

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on August 25, 2014. 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.

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

Councilmen Delp and Ecker moved and seconded to approve the minutes of the last regular meeting of August 11, 2014, and the minutes of the Budget Works Session of August 18, 2014, and to dispense with reading them since they have been reviewed and found to be correct. The motion carried.

The following legal notice was advertised in the Pilot Newspaper on August 15, 2014:

**NOTICE OF PUBLIC HEARING**  
Notice is hereby given to the citizens of Plymouth, Marshall County, Indiana, that a public hearing will be conducted by the Common Council of the City of Plymouth on a request for tax abatement on personal property improvements by AK Industries, Inc. located at 2055 Picco Drive, Plymouth, IN. A statement of benefits is on file in the Clerk-Treasurer's office, 124 N. Michigan St., Plymouth, IN. The real estate has been designated within an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 on August 11, 2014. A description of the affected area is available and can be inspected in the County Assessor's Office. Said hearing will be held on Monday, August 25, 2014, in the Council Chambers of the City Building, 124 N. Michigan St., (Garro Street entrance), Plymouth, IN at the Common Council meeting at 6:30 p.m. Persons appearing at such public hearing shall have the right to be heard on the proposed project. Disabled persons needing special accommodations, please contact the ADA Coordinator at 574-936-2948. Dated this 12th day of August, 2014.  
Toni L. Hutchings  
Clerk-Treasurer  
City of Plymouth,  
Indiana  
August 15, 2014-P  
Aug 15, 2014 PM6173 hpaxxp

Councilmen Ecker and Grobe moved and seconded to open the public hearing. The motion carried.

Marshall County Economic Development Corporation Director Jerry Chavez addressed the commission, asking the council to approve the tax abatement request as presented.

There being no questions or comments from the council members or the public, Councilmen Delp and Ecker moved and seconded to close the public hearing. The motion carried.

The following legal notice was advertised in the Pilot Newspaper on August 15, 2014:

**NOTICE OF PUBLIC HEARING**  
Notice is hereby given to the citizens of Plymouth, Marshall County, Indiana, that a public hearing will be conducted by the Common Council of the City of Plymouth on a request for tax abatement on real property, vacant building, decoration and personal property improvements by Coposel Technologies, LLC, located at 806 Marley Drive, Plymouth, IN. A statement of benefits is on file in the Clerk-Treasurer's office, 124 N. Michigan St., Plymouth, IN. The real estate has been designated within an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 on August 11, 2014. A description of the affected area is available and can be inspected in the County Assessor's Office. Said hearing will be held on Monday, August 25, 2014, in the Council Chambers of the City Building, 124 N. Michigan St., (Garro Street entrance), Plymouth, IN at the Common Council meeting at 6:30 p.m. Persons appearing at such public hearing shall have the right to be heard on the proposed project. Disabled persons needing special accommodations, please contact the ADA Coordinator at 574-936-2948. Dated this 12th day of August, 2014.  
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Councilmen Delp and Grobe moved and seconded to open the public hearing. The motion carried.

Marshall County Economic Development Corporation Director Jerry Chavez addressed the commission, asking the council to approve the tax abatement request as presented.

There being no questions or comments from the council members or the public, Councilmen Grobe and Ecker moved and seconded to close the public hearing. The motion carried.

City Attorney Surrisi presented Resolution No. 2014-622, A Resolution of the City of Plymouth Confirming the Adoption of a Declaratory Resolution Designating Certain Real Estate to be Within an "Economic Revitalization Area" for Purposes of Personal Property Tax Abatement Pursuant to I.C. 6-1.1-12.1 et seq. for AK Industries, Inc.

Councilmen Smith and Delp moved and seconded to adopt Resolution No. 2014-622, A Resolution of the City of Plymouth Confirming the Adoption of a Declaratory Resolution Designating Certain Real Estate to be Within an "Economic Revitalization Area" for Purposes of Personal Property Tax Abatement Pursuant to I.C. 6-1.1-12.1 et seq. for AK Industries, Inc. It passed by roll call vote.

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

City Attorney Surrisi presented Resolution No. 2014-623, A Resolution of the City of Plymouth Confirming the Adoption of a Declaratory Resolution Designating Certain Real Estate to be Within an "Economic Revitalization Area" for Purposes of Real Property Tax Abatement, Vacant Building Deduction and Personal Property Tax Abatement Pursuant to I.C. 6-1.1-12.1 et seq. for Composite Technology Assemblies, LLC.

Councilmen Ecker and Smith moved and seconded to adopt Resolution No. 2014-623, A Resolution of the City of Plymouth Confirming the Adoption of a Declaratory Resolution Designating Certain Real Estate to be Within an "Economic Revitalization Area" for Purposes of Real Property Tax Abatement, Vacant Building Deduction and Personal Property Tax Abatement Pursuant to I.C. 6-1.1-12.1 et seq. for Composite Technology Assemblies, LLC.

Councilman Delp questioned the difference on the property for the vacant property and the other real property.

Surrisi said that it is a different statutory provision; he explained that an eligible vacant building is one that has been out of use for a year; this one has been sitting vacant for more than two years. He said that if an applicant is putting a vacant building back to positive use, it is eligible for deduction on its own, without any additional improvements to the land.

The motion to adopt Resolution No 2014-623 passed by roll call vote.

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

City Attorney Surrisi presented Ordinance No. 2014-2080, An Ordinance to Amend the Code of Ordinances of the City of Plymouth Concerning the Aviation Rotary Fund, on first reading.

Surrisi presented Resolution No. 2014-624, A resolution Providing for the Transfer of Appropriations in the MVH Fund of the City of Plymouth, Indiana, for the MVH Department as Requested by the MVH Superintendent and Forwarded to the Common Council for their action and passage Pursuant to I.C. 6-1.1-18-6.

Councilmen Delp and Smith moved and seconded to adopt Resolution No. 2014-624, A resolution Providing for the Transfer of Appropriations in the MVH Fund of the City of Plymouth, Indiana, for the MVH Department as Requested by the MVH Superintendent and Forwarded to the Common Council for their action and passage Pursuant to I.C. 6-1.1-18-6. It passed by roll call vote.

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

Surrisi presented the following Brownfields Assessment Coalition Memorandum of Agreement for the Council's consideration.

**BROWNFIELDS ASSESSMENT COALITON**  
 MEMORANDUM OF AGREEMENT BETWEEN THE FOLLOWING PARTIES:  
 City of Plymouth, Indiana  
 Town Of Bourbon, Indiana  
 Marshall County, Indiana

This Memorandum of Agreement (MOA) documents the roles and responsibilities of the various parties involved in the Assessment Coalition with regard to EPA Cooperative Agreement No: BF 00E01368.

1. EPA awarded the Cooperative Agreement to the City of Plymouth, Indiana for the assessment of brownfield properties. The grant period is October 1, 2014 through September 30, 2017. The City of Plymouth is responsible to EPA for management of the cooperative agreement and compliance with the statutes, regulations, and terms and conditions of the award, and ensuring that all members of the coalition are in compliance with the terms and conditions.
2. It is the responsibility of the City of Plymouth to provide timely information to the other Coalition Partners regarding the management of the cooperative agreement and any changes that may be made to the cooperative agreement over the period of performance.
3. The Coalition Partners are The City of Plymouth, Indiana, Marshall County, Indiana, and the Town of Bourbon, Indiana. The contact information is as follows:

City of Plymouth  
 Ralph Booker  
 Marshall County Plan Director/Plymouth  
 Plan Consultant  
 124 N Michigan Street  
 Plymouth, IN 46563  
[rbooker@co.marshall.in.us](mailto:rbooker@co.marshall.in.us)  
 574-935-8540

Marshall County  
 Kevin Overmyer  
 President, Marshall County Commissioners  
 Marshall County Building  
 112 W Jefferson Street  
 Plymouth, Indiana 46563  
[kovermyer@gmail.com](mailto:kovermyer@gmail.com)  
 574-952-3350

City of Plymouth  
 Mark Senter  
 Mayor  
 City of Plymouth  
 124 N. Michigan Street  
 Plymouth IN 46563  
[mayor@plymouthin.com](mailto:mayor@plymouthin.com)  
 574-936-6717

Town of Bourbon  
 Kimberly Berger  
 Clerk Treasurer  
 104 E Park Avenue  
 Bourbon, IN 46504  
[kberger@bourbon-in.gov](mailto:kberger@bourbon-in.gov)  
 574-342-4755

4. Activities funded through the cooperative agreement may include inventory preparation, site selection criteria development, assessments, planning (including cleanup planning) relating to brownfield sites, and outreach materials and implementation, and other eligible activities. The City of Plymouth and the Coalition partners may retain consultant(s) and contractors under 40 CFR 30.36 to undertake various activities funded through the cooperative agreement and may award subgrants other coalition members under 40 CFR 31.37 for assessment projects in their geographic areas. Subgrantees are accountable to the City of Plymouth for proper expenditure of funds.

5. The City of Plymouth will procure the consultant(s) in compliance with 40 CFR 31.36 requirements. The City of Plymouth will issue the Request for Qualifications and will be the entity responsible for receipt of the submitted proposals and selection and award of contracts. The City of Plymouth will consult with other coalition members in making selections of consultants and contractors and negotiating the terms of agreements.
6. The City of Plymouth, in consultation with the Coalition Partners, will work to develop a site selection process based on agreed upon factors and will ensure that a minimum of 14 sites are assessed over the life of the cooperative agreement. Selected sites will be submitted to EPA (hazardous sites) and/or the Indiana Brownfield Program (petroleum sites) for prior approval to ensure eligibility.
7. Upon designation of the specific sites, it will be the responsibility of City of Plymouth to work with the coalition member in whose geographic area the site is located to finalize the scope of work for the consultant or contractor. It will be the responsibility of this member to obtain all required permits, easements, and/or access agreements as may be necessary to undertake assessments at the selected site. If this member does not have the capacity to perform these activities City of Plymouth may assist in securing necessary site access agreements and permits.
8. The City of Plymouth is responsible for ensuring that other activities as negotiated in the work plan, such as community outreach and involvement, are implemented in accordance with a schedule agreed upon by the City of Plymouth and the coalition member in whose geographic area the site to be assessed is located.
9. As resources allow, the Coalition Partners will assist the City of Plymouth in marketing the assessment resources available through the grant, and assist communities within their geographic area.
10. The Coalition has established the target budgets below for each member; however, funding may be reallocated based on approval of each of the coalition members.

City of Plymouth	\$200,000
Marshall County	\$200,000
Town of Bourbon	\$200,000

The parties, whose signatures appear below, or on separate signature pages, hereby agree to the terms of this MOA. Each person signing this MOA represents and warrants that he or she has been duly authorized to execute and legally bind the respective parties to the terms and conditions of this MOA.

Agreed:

City of Plymouth, IN: \_\_\_\_\_  
 Mark Senter, Mayor Date

Marshall County, IN: \_\_\_\_\_  
 Kevin Overmyer, President, Marshall Co. Commissioners Date

Town of Bourbon, IN: \_\_\_\_\_  
 Kimberly Berger, Clerk Treasurer Date

Surrisi said that this is a grant to do phase one of an environmental assessment and phase two, remediation work. He said that this is an initial Memorandum of Agreement, the City of Plymouth is the lead agency that is awarded the grant and he and Ralph Booker are working on administering this; Booker is the project manager. Surrisi said that funding would not be available until the first of October and it is anticipated that the \$600,000 would be split evenly between the three agencies, but that is not binding and will be determined by where the projects are.

Board Members Smith and Ecker moved and seconded to approve the Memorandum as presented.

Councilman Delp asked if this is all just an assessment to determine which properties qualify, or if the funds could actually be used for the cleanup of properties.

Surrisi said there is some actual work in the second phase of the project.

The motion carried to approve the Memorandum of Agreement.

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

Councilmen Ecker and Delp moved and seconded to accept the following communications: minutes of the Board of Public Works and Safety meeting of August 11, 2014; minutes of the Marshall County Council on Aging meetings of May 20 and July 15, 2014; minutes of the Technical Review Committee meeting of August 19, 2014; and minutes of the Redevelopment Commission meeting of July 15, 2014. The motion carried.

There being no further business to discuss, Councilmen Delp and Grobe moved and seconded to adjourn the meeting. The motion carried; the meeting was declared adjourned at 6:45 p.m.

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

APPROVED

S/Mark Senter  
Mayor