

REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, May 13, 2024

The Board of Public Works and Safety of Plymouth, Indiana, met in Regular Session at 6:00 p.m. on May 13, 2024. The meeting was held in the Council Chambers, on the second floor of the City Building, 124 N. Michigan St., Plymouth, Indiana.

Mayor Listenberger called the meeting to order. Listenberger presided for Board Members Don Ecker Jr, and Dave Morrow who were physically present. Board Members Duane Culp and Shiloh Milner were absent. City Attorney Houin and Clerk-Treasurer Gorski were also present. The public was able to see and hear the meeting through Microsoft Teams.

Board Members Morrow and Ecker moved and seconded to approve the minutes of the regular session of the Board of Public Works and Safety meeting of April 22, 2024. The motion carried.

Utility Superintendent Davidson gave the water improvement project updates with the water main extensions and the water tank renovation moving along. He explained that he and the Clerk-Treasurer went over the plans and specifications draft and made some corrections. He needs board approval for the advertisement as soon as possible as the tentative bid date would be June 10th. He explained that the one concerning part to them is ensuring that they get the water tank project moving as quickly as possible since they will have to contain the entire tank while sandblasting and the painting is very weather sensitive.

Board Members Ecker and Morrow moved and seconded to approve bid advertisement for the water improvement projects as presented. The motion carried.

Police Chief Weir brought to the attention of the board the National Child Safety Council (NCSC) and handed out fliers. He stated that he had approached SRO Hite last month and took in a goody bag of everything they offer. He explained that the NCSC sends out letters, that Chief Weir signs off on, to our community soliciting donations then put the donations in the Police Departments name. He had the City Attorney review the letter. He explained that any monies to be donated would go to the Police Department and then he would forward said monies to the NCSC's Safety Coordinator in Kokomo.

Ecker asked for clarification on how the funds are processed.

Weir replied that he didn't totally understand it. His understanding is that once the donations come into the Police Department, the City would make a check out to NCSC, then forward it to them. He would document the checks to know how much is in the account. He

stated once that account builds up, he can call and order items he would want ranging from items for children up to seniors.

Gorski asked why we would forward the money to NCSC and not just hold it in a gift fund. She stated once Weir has the funds he can then buy from NCSC.

Weir replied that he doesn't know the answers to the questions. He was just told by NCSC that he is to log the donations and forward them to NCSC for the City's account.

Gorski stated that she does not believe that is a good idea.

Weir explained that that is why he was bringing it before the board.

Mayor Listenberger asked if we have ever worked with this organization in the past.

Weir answered that they have not worked with this organization in the past, but stated that the NCSC has been around for a while and he is aware that Mishawaka is a part of it, along with other departments in the area. He explained that he did not quite understand the process which was why he brought it to the board's attention.

Ecker asked if there were other police departments involved with NCSC and would like to know what their procedure is before taking action. He stated he is concerned with the handling of the funds.

Gorski stated her feeling is if we receive donations for this fund, it should be earmarked as a monetary gift fund for the NCSC, then it will be held in city funds. Once they have enough funds to make purchases, they can use the funds from the gift fund or their budget to purchase whatever it is they need. Weir agreed.

Mayor Listenberger asked if he had signed up.

Weir replied that he had not as he wanted to bring it before the board first. He stated that he would reach out to Mishawaka to learn how they process the funds.

Ecker stated that he is sure they have a procedure or some ordinance in place to support this. He explained that going out there and doing this now would not be a good idea.

Morrow added that NCSC is welcome to attend our meeting.

Weir stated that he considered inviting them but he was uncertain of their schedule as they would be driving here from Kokomo. He explained that he wanted to gauge the response first before moving forward. He restated that he will get back in touch with Mishawaka and reach out to NCSC to see if they would be available to make the next meeting.

Weir stated that he would like to extend a conditional offer of employment to a specific individual who he is meeting with on Thursday. He added that he is their top candidate. He stated once an offer is made, his medical evaluation in Indianapolis will be scheduled which takes a good month or so.

Ecker asked if this is a contingency offer. Weir agreed. Ecker asked if this would fill out the Police Department.

Weir replied that it would be one of two as they plan to hire two people out of the group. He explained that they had it down to nine individuals and held interviews for two weeks, which narrowed it down to three.

Houin stated that approval is not necessarily needed but rather he is just updating the board. He explained that Police Chief has the authority to offer the position but he suggested he notify the board.

Board Members Ecker and Morrow moved and seconded to approve the request as presented. The motion carried.

Street Superintendent Marquardt stated that the City Engineer got all the plans complete for the upcoming paving projects. He explained that it is being advertised to return bids to the city for the June 10th meeting. He also explained that there will be a pre-bid meeting on May 23rd to go over the plans.

Mayor Listenberger asked for clarification that they will be due at the Clerk-Treasurer's Office by June 10th.

Marquardt responded in agreeance and explained that they would take the bids under advisement and ensure finances are in order before awarding them at the following meeting. He stated this has been earlier than previous years which is good.

Mayor Listenberger wished to thank City Engineer Sellers, Street Superintendent Marquardt, GIS Coordinator Chris Marshall and everyone else who was involved in helping with the Employee Appreciation Luncheon as they did a really great job. He added that he gave them a little bit of pressure. He also added that Mike Delp called and wished to commend the Street Department's sidewalk crew.

Clerk-Treasurer Gorski introduced a street closure request from St. Michael's Catholic Church for their Annual Holy Procession Walk. Jeanine Xaver was in attendance to answer questions.



St. Michael Catholic Church and School
612 N Walnut St.
Plymouth, IN 46563

REQUEST FORM
CITY OF PLYMOUTH

Date: May 6, 2024

Notice to BOARD OF WORKS, CITY OF PLYMOUTH, INDIANA

Kindly take care of the following request:

St. Michael Church will conduct a holy procession walk in honor of Corpus Christi (the Body of Christ) beginning at the Plymouth Columbus Club building and ending at St Michael Church. The walk will take place on Sunday, June 2, 2024, and we ask for permission to use the following streets from 9:15 a.m., to 10:00 a.m., Berkley Street, Polk Street, East Jefferson Street and North Center Street. We will request a police escort from the sheriff's volunteers for safety at intersections. Thank you in advance for your kind consideration.

Signed: *Fernando Jimenez* Rev. Fernando Jimenez Title: Pastor
Address: 627 N. Walnut St. Plymouth, IN 46563
Phone Number: 574-936-4935

Determination of request:

Approved by Board of Public Works & Safety on May 13, 2024

Return original to Clerk-Treasurer's Office after determination is complete.

Jane Gorski Clerk-Treasurer
Signed Title

Xaver stated that this is the same walk they take every year in honor of Corpus Christi that starts at the Knights of Columbus and ends at St. Michael's Church.

Morrow asked if this will be the same route they always take. Xaver agreed. Morrow asked how long Jefferson Street would be closed off for.

Xaver replied that it would not be closed as they will just be using the sidewalks.

Mayor Listenberger asked if they have thought about going through Founder's Park and over the bridge by the Conservation Clubhouse.

Xaver replied that she is sure they haven't thought about that as she believes a large portion of it comes down to visibility.

Board Members Morrow and Ecker moved and seconded to approve the request to block intersections for the Corpus Christi walk on 06/02/2024 as presented. The motion carried.

Clerk-Treasurer Gorski introduced a request to block parking spaces in front of the Wild Rose Moon. Brent Martin was in attendance to speak on behalf of this request.

REQUEST FORM
CITY OF PLYMOUTH

Date: 5/13/2024

Notice to BOARD OF PUBLIC WORKS AND SAFETY, CITY OF PLYMOUTH, INDIANA

Kindly review of the following request:

To use three (3) parking spaces on the ^{west} east side of
Michigan Street - 113-115 N. Michigan Street for construction
activities to complete the restoration of the Aldridge Medicine
and Wild Rose Moon facade.
Work to begin May 20, 2024 and to end July 3, 2024

Paul Whit on behalf of George Schrickler 574-930-9187 and 574-276-1115
Signed Phone Number

Paul Martin / George Schrickler 120 S. Buffalo, Warsaw, IN and
Print Name Address 113 N. Michigan Street, Plymouth

In-Office Only:
Determination of Request

Approved by Board of Public Works + Safety on May 13, 2024

Return original form to Clerk-Treasurer's office after determination is complete.

Jan Gorski Clerk-Treasurer
Signed Title

Martin stated that he was in attendance on behalf of George Schrickler, owner of Wild Rose Moon. He explained that last year major brick restoration work on the Wild Rose Moon was completed. He added the correction that Wild Rose Moon is actually on the west side of Michigan Street, contrary to the request. He stated that the mason will be returning May 20th for cleaning. Once he is complete, he will demobilize.

Ecker asked Houin if this would require INDOT approval.

Houin replied that it would not be as there is not a requirement for parking spaces.

Board Members Ecker and Morrow moved and seconded to approve the request to block parking spaces in front of 113-115 N. Michigan Street from 5/20/2024 – 07/03/2024 as presented. The motion carried.

Clerk-Treasurer Gorski introduced a safety request from Jan Lemler. Jan Lemler was in attendance to speak on behalf of this request.

REQUEST FORM
CITY OF PLYMOUTH

Today May 3, 2024
Meeting May 13, 2024
6:30

Notice to COMMON COUNCIL, CITY OF PLYMOUTH, INDIANA

Kindly review of the following request:

I Would like to address the Mayor & Common Council, in regards to access to ^{Safe} public pedestrian foot, bike, and motorize ^{slow} vehicles and the implementation of best ~~SAP~~ and execution of of best ~~of~~ safety practices by the Chief of Police and his officers in regards to pedestrian safety.

Signed *Jan L. Lemler* Phone Number *574-780-6344*
 Print Name *Jan L. Lemler* Address *510 W. Adams PLY, IN 46565*

Lemler explained that he had three items to discuss, the first being the Brightspeed tower on LaPorte Street. He believes the tower still belongs to Altec, who is the former owner of the building. He explained that he volunteers at Habitat for Humanity and almost one month ago he reported to the Police Department that the gate was wide open to that tower. He added that it is a huge safety concern as it is a fenced in area with barbed wire and signs that state high voltage. He is concerned that children will go in and climb the tower. He stated that he was unsure if the board was aware of the fact that the gate is still open.

He stated the next issue regarding bicycle and pedestrian infrastructure in the community that is of real concern. He stated one area is on Jefferson Street and the area by the Laundry Mat and the second near the Moose Lodge out towards Dairy Queen. He explained that there are no good sidewalks for bicycles or pedestrians. He stated that last Summer, one of the patrol officers saw him on his bicycle in the middle of Jefferson Street going towards town hugging the intersection. He stated he was told that a bicycle has the same right as a car, which they do, as it is not safe to be on the sidewalk on either side. He stated the officer told him that he would have to see the prosecutor as what he was doing was illegal. He identified the Officer as Police Chief Weir and stated that he found out that he was wrong.

He stated his final area of concern is also on Jefferson Street, near the Boys and Girls Club. He said that driving in a car, one would never notice, but there are several light poles that are planted in the center of the sidewalks. He explained that it is really difficult to maneuver with

a bicycle or even with a wheelchair and pointed out that they are not even handicap accessible. He said one cannot maneuver the pole in the sidewalk without getting off of the bike and walking it around.

Lemler said he is aware that progress is being made for sidewalks on Oak Drive. He shared that Dean Byers, one of his coworkers at Habitat for Humanity, has a boy in his neighborhood who works at Walmart. Byers takes him to work every day so that he does not have to risk getting hit, as he would otherwise have to walk on Oak Drive. He stated there are several areas in this city that are not bicycle or pedestrian friendly. He said when priorities come, he sees things in the paper like funding for new playground equipment in Centennial Park. He thinks that is great but believes safety should come first ahead of some of the other items.

He stated the last thing he wished to speak about was the enforcement of safety for pedestrians and bicycles. He stated he had two incidents in the last year-and-a-half where safety issues were violated with one being by a Police Officer who almost ran him off of the road. He said if he had not looked up at that moment, he would not be here today. He mentioned the incident to the council and the former Mayor last year and the Mayor asked him what he wanted from all of this. He replied that he did not want this to happen to anyone else in the future and a week later, a similar situation occurred taking the life of a boy who was walking on Oak Drive to get to his job at Wendy's. He stated that it is not safe to ride bicycles on Michigan Street or on the sidewalks during rush hour in Plymouth, Indiana because people do not understand that when you get up to Michigan Street, you have to stop behind the big white line then pull forward. He stated the same officer he is talking about, Weir, did that to him last Summer and many other Police Officers do the same thing.

There was no action taken on this request.

He stated that by it not being enforced, it is just enabling other people to do the same thing. He provided an example that occurred two weeks prior. He was heading south on the Michigan Street sidewalk, approaching the Baker Street stoplight. He stated he had the green light to go and went around a car that was parked too far forward and as soon as he got halfway through, he got hit by a car. He stated fortunately he had enough sense to look and threw his body on top of the car then laid on the ground. It was stated on the police report that he took to the meeting to share; however, the report was not shared with the board. He shared that it was very difficult to acquire a copy of the report from the Police Department and Police Chief Weir

REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, May 13, 2024

as they are not very cooperative. He stated he still does not have a copy of the report for an incident that occurred a year-and-a-half ago when Police Chief Weir almost ran him off of the road. He said Chief Weir told him earlier in the day that he has said report available, but it would cost him five dollars. He said that he asked Chief Weir why he was not charged for the first report that he was given and the reply was that the first one was a courtesy. Lemler's suggestion to the board was to suspend Police Chief Weir from his duties until further notice.

There was no action taken on this request.

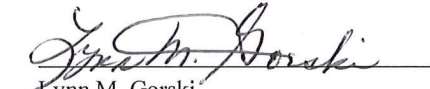
Board Members Ecker and Morrow moved and seconded to allow the payroll for April 30, 2024 and the claims for May 13, 2024, as entered in Claim Register #2024-9. The motion carried.

Board Members Morrow and Ecker moved and seconded to accept the following communications:

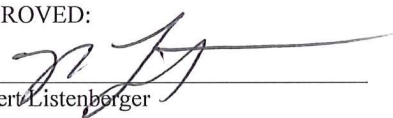
- May 13, 2024 Docket
- Plymouth Code Enforcement Activity Report – April 2024
- Plymouth Fire Department Activity Report – April 2024

The motion carried.

There being no further business, Board Members Ecker and Morrow moved and seconded to adjourn, Listenberger declared the meeting adjourned at 6:23 p.m.


Lynn M. Gorski
Clerk-Treasurer

APPROVED:


Robert Listenberger
Mayor

