

REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, OCTOBER 14, 2019

The Board of Public Works and Safety 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. Mayor Senter called the meeting to order at 6:00 p.m.

Mayor Senter presided for Board Members Culp, Houin, Milner, and Walters. City Attorney Surrisi and Clerk-Treasurer Xaver were also present.

Board Members Houin and Walters moved and seconded to approve the minutes of the last regular session of the Board of Public Works and Safety on September 23, 2019. The motion carried.

City Attorney Surrisi made a last call for quotes for the Demolition of 400 E Jefferson Street. The following sealed quotes were opened and read aloud:

- Langfeldt Excavating, LLC – Plymouth, IN.....\$12,300.00
- Jackson Demolition Services Enterprises, LLC – Rochester, IN.....\$14,900.00

City Attorney said due to being late in the season, he requested the board's permission for these quotes to be reviewed internally and award to the lowest responsive and responsible quote.

Board Members Culp and Milner moved and seconded to allow the quotes to be reviewed and awarded to the lowest responsive and responsible company. The motion carried.

Utility Superintendent Donnie Davidson provided an update on the painting project for the North Water Tower on Parkview Street. He said the project is substantially complete. The coatings and graphics have been completed. There are some punch list items still outstanding that are expected to be completed within the next two weeks. There is a one-year warranty and a 2-year performance bond on the project. Davidson said there were several cars that received over spray and the contractor's insurance company is handling those claims. Other than that, the project went very smooth.

Building Commissioner Keith Hammonds announced that the City of Plymouth has been designated as a SolSmart city, which means the city is solar ready. City Attorney Surrisi noted that there are only about 300 communities in the United States and 5 or 6 in the State of Indiana with this designation.

Fire Chief Rod Miller presented the following monthly reports:

**Plymouth Fire Dept  
Departmental Activity Report**

Current Period: 09/01/2019 to 09/30/2019, Prior Period: 01/01/2019 to 09/30/2019  
00:00 to 24:00  
All Stations  
All Shifts  
All Units  
Fire Alarm Responses, Training Classes

Category	Current Period		Prior Period	
	Count	Staff Hrs	Count	Staff Hrs
<b>Fire Alarm Situations</b>				
Chemical release, reaction, or toxic	0	0.00	4	104.50
Combustible/flammable spills & leaks	1	11.63	9	55.20
Cultivated vegetation, crop fire	0	0.00	1	39.42
Dispatched and cancelled en route	11	7.49	122	161.81
Electrical wiring/equipment problem	0	0.00	7	19.21
Emergency medical service (EMS) Incident	121	321.07	1,339	3,975.92
Extrication, rescue	0	0.00	1	2.20
False alarm and false call, Other	4	100.49	29	203.99
Fire in mobile property used as a fixed	0	0.00	2	21.41
Fire, Other	0	0.00	10	240.93
Good intent call, Other	0	0.00	3	6.88
Hazardous condition, Other	2	6.66	3	11.23
Medical assist	3	2.71	61	268.21
Mobile property (vehicle) fire	1	4.21	9	42.82
Natural vegetation fire	1	2.80	8	17.41
Outside rubbish fire	0	0.00	6	11.57
Public service assistance	0	0.00	1	1.28
Rescue or EMS standby	0	0.00	1	0.89
Rescue, emergency medical call (EMS),	0	0.00	2	6.57
Severe Weather & Natural Disaster -	0	0.00	1	0.00
Smoke, odor problem	0	0.00	2	10.27
Steam, Other gas mistaken for smoke	0	0.00	5	23.51
Structure Fire	2	111.84	13	341.98
System or detector malfunction	0	0.00	3	8.09
Unintentional system/detector operation	1	1.26	9	14.57
Wrong location, no emergency found	0	0.00	1	1.55
	147	570.16	1,652	5,591.42

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<b>Training</b>				
12 lead interpretation	7	7.00	7	7.00
Abulance Opps	0	0.00	1	0.50
Advanced Cardiac Life Support	0	0.00	7	18.00
Air Bags	0	0.00	8	16.00
Airway Management	3	3.00	25	33.00
Airway Skills	9	9.00	9	9.00
Allergies	0	0.00	2	2.00
Anaphlaxis	0	0.00	2	2.00
Apparatus / Equipment	0	0.00	18	36.00
Ariel Operations	0	0.00	18	36.00
Bleeding Control	0	0.00	12	12.00
Blood Bourne Pathogens	0	0.00	5	5.00
Cardiology	0	0.00	21	51.00
Communications Equipment	0	0.00	1	1.00
CPR	0	0.00	10	10.00
CPR Recert	0	0.00	37	148.00
Cric/needle cric	0	0.00	11	11.00
EMS Audit & Review	0	0.00	64	93.67
EMS Skills	0	0.00	17	14.00
EMT-B	0	0.00	10	28.00
Epi Pens	0	0.00	1	1.00
Eplnephrine Administraton	0	0.00	2	1.50
ESO	0	0.00	40	49.00
FF I-II	22	88.00	112	323.00
FF I-II SKILLS	0	0.00	49	234.50
Fire Behavior	0	0.00	12	36.00
Gas Pipe line Safety	0	0.00	24	50.50
General Building Construction	0	0.00	4	8.00
Hand Hygiene	0	0.00	1	1.00
Hazardous Materials Overview	0	0.00	1	2.00
Hazmat Awareness and Operations	0	0.00	3	12.00
Hose Lays	0	0.00	18	36.00
Hyperthermia	0	0.00	12	12.00
Ice Rescure	0	0.00	13	39.00
Infection Control	0	0.00	1	1.00
Instructor Training	0	0.00	9	44.00
Landing Zone Helicopter	22	55.00	22	55.00
LVAD	0	0.00	9	9.00
Marshall County Fire Association Mtg.	0	0.00	4	8.00
Mass casualty	4	4.00	40	40.00
Mega Code	8	8.00	23	33.00
NIMS MADATORY	0	0.00	3	6.00
Obstetrics	0	0.00	13	13.00

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P H T L S	0	0.00	12	96.00
Paramedic School	0	0.00	7	46.00
Pediatric Emergencies	0	0.00	8	7.50
PEPP & PALS Hybrid Coarse	0	0.00	3	12.00
Personal Protective Equip.	4	8.00	4	8.00
Physical Ability Test	0	0.00	5	20.00
PPE	0	0.00	1	3.00
Protocol Review	0	0.00	5	6.00
Public Education	0	0.00	2	6.00
Public Relations	0	0.00	4	12.00
Pump Operations	0	0.00	33	57.50
Ropes & Knots	0	0.00	25	47.00
SCBA Donning Methods	12	12.00	12	12.00
SEARCH & RESCUE	0	0.00	22	77.00
Sepsis	0	0.00	12	12.00
Shock	0	0.00	1	1.00
Smart Triage	0	0.00	28	56.00
Solar Power Safety	0	0.00	12	24.00
Strategic and Tactical Operations	0	0.00	3	3.00
STREET DRUGS	0	0.00	21	42.00
Stroke Training	7	7.00	7	7.00
Suicide Prevention	0	0.00	1	1.00
Toxicology	0	0.00	5	10.00
Volunteer Fire Business Mtg.	27	27.00	192	268.07
	125	228.00	1,126	2,381.74

**Plymouth Fire Dept**

**Incidents by District (Summary)**

**Alarm Date Between {09/01/2019} And {09/30/2019}**

District	Count	Pct of Incidents	Est Losses	Pct of Losses
001 Argos	2	1.36 %	\$31,500	52.94 %
007 Plymouth	107	72.78 %	\$28,000	47.06 %
011 Center Twp	14	9.52 %	\$0	0.00 %
019 West Twp	18	12.24 %	\$0	0.00 %
12 Argos Paramedic Assist	3	2.04 %	\$0	0.00 %
18 Walkerton Paramedic Assist	2	1.36 %	\$0	0.00 %
30 Argos Ambulance Assist	1	0.68 %	\$0	0.00 %
<b>Total Incident Count:</b>	<b>147</b>		<b>Total Est Losses:</b>	<b>\$59,500</b>

Police Chief Dave Bacon presented the following monthly reports for September 2019:

## PLYMOUTH POLICE DEPARTMENT

### Activity Report Summary 2019

Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Calls for Service, Complaints, Information	694	654	679	747	908	924	844	997	880				7,327
911 Hang-Up Calls	69	80	57	69	78	89	95	94	87				718
Alarms	89	64	64	60	56	80	64	65	62				604
Vehicle Checks	11	12	16	13	23	25	16	12	16				144
Assist Other Agencies	6	13	9	6	10	16	7	15	10				92
Animal Complaints	19	10	22	21	22	44	41	30	27				236
Traffic Stops	333	296	291	292	469	470	439	512	389				3,491
Citations Issued	141	84	146	115	311	289	273	301	197				1,857
Accident Reports	50	36	22	24	51	55	33	38	39				348
Case Reports	122	128	135	126	140	154	152	148	135				1,240
Arrests	46	52	65	35	56	50	45	57	42				448
Arrests (Adult)	41	43	52	30	46	44	42	51	33				382
Arrests (Juvenile)	5	9	13	5	10	6	3	6	9				66

## PLYMOUTH POLICE DEPARTMENT

### Code Enforcement

### Activity Report Summary 2019

Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Tall Grass	0	0	0	0	45	47	10	31	30				163
Owner Complied	0	0	0	0	40	45	8	21	18				132
City Action (Mowed)	0	0	0	0	5	2	2	10	12				31
Action Pending	0	0	0	0	0	0	0	0	0				0
Abandoned or Junk Vehicles	7	9	13	13	6	8	10	54	24				144
Owner Complied	6	9	12	13	6	7	8	48	22				131
City Action (Towed)	1	0	1	0	0	1	2	6	0				11
Action Pending	0	0	0	0	0	0	0	0	2				2
Debris/Junk on Property	2	12	22	15	5	7	10	21	22				116
Owner Complied	2	8	16	15	5	6	10	14	12				88
City Action (Cleaned)	0	4	6	0	0	1	0	7	10				28
Action Pending	0	0	0	0	0	0	0	0	0				0
Fowl/Livestock	0	0	0	0	0	0	0	0	0				0
Owner Complied	0	0	0	0	0	0	0	0	0				0
City Action	0	0	0	0	0	0	0	0	0				0
Action Pending	0	0	0	0	0	0	0	0	0				0
Signs in Public Right of Way (Removed)	0	1	2	0	0	13	25	73	34				148

Street Superintendent Jim Marquardt provided an update on the request discussed at the last board meeting from the First United Methodist Church located at 400 N Michigan Street. He said that City Engineer Rick Gaul and Engineering Technician Chris Marshall conducted elevation studies on the parking lots and alley. The current plan is to meet with the church's maintenance director and look at the water issues they are having in their buildings.

Marquardt discussed the following sidewalk request:

The sidewalk is completely covered over with grass on the north end. It is unlevel and chunks are missing near the driveway. We have been working to clean up the property since we bought it in February. S/ Susan and Brandon Mattix, 122 North Street, Plymouth, 574-952-3087

Marquardt said the intersection is not on the ADA transition plan through MACOG. He said some sidewalks in this area have been done and he feels this is a good section to complete and clean up. It was decided that it is too late to do this in 2019, but it can be completed in 2020.

Board Members Culp and Milner moved and seconded to add this project to the 2020 Street and Sidewalk projects. The motion carried.

Marquardt said he met with Rieth-Riley regarding the Fall Street and Sidewalk projects. The tentative start date is October 21 and would run through early November. They are requesting to have restricted/no parking signs posted when needed on Washington Street from Third to Plum Streets, Third Street from Jefferson to Lake Avenue, and William Street from Michigan to Liberty Streets.

Houin asked if the residents in the area have been notified. Marquardt said the company was notified in the pre-construction meeting that residents, media, and the city need to be informed of schedules and updates to their schedule as the project goes along.

Board Members Houin and Walters moved and seconded to approve the request for restricted/no parking signs for this project. The motion carried.

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City Attorney Surrisi presented Executive Order 2019-06, Regarding Miller Drive Parking. Surrisi said he is seeking ratification of this executive order. He explained that the board had previously decided to have restricted parking on Miller Drive commencing once construction of the project was completed. There was some overlap between the time of completion and when the grand opening took place. Since there is currently no parking lot, the mayor signed this executive order to remove the no parking signs on the north side of Miller Drive to give attendees of the grand opening a place to park.

Board Members Houin and Walters moved and seconded to ratify Executive Order 2019-06, Regarding Miller Drive Parking. The motion carried.

Clerk-Treasurer Xaver presented the following request:

The Marshall County 4-H program is requesting to chalk the downtown sidewalks to help market 4-H enrollment. We market other ways as well but feel this might reach new audiences. We currently serve over 700 youth but feel that we have so many more to reach. Looking at doing it the week of October 21<sup>st</sup> to display for downtown Trick-or-Treating on October 26<sup>th</sup>. S/ Kelsey Guadarrama, 4-H Youth Development Educator, 112 W Jefferson St, 574-935-8545

Ms. Guadarrama was unable to attend the meeting, but did submit the following letter with additional information:

Dear Board,

To promote 4-H enrollment some of our 4-H clubs and volunteers would like to “chalk” the sidewalks in the downtown area. There may be various clubs throughout the week of October 21, 2019 primarily after school that will be participating.

To avoid concerns with safety, we will be putting a plan into place. The volunteers that will be overseeing this project are “Screened” Volunteer leaders in the Marshall County 4-H program. Because they are screened, they are covered by a blanket liability insurance policy provided by Purdue University. Leaders will have the parent and/or the members participating in the project to “sign in and out” upon arrival and departure. Older 4-H members will be assisting younger members as well. The leaders and older 4-H members will be helping to assure that all members will be respectful, and will work safely in promoting 4-H.

We appreciate having this opportunity. Should you have any additional questions, feel free to contact us at the Purdue Cooperative Extension Office/Marshall County at the listed phone number below.

Thanks for your consideration.

Regards, Kelsey Guadarrama and Angela Smith

Board Members Culp and Milner moved and seconded to approve the request as presented. The motion carried.

Clerk-Treasurer Xaver presented the following request:

Please consider waiving a code violation charge and removing the lien on 108 N Liberty Street. Please see the attached explanation and request. S/ Robyn Hammonds, Office manager, 14447 Crest Ln, Plymouth, 574-952-1117

Ms. Hammonds was present to discuss her request and read the following attached letter to the board:

Freedom Home Solutions LLC is in the business of purchasing distressed properties, rehabilitating them and then making them available as high quality housing. In April, 2019, Freedom Home Solutions LLC purchased the property at 108 N Liberty Street in Plymouth. The property had been vacant for some time and was previously sold at a tax sale. Freedom Home Solutions LLC received only a quitclaim deed for the property and is working to clear the title along with repairing the physical structure. In the process, we have discovered that a previous owner incurred a debt to the City of Plymouth for a code violation and clean-up charge. While the documents do not indicate when the violation occurred, a lien for the delinquent charge was recorded against the property on December 14, 2018. Freedom Home Solutions LLC is asking the Plymouth Board of Public Works and Safety to consider waiving the charges incurred by a previous owner and removing the lien to clear the title to the property. We care about this community, and the purpose of our business is to increase the availability of quality housing in and around Plymouth. It is unfortunate that the previous owner did not adequately maintain the property, but we hope this board will work with us to make one more house available to Plymouth residents. Thank you for your consideration. Freedom Home Solutions LLC, Robyn Hammonds, Office Manager.

Clerk Treasurer Xaver explained that code enforcement sent a letter to the property owner and the matter was not attended to. The street department spent 4 man-hours on August 23 cleaning up the property and hauling away debris in a 1-ton truck at a total cost of \$250.00. The same situation resulted in the street department going back on October 3 which resulted in 2



man-hours at a cost of \$100.00. Bills were sent but not paid, which resulted in a lien being filed, all according to state code. The lien at this property is for \$400.00; \$350.00 in mowing and clean up expenses plus \$50.00 that we have to pay to the county to file and release the lien. The reason the city files liens and has them recorded is so that potential buyers have access to outstanding bills. Usually in instances when the city files a lien, it is the only option left to collect the bill. The City of Plymouth currently has a total of \$7,507 in mowing and clean up liens alone filed and recorded with the county.

City Attorney Surrisi added that he has heard Freedom Home Solutions LLC does great, quality work and the city is always looking to improve housing in the area. However, in this situation, incurring the expense of outstanding liens is part of the cost of doing business and a risk that is taken when a quit claim deed is performed. He noted that there has been city labor expensed including code enforcement, street department, and attorney time responding to the quiet title action filing with the county. He recommended that the city not waive the charges, but noted that if they do decide to waive then they should at least leave in place the \$50.00 expense that is not the city's expense, but rather the county's charges to file and release the lien.

Councilman Culp said that he believes the \$350.00 charges should be waived and the \$50.00 filing fees remain due from Freedom Home Solutions LLC.

Councilman Walters said he is concerned that if these charges are waived, then the board is now setting a precedence for future requests. However, he has seen the improvements to the property and appreciates the work that has been done.

Board Members Culp and Milner moved and seconded to waive the \$350.00 code violation charges and keep the \$50.00 filing fees in place. It was denied by roll call vote.

AYES: Culp, Milner  
NAYS: Senter, Walters  
ABSTAIN: Houin

Clerk Treasurer Xaver presented the following request:

Construction-Management and Design would respectfully request the boards permission to use a curtain burn system to clear brush at the future Centennial crossing site located just north of Randolph Dr. on Plymouth-Goshen Trail. This system allows for expedited clearing of brush while producing little to no smoke. This burning can be done at a time and schedule that is least obtrusive to the surrounding residents and public as well as the nearby airport. S/ Burke L Richeson, Attorney, 1906 N Oak Dr, Plymouth, 574-780-0393.

Mr. Richeson was present to discuss his request. He introduced Bill Voreis, a representative of the company that will conduct the burn. He explained the process for the curtain burn and noted that this is for brush and debris. Richeson said that they can work together with the board, fire department, airport, and neighboring residents to try and find days and times that might be a better window of opportunity to conduct the burns.

Fire Chief Rod Miller said it is a clean burn system and the airport has used it in the past.

Airport Manager Bill Sheley questioned if a highway permit needed to be obtained. He said that whatever the highway department takes into consideration, which would most likely be no smoke going across the highway, then that would cover the airport's concerns. If smoke is not going across the highway, then it will not go across the runway.

Voreis said there is a small amount of smoke when the fire is first lit, but after that there would be no smoke.

Sheley said this is in the airport's landing pattern, so he would need to be made aware of exact dates and times of when this will occur.

Walters asked how long it will take from start to finish to clear the brush and debris. Voreis said 3 to 4 weeks to clear the area including having a logging company come in to remove large logs. He noted that not all of this time will be spent burning; most of it will be taking the trees down. Walters also asked when they are anticipating the commencement of the project. Richeson said they are hoping within the next 30 to 45 days.

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Council Members Houin and Walters moved and seconded to approve the request, including coordination with the fire chief and airport manager. The motion carried.

Clerk Treasurer Xaver presented the following request:

Art in the Street – Blueberry sculptures. We are changing installation of blueberry sculpture to cement bases to avoid vandalism and to maintain them longer. Ozinga who provides bases will set sculpture in wet cement and let cure. We will need to move blueberry and cement base from Ozinga to its permanent location. Could street dept do that for us. Jim M. has shared he is okay with it but needs your approval. Parks Dept. will move it too if they go to a park location. Next blueberry, within 2 weeks. And expectation more to follow. Approval to move blueberry sculptures by Parks Dept. S/ Shelley Heiden, 7905 E 25 N, Knox, 574-274-4376

Shelly Heiden was present to discuss her request. Street Superintendent Jim Marquardt added that he does not think it will be a huge undertaking to help with this request. He did talk with Ms. Heiden about it before and he felt for liability reasons, the board needed to review the request. City Attorney Surrisi noted that he will put together a hold harmless agreement so if for one reason or another a blueberry was damaged in the moving process, the city is not held liable.

Council Members Culp and Houin moved and seconded to approve the request with the placement of an agreement. The motion carried.

Clerk-Treasurer Xaver presented the following request:

We have a leak at our house. Where has yet to be identified. We have a high bill this month and next month and would like a payment plan for at least the next 2 bills and to have penalties waived. S/ Jason Gritton, 309 Charles St, Plymouth, 574-440-5167

Mr. Gritton was presented to discuss the request. He said that there are two residences on one piece of land that are metered together. Over time, the bill has continued to increase and as the tenant, not the landlord, he is concerned about a leak and usage from the other property. He is requesting to set up a payment plan with the Clerk-Treasurer's office.

Utility Superintendent Davidson noted that he has spoke with Mr. Gritton, the resident in the other house, and the property owner. The property owner has been notified that he needs

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to have utilities put in his name due to the configuration of the water / water meter. There has been consideration by the owner to split the service and have each house individually metered.

Board Members Houin and Culp moved and seconded to approve the request to setup a payment plan with the Clerk-Treasurer's office and waive future penalties. The motion carried.

After further research by City Attorney Surrisi regarding the vote for the Freedom Homes Solution LLC request, he determined that the board can only take action by a majority vote and by having a tie there is no action taken and nothing would happen with the request.

John Large, representative from Freedom Homes Solution LLC, asked for the board to reconsider as the updates to the homes that they are making increases the city's tax revenue.

Board Members Culp and Milner moved and seconded to waive the \$350.00 code violation charges and keep the \$50.00 filing fees in place. It was passed by roll call vote.

AYES: Senter, Culp, Milner, Walters  
NAYS: No  
ABSTAIN: Houin

Members Houin and Walters moved and seconded to allow the payroll for October 15, 2019 and the claims for October 14, 2019 as entered in Claim Register #2019. The motion carried.

Board Members Houin and Walters moved and seconded to approve the following communications:

- September 2019 Fire Department Reports

There being no further business to discuss, Members Walters and Houin moved and seconded to adjourn the meeting. Mayor Senter declared the meeting adjourned at 6:53 p.m.

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Jeanine M. Xaver, IAMC, CMC  
Clerk-Treasurer

APPROVED:

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Mark Senter, Mayor

The following requests were forwarded to the proper committee to act upon:

9/7/2019 – Tree Request: I would like to see if you could tell me if this tree is the city or my landlord's. 1409 W Jefferson St Ply. S/ William D Wallace, 1409 W Jefferson St, 574-780-3230

9/24/2019 – Tree Request: Tree in front of our house needs to be trimmed. The branches are too low and it obstructs our view. House is on the corner of S. Michigan St. and Louisa. S/ Tim Craiger, 333 S Michigan St, Plymouth, 574-780-3924

9/27/2019 – Tree Request: Trees out by alley need removed – 1 big cottonwood other are group of ? 2 weeks ago in the wind storm cracked loud and I'm not sure which but I want them down for safety. S/ William Marsh, owner, 103 Gideon St, Plymouth, 574-806-2103

10/7/2019 – Tree Request: Remove tree stump. City cut three 2 months ago – left stump. Cut tree on West St & Ferndale. S/ John Wraight, 700 Ferndale, Plymouth, 574-767-0464