it over 30 years ago. This whole process has caused pushbacks and a lot of extra money that I was not expecting as I never would have imagined our 40 acre farm was zoned industrial. The 3.22 acres I received are in the middle of her 37 acre lot. These are in the most northwest corner of the area that was rezoned industrial, as well as the most northwest corner of what is considered the 2 mile radius outside the city limits. There is no industry in sight, to the west of the farm is actually 80+ acres of wildlife reserve, and to the east, 80 acres of farmland.

I ask you to please consider rezoning my lot to residential so I can move forward getting my fixed rate loan and build my home on my property. The bank told me if it is rezoned there is no issue getting the loan and we can close within 5 days of this.

Thank you,

Kristina Relos

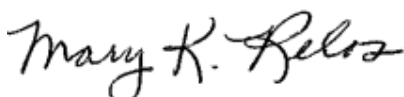
To Whom it May Concern:

I am requesting that my property, located at 15959 7th Road, Plymouth, Indiana be rezoned back to agricultural which is what it was zoned as when I purchased it in 1987. It is my understanding that my property was rezoned industrial in 2008. The notification was placed in the paper and neither myself, or my husband at the time, Donald Relos, saw that the property was to be changed to industrial.

In the past few months my daughter, Kristina Relos, has had some difficulties securing a loan for building on acreage that she received from me. My property has been farmed since it was purchased, and I plan to have it farmed while it is in my possession. To the west of me is 120 acres of wildlife preserve and to the east is 80 acres of farm acreage. There is no industry on 7th Road, and I do not see any industry proposed in this area soon. My property is in the northwest corner of the section that was changed to industrial in 2008, and I believe that this would make it easier to change this section back to its original state.

Thank you for your consideration with this matter.

Sincerely,



Mary K. Relos

Booker detailed the approvals from both the Plan Commission to subdivide the land, the Board of Zoning Appeals to build a house on an Industrial lot, and the latest approval from the Plan Commission to rezone the property from Industrial back to R-1, Rural Residential as it was before the city's rezoning in 2008.

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City Attorney Surrisi noted that he did make an error on the document by only providing PC 2019-18 and he needed to include PC 2019-17 as well. He asked that the council consider passing both subject to the city attorney revising the document. It was discovered that the parcels numbers and addresses on the final versions need to be aligned as well.

Council Members Houin and Longanecker moved and seconded to approve PC 2019-18, Certified Proposal to Amend the Official Zoning Map for the City of Plymouth, for Mary Relos at 15959 7<sup>th</sup> Road, subject to the correction of scrivener's error. It passed by roll call vote.

AYES: Ecker, Houin, Longanecker, Milner, Walters  
NAYS: None  
ABSENT: Cook, Culp

Council Members Houin and Longanecker moved and seconded to approve PC 2019-17, Certified Proposal to Amend the Official Zoning Map for the City of Plymouth, for Kristina Relos at 15937 7<sup>th</sup> Road, subject to the correction of scrivener's error. It passed by roll call vote.

AYES: Ecker, Houin, Longanecker, Milner, Walters  
NAYS: None  
ABSENT: Cook, Culp

Mayor Senter offered the privilege of the floor. There were no comments.

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

- Minutes of the Board of Public Works and Safety meeting of September 23, 2019
- Minutes of the Technical Review Committee meeting of September 24, 2019
- Minutes of the Board of Aviation Commissioners meeting of September 10, 2019
- Minutes of the Board of Zoning Appeals meeting of September 3, 2019
- Minutes of the Plan Commission meeting of September 3, 2019
- Minutes of the Urban Forest and Flower Committee meeting of September 18, 2019
- Clerk-Treasurer's Financial Report and Cash Reconciliation Statement for September, 2019
- BakerTilly Water and Sewer Financial Management Reports Jan – Aug 2019

The motion carried.

There being no further business to come before the Council, Mayor Senter declared the meeting adjourned at 7:22 p.m.

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Jeanine M. Xaver, IAMC, CMC  
Clerk-Treasurer

APPROVED

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Mark Senter, Mayor