

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on May 23, 2016. 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 6:52 p.m.

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

Mayor Senter presided for Council Members Culp, Delp, Ecker, Fonseca and Houin. City Attorney Surrisi and Clerk-Treasurer Xaver were also present. Councilmen Cook and Grobe were absent.

Council Members Delp and Ecker moved and seconded to approve the minutes of the last regular meeting of the Common Council on May 9, 2016, as presented. The motion carried.

The following legal notice was advertised in the Pilot News on May 3 and 10, 2016:

<b>NOTICE TO TAXPAYERS OF HEARING ON PROPOSED CUMULATIVE CAPITAL DEVELOPMENT FUND</b>	<b>116 Legals</b>	<b>116 Legals</b>	<b>116 Legals</b>
Notice is hereby given the taxpayers of the City of Plymouth, Marshall County, Indiana, that the Common Council will consider at Plymouth City Hall, Council Chambers, 124 N. Michigan Street, Plymouth, Indiana, 46563 at 6:30 p.m. on Monday, May 23, 2016, the establishment of a Cumulative Capital Develop-	ment Fund under the provisions of Indiana Code 36-9-15.5 for the purposes as follows: <b>For all uses as set out in IC 36-9-15.5</b> . The tax will be levied on all taxable real and personal property within the taxing district and will not exceed \$0.0500 per \$100 of assessed valuation. The proposed fund will be levied beginning	with taxes due and payable in the year 2017. Taxpayers appearing at such hearing shall have the right to be heard thereon. The proposal for establishment of the Cumulative Capital Development Fund is subject to approval by the Department of Local Government Finance. Within 30 days after the date of the adop-	tion of the Cumulative Fund by the Common Council, the City of Plymouth will publish a Notice of Adoption. Upon publication of the Notice of Adoption, fifty (50) or more taxpayers in the taxing district may file a petition with the County Auditor not later than noon 30 days after the publication of the Notice of Adoption, setting forth their objections to the proposed fund. Dated this 25th day of April, 2016: Plymouth Common Council: Gary Cook Duane Culp Mike Delp Don Ecker, Jr. Shiloh Fonseca Shawn Grobe Jeff Houin May 3, 10, 2016 PN3906 hspaxp

Councilwoman Fonseca and Councilman Ecker moved and seconded to open the public hearing for Re-establishment of CCD Fund Rate.

City Attorney Surrisi stated that the public hearing legal advertisement ran twice in the Pilot-News. There is a proposed ordinance for consideration and the request to suspend rules and adopt on all three readings to keep within the time table.

John Julien of Umbaugh and Associates addressed the Council. He recommended the Council move forward with the ordinance as a natural process that cities across the country go through to reassess the tax rates.

Clerk-Treasurer Xaver stated that the Cumulative Capital Development Fund is funded by tax dollars. The tax distribution is divided evenly in thirds between the city, the fire department and the airport. The current rate is 3.58 cents; re-establishing the rate will take it up to 5 cents/\$100 of assessed value. The rate increase will result in approximately \$50,000 more tax revenue.

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

The following legal notice was advertised in the Pilot News on May 13, 2016:

**NOTICE OF A HEARING ON PROPOSED RATES AND CHARGES  
FOR PLYMOUTH SEWAGE WORKS**

Property owners and other interested parties in the City of Plymouth are hereby notified that Ordinance No. 2016-2099 establishing rates and charges for services to be rendered by the sewage works were introduced at a meeting of the Common Council held at 6:30 p.m. on May 9, 2016. At a meeting of the Common Council to be held at 6:30 p.m. on May 23, 2016 in the Plymouth City Council Chambers, 124 N. Michigan St. (Gamo St. Entrance), Plymouth, IN, there will be a public hearing on the matter of the rates and charges and consideration of adoption of said Ordinance No. 2016-2099, which provides in part as follows:

**Section 3.**

(a) The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges as the same is measured by the water meter there in use, plus a base charge based on the size of water meter installed except as herein otherwise provided. For the purpose of billing and collecting the charges for sewage service, the water meter shall be read monthly and the users shall be billed each month (or period equaling a month). The water usage schedule on which the amount of said rates and charges shall be determined is as follows:

**All Class I Users**

(1) Treatment Rate per 1,000 gallons of usage per month:

	User Charge	Debt Service	Total
	\$ 1.83	\$ 1.16	\$ 2.99

plus

(2) Base rate per month:

	User Charge	Debt Service	Total
5/8" - 3/4" water meter	\$ 2.08	\$ 7.65	\$ 9.73
1" water meter	4.03	19.07	23.10
1 1/2" water meter	8.27	44.15	52.42
2" water meter	13.71	75.06	88.77
3" water meter	30.44	174.90	205.34
4" water meter	53.68	311.73	365.41
6" water meter	119.53	699.43	818.96

**Outside Corporate City Boundaries**

(3) Treatment rate per 1,000 gallons of usage per month:

	User Charge	Debt Service	Total
	\$ 2.05	\$ 1.34	\$ 3.40

plus

(4) Base rates per month:

	User Charge	Debt Service	Total
5/8" - 3/4" water meter	\$ 2.40	\$ 8.80	\$ 11.20
1" water meter	4.63	21.83	26.56
1 1/2" water meter	9.49	50.79	60.28
2" water meter	15.74	87.46	103.20
3" water meter	34.99	201.13	236.12
4" water meter	61.75	355.49	420.24
6" water meter	137.46	804.34	941.80

(b) For users of the sewage works that are unmetered water users or accurate meter readings are not available, the monthly charge shall be determined by equivalent single-family dwelling units, except as herein provided. Sewage service bills shall be rendered once each month (or period equaling a month). The schedule on which said rates and charges shall be determined is as follows:

	User Charge	Debt Service	Total
Residential: Single-family dwelling unit	\$ 10.92	\$ 13.35	\$ 24.27

**Outside Corporate City Boundaries**

	User Charge	Debt Service	Total
Residential: Single-family dwelling unit	\$ 12.53	\$ 15.32	\$ 27.85

(c) For the service rendered to the City of Plymouth, said City shall be subject to the same rates and charges established in harmony therewith.

(d) In order to recover the cost of monitoring industrial wastes, the City shall charge the user not less than One Hundred Ninety-two Dollars (\$192.00) per monitoring event, plus the actual cost for each time sampling equipment is used, or One Hundred Fifty-five Dollars (\$155.00) for each time sampling equipment is used, whichever is greater, all as determined by the City or by an independent laboratory. This charge will be reviewed on the same basis as all other rates and charges in this Ordinance.

**Section 5.**

(a) Normal domestic waste strength should not exceed a biochemical oxygen demand of 240 milligrams per liter of fluid, or suspended solids in excess of 240 milligrams per liter of fluid, or ammonia in excess of 10 milligrams per liter of fluid. Additional charges for treating stronger-than-normal domestic waste shall be made on the following basis:

(1) **Rate Surcharge Based Upon Suspended Solids**  
There shall be an additional charge of \$.46 per pound of suspended solids for suspended solids received in excess of 240 milligrams per liter of fluid.

(2) **Rate Surcharge Based Upon BOD**  
There shall be an additional charge of \$.29 per pound of biochemical oxygen demand for BOD received in excess of 240 milligrams per liter of fluid.

(3) **Rate Surcharge Based Upon Ammonia**  
There shall be an additional charge of \$3.39 per pound of ammonia for ammonia received in excess of 10 milligrams per liter of fluid.

**Section 9.**

**Charges for Non-Recurring Sanitary Sewer Customers**

(b) Self-contained portable toilets (R.V.'s, motor homes, etc.) shall be billed \$14.19 per discharge up to 30 gallons of treatment and billing. This fee would apply only to a non-city resident who cannot produce a valid water bill.

(c) Bio-solids or septage which have been trucked in by a private hauler shall be billed at \$.084 per gallon. In the event the City of Plymouth Wastewater Superintendent determines the Department should truck the material, the customer shall be assessed \$.084 per gallon plus trucking, wage, and benefit fees to perform the task.

At such hearing and prior to final adoption of said Ordinance, all interested parties may appear and be heard. A copy of Ordinance No. 2016-2099 may be examined at the office of the Clerk-Treasurer.  
Dated this 10th day of May, 2016.  
Jeanne M. Xaver, Clerk-Treasurer

May 13, 2016 PH04408 hspcvt

Council Members Delp and Houin moved and seconded to open the public hearing for the Sewer Rate Change. The motion carried

John Julien of Umbaugh and Associates addressed the Council. He stated that a rate study was conducted in April 2016, and his recommendation following that study is to adjust the sewer rates by 17% in order to generate the revenue to fund the bond issue for improvements of the Sewage Works. Julien noted that the City of Plymouth's current rates are well below the state average and will continue to be below average even with the proposed increase.

Utility Superintendent Davidson provided figures for the proposed rates. The average cost for 5,000 gallons of water will be \$24.84, with the average bill in a community of this size totally \$41.27.

Citizen Wilson Gerrard asked if the increase in utility bills will be the sole source of funding for the Wastewater Treatment Plant Improvements Project or if additional taxes will also be incurred by the City's citizens. Superintendent Davidson stated that the City's Utilities are totally supported from the revenues of the sewer bills.

Gerrard also asked if all areas that use services will be charged the additional 17% including the Pretty Lake district. Julien noted that he would have to review the contract with Pretty Lake, but was under the impression that they were part of a pass-through in regards to rate increases. Gerrard asked for this to be clarified. Davidson noted that services rendered outside the City limit currently pay 14.9% higher rates than those within the City limits. Davidson's understanding is that this 17% increase is across the board for all customers but will need to confirm that information.

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

City Attorney Surrisi presented Ordinance No. 2016-2099, The Sewage Rate Ordinance of the City of Plymouth, on second reading.

Council Members Ecker and Culp moved and seconded to approve Ordinance No. 2016-2099, The Sewage Rate Ordinance of the City of Plymouth, on second reading. It passed by roll call vote:

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

Council Members Culp and Delp moved and seconded to approve Ordinance No. 2016-2099, The Sewage Rate Ordinance of the City of Plymouth, on third reading. It passed by roll call vote:

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

City Attorney Surrisi presented Ordinance No. 2016-2100, Ordinance for Flood Hazard Areas for the City of Plymouth, on second reading.

Council Members Houin and Ecker moved and seconded to approve Ordinance No. 2016-2100, Ordinance for Flood Hazard Areas for the City of Plymouth, on second reading. It passed by roll call vote:

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

Council Members Ecker and Fonseca moved and seconded to approve Ordinance No. 2016-2100, Ordinance for Flood Hazard Areas for the City of Plymouth, on third reading. It passed by roll call vote:

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

City Attorney Surrisi presented the following CF-1 forms regarding previous tax abatements:

- Alick's Home Medical Equipment – Personal Property
- Hoosier Racing Tire Corporation – Personal Property and Real Estate
- Composite Technology Assemblies, LLC – Personal Property, Real Estate and Vacant Building Deduction
- AMI Industries – Personal Property

Council Members Houin and Delp moved and seconded to approve the CF-1 forms as presented. The motion carried.

City Attorney Surrisi presented Ordinance 2016-2101, Ordinance Establishing Cumulative Capital Development Fund Under IC 36-9-15.5, on first reading.

Council Members Delp and Ecker moved and seconded to suspend the rules and consider this ordinance on all three readings. The motion carried.

Council Members Delp and Ecker moved and seconded to approve Ordinance 2016-2101, Ordinance Establishing Cumulative Capital Development Fund Under IC 36-9-15.5, on second reading. It passed by roll call vote.

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

City Attorney Surrisi presented Ordinance 2016-2101, Ordinance Establishing Cumulative Capital Development Fund Under IC 36-9-15.5, on third reading.

Council Members Culp and Houin moved and seconded to approve Ordinance 2016-2101, Ordinance Establishing Cumulative Capital Development Fund Under IC 36-9-15.5, on third reading. It passed by roll call vote.

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

City Attorney Surrisi presented Resolution No. 2016-692, A Resolution of the City of Plymouth to Create a Fund Entitled "LOIT 2016 Special Distribution Fund".

Councilmen Ecker and Delp moved and seconded approve Resolution No. 2016-692, A Resolution of the City of Plymouth to Create a Fund Entitled "LOIT 2016 Special Distribution Fund". It passed by roll call vote.

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

Council Members Ecker and Delp moved and seconded to accept the following communications: Minutes of the Board of Public Works and Safety meeting of May 9, 2016; Minutes of the Redevelopment Commission meeting of April 19, 2016; Minutes of the Redevelopment Commission Executive Session meeting of April 19, 2016; Minutes of the Plan Commission meeting of May 2, 2016; Minutes of the Board of Zoning Appeals meeting of May 2, 2016; and the Minutes of the Technical Review Committee meeting of May 17, 2016. The motion carried.

There being no further business to discuss, Council Members Houin and Fonseca moved and seconded to adjourn the meeting. The motion carried and the meeting was declared adjourned at 7:11 p.m.

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Jeanine M. Xaver  
Clerk-Treasurer

APPROVED

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Mark Senter, Mayor