

REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, September 9, 2024

The Board of Public Works and Safety of Plymouth, Indiana, met in Regular Session at 6:00 p.m. on September 9, 2024. The meeting was held in the Council Chambers, on the second floor of the City Building, 124 N. Michigan St., Plymouth, Indiana.

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

Board members Morrow and Culp moved and seconded to approve the minutes of the regular session of the Board of Public Works and Safety meeting of August 26, 2024. The motion carried.

Ecker reminded the board of the meeting two weeks prior that he had brought up the question about the Lake Avenue Railroad Crossing, which Patriot Rail Company operated. He stated Houin had started working on it in early January and had requested they put it back on the burner. He said that on Friday, September 6, 2024, at 10:00 AM, he had received an email from Katie Roller, Director of Public Affairs at Patriot Rail Company, and wanted to share it with everyone at the meeting. He added that he had forwarded it to the media, so everyone could be aware of what the plan was. The email read as follows:

“Good morning, Councilman Ecker,

I wanted to reach out to you to follow up on the rough crossing issue at Lake Avenue. Our engineering department is in the process of receiving bids for a larger project that will include a full rehab of this crossing. That project is scheduled to be completed Q2 of next year. In the meantime, we have added cold patch and will continue to patch as best we can until the construction work is underway. We appreciate the community's patience while we await the full rebuild.

Please keep my contact information handy and don't hesitate to reach out with any questions, requests, or concerns.

Sincerely,

Katie Chimelewski Roller | Director of Public Affairs

Patriot Rail Company”

Ecker stated he wanted to share it with everyone as it came about because of a media alert they received. He thanked Plymouth Pilot News, WTCA, and Max 98.3 for publishing it after the last meeting, as it was because of it that they responded, and he wanted the public to

be aware of the construction schedule. He said that they did not want to be difficult to work with and wanted to work with the community and administration within Plymouth. He shared that he had spoken with Roller that morning, and she confirmed how she was notified of it and agreed to continue to notify them on a regular basis regarding how things were proceeding. He commented, like anywhere else, people come and go, so they may have to start over again, but said he was pleased to see a response and took it seriously. He appreciated Houin for getting to it when time allowed and believed it would be good to put the contact on file.

Mayor Listenberger asked if he had mentioned that they had already done a little work.

Ecker explained that if they were to drive on Lake Avenue, they would notice that there had been some patching done. He stated he had not had the opportunity to drive there that day as he had been out of town but had asked Morrow that morning, and he had confirmed work had started. He explained it was already a slight improvement, but it would not be perfect until it was redone. He stated he was pleased to see there was some action taken on their part.

Mayor Listenberger added that it was great news and was surprised that nobody had received a flat tire yet.

Utility Superintendent Donnie Davidson stated that the Water Tower Project was in full swing and added that he never saw any trailers there that they were sleeping in, so he believed it had been resolved as they had some sites now that they were using. He explained the rigging had been completed as far as being able to contain the dust from the water tower once they started sandblasting the exterior. He said that they were currently sandblasting the inside and said that most of the safety requirements that OSHA had, as far as handrails and ladders, had been installed and said they were moving along very quickly. He shared that they had been working seven days a week in daylight until dark and said any requests they had had from the company had been quickly resolved, so they were very satisfied at that point with the project.

He shared the next project, which was the water main project with TGB Unlimited. He stated they were currently installing the new section on Douglas and Gilmore Streets with no problems. He explained it was anticipated that they would have two more crews, with one being on South Michigan Street by Bowen Printing and another crew starting to arrange their directional drilling on Jefferson Street within the next week or two.

He stated that the last project was the detention basin by the Neighborhood Center and said that the major excavation started that day and he was hoping it would be completed by the end of the week as there would still be a lot of seeding, erosion control, and additional piping. He reminded them there would be a lot of truck traffic, as there was a lot of material being removed, and said he appreciated everyone's patience as the result would be well worth it.

Street Superintendent Jimmy Marquardt stated, regarding Gibson Street, that they finished the sod work that Saturday.

Mayor Listenberger asked if the project was complete.

Marquardt replied that they still had to complete a walkthrough with E & B Paving, but said it was looking good and said he was sure they would get together soon as the project needed to be closed out that year for Community Crossings. He explained that there were some overruns from some soft soil areas and said he would see how that went.

He updated them on the street projects that year with Rieth-Riley Construction and said they were hoping to get Garro Street done by that same day, then that would only leave about 2-3 more streets to complete. He said they were hoping to be done with their paving the following day, leaving them with some restoration work. He stated that the late summer projects would then be complete.

He shared regarding the electric truck grant that they had gotten with Oliver Ford and had the trucks ordered. He explained that Steve Kaiser of Oliver Ford had been very upfront in telling them where everything was, had gotten VIN numbers into the plan, and said that the ETA for delivery was December 1, 2024. He added that he was not sure if they would get the project completed that year as they still had paperwork to complete and the charger to install at the park.

Mayor Listenberger believed that December 1st seemed reasonable. He then commented that Airport Manager Bill Sheley had some news that night but was going to reserve it for the council meeting.

City Attorney Houin introduced Executive Order 2024-03, Regarding Partial Obstruction of Sidewalk.

Houin explained that it was for JGM Properties, which was George Schricker's building on Michigan Street. He stated that he had gone in the previous week to inform him and the mayor that he needed to do some work on the façade of the building to finish up the

bigger project he had been working on but needed a lift to complete it. Houin stated that he had an opportunity to rent one the previous week, so he put together an executive order to allow him to place the lift on the sidewalk. He assured them that he would never block the entirety of the sidewalk, but said he might have to move it back and forth but would always leave five feet for ADA access on the sidewalk.

Board members Morrow and Ecker moved and seconded to ratify Executive Order 2024-03, Regarding Partial Obstruction of Sidewalk as presented. The motion carried.

Board members Culp and Milner moved and seconded to take a street closure request from Koontz Lake Brewery off the table. The motion carried. Jess Johnson was present to speak on behalf of the request.

Johnson explained that she received an email from Marshall of Shade Master after asking him if it would be okay to use their parking lot and if they would be comfortable with them closing the road and he was comfortable with the request. She said that she had left a message for the Bristle County Excise Office that Friday regarding the 1-day alcohol permit.

Ecker asked if they still planned to fence the entire grass area off and if there would only be one entrance into the event. Johnson agreed.

Mayor Listenberger stated that he had stopped by and visited with Mr. Keirn, who owned the insurance company on the corner of Fifth Street and Jefferson Street. He said that Mr. Keirn offered his backyard for employee parking and said that he was in support of the request. The mayor added that he enjoyed a beer while he visited as well!

Ecker asked if they still needed the timeframe from 8:00 AM to 12:00 AM.

Johnson replied that she would like to amend the time to be one hour outside the allotted festival time they were planning on so it would be from 11:00 AM to 11:00 PM.

Ecker asked for clarification that the festival would end at 10:00 PM. Johnson agreed.

Milner stated there was still the question of where they would shut the street off as the request was just north of the alley up to Madison Street but was brought up that they would shut down from Jefferson Street to Madison Street.

Mayor Listenberger believed that if people were to pull in and realize they could not go through, they would have to maneuver their way out.

Milner commented that the homeowners in the alley could still enter in off of Beerenbrook Street to get behind their homes where they park, but asked if it made more

sense to put a sign showing that the road would be closed ahead at Jefferson Street and still shut it down just north of the alley.

Gorski pointed out that if the street were closed at Jefferson Street, then that would knock off the Shade Master parking.

Culp asked Marquardt if he had a sign that said "Temporary Road Closure".

Marquardt replied that they had a sign that said "Road Closed Ahead" and said they could put a sign on the corner that said "Road Closed" and do a hard closure just north of the alley.

Johnson shared that in her suggestion to Marshall of Shade Master, she asked if they could utilize the employee parking there so nobody parked in front of the brewery when they were trying to set up, and so customers were not trying to get there to get the good spots. She said that way it would just be employees and said they would be there before they opened and after it ended.

Mayor Listenberger commented that there was still the grassy area behind the insurance company and said he was unsure who wanted to use it.

Johnson replied it was not something she had thought about but said it would probably be for extra equipment if they had any.

Mayor Listenberger asked if they had done that type of event at Koontz Lake before and asked what size of crowd they were expecting.

Johnson replied that they did not have exact numbers as far as who went last year but said she oversaw tickets then and was stuck in one spot for 12 hours. She said they had parking across the street as the owner of Koontz Lake Brewery, Roger Holston, owned the rental properties, so the employees all parked there, while event attendees parked wherever there was parking. She stated that with the event being in front of the building and in the empty lot, they were hoping to use the snow fencing to block in the area far enough into the lot so it would allow for parking along it since there were no curbs on the lot. She stated it would also offer a buffer to keep people more contained.

Mayor Listenberger asked if they were talking about 200-300 people.

Johnson replied that Holston believed it would be 200-400 people and added that it was not at one time but rather throughout the event.

Ecker asked her to restate the times she was requesting.

Johnson replied 11:00 AM to 11:00 PM.

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Culp asked if any paperwork had been filled out for using the lot across the street.

Johnson replied that the only paperwork she filled out was for the request to close the street two weeks ago.

Culp rephrased his question regarding Alcohol Excise.

Johnson replied she did not verify but believed that Holston had done it originally.

Mayor Listenberger asked for clarification that Holston did complete some paperwork with the Alcohol Excise.

Johnson replied that it was where he told her to get the paperwork from.

Mayor Listenberger asked if he had or had not started the paperwork.

Johnson replied that she was not sure either way if he had or had not. She explained that it was a little difficult to get answers from him as much as she tried.

Culp stated she could get the paperwork off of the internet.

Johnson replied that she had tried to but needed an account. She stated she was not able to get the information from Holston.

Culp explained that she could go to in.gov under alcohol and then forms and said it would be for a 1-day permit.

Johnson replied that she believed he had gotten a permit, from what he said, but she could not get a copy as she needed the login information.

Culp said that they could hold the event on their own property, but they could not hold it across the street.

Johnson replied that he owned the property.

Culp replied that the alcohol license was not for that property.

Morrow commented that they could potentially lose their license if they did not fill out the proper paperwork. He added that ~~their~~ **our** job was just for the road closure and said the rest was the applicant's responsibility.

Johnson replied that she would take care of it.

Board members Ecker and Milner moved and seconded to approve the request to close Fifth Street on September 21st from Koontz Lake Brewery with the revised time of 11 AM to 11 PM. The motion carried.

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REQUEST FORM
CITY OF PLYMOUTH

Date: 07 AUG 2024

Notice to BOARD OF PUBLIC WORKS AND SAFETY, CITY OF PLYMOUTH, INDIANA
Kindly review of the following request:

ON BEHALF OF KOSCHY LAKE BREWING CO.,
WE RESPECTFULLY REQUEST PERMISSION TO CLOSE ACCESS
TO FIFTH STREET ON SATURDAY, ~~10th~~ SEPTEMBER
21st, 2024. THE PROPOSED CLOSURE WOULD BEGIN AT THE
ALLEY NORTH OF SHADMASTER WINDSON TIRETINY, AND
END AT THE ROAD W MADISON STREET. THE CLOSURE
OF APPROX. 175 FEET, WOULD COVER THE FRONT OF THE
BREWERY FOR OUR OKTOBERFEST TAPPING, 9A-12A (HOURS)
Signed: [Signature] 574-241-1445 (cell) OVER, PLEASE ->
JESS JOHNSON 529 N FIFTH STREET, PLYMOUTH
Print Name Address (BREWERY LOCATION)

THE PURPOSE OF THE ONE-DAY CLOSURE WOULD BE
TO ENSURE THE SAFETY OF ALL PATRONS, EMPLOYEES,
AND VOLUNTEERS, WHILE CROSSING BETWEEN THE
FESTIVAL IN THE GRASS LOT, AND THE BREWERY
BUILDING ITSELF.

WE WILL HAVE OUR OWN TRAFFIC SAFETY
CONES TO MARK THE ROAD CLOSURE, SHOULD IT
BE ALLOWED.

THANK YOU FOR YOUR CONSIDERATION.

In-Office Only:
Determination of Request

Request Requested
10/24 Requested time from 11am to 4pm. Road of Public
Works & Safety approved request 9/9/2024

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

[Signature] Clerk-Treasurer
Signed Title

Johnson asked for clarification of where the street closure would be.

Milner replied that it would be as written, so it would be north of the alley.

Board members Ecker and Morrow moved and seconded to allow the payroll for
August 30, 2024, and the claims for September 9, 2024, as entered in Claim Register #2024-
17. The motion carried.

Board members Ecker and Milner moved and seconded to accept the following
communications:

- September 9, 2024, Docket
- August 27, 2024, Technical Review Committee Minutes
- Code Enforcement Activity Report, August 2024
- Building Commissioner Activity Report, August 2024
- Fire Department Activity Report, August 2024

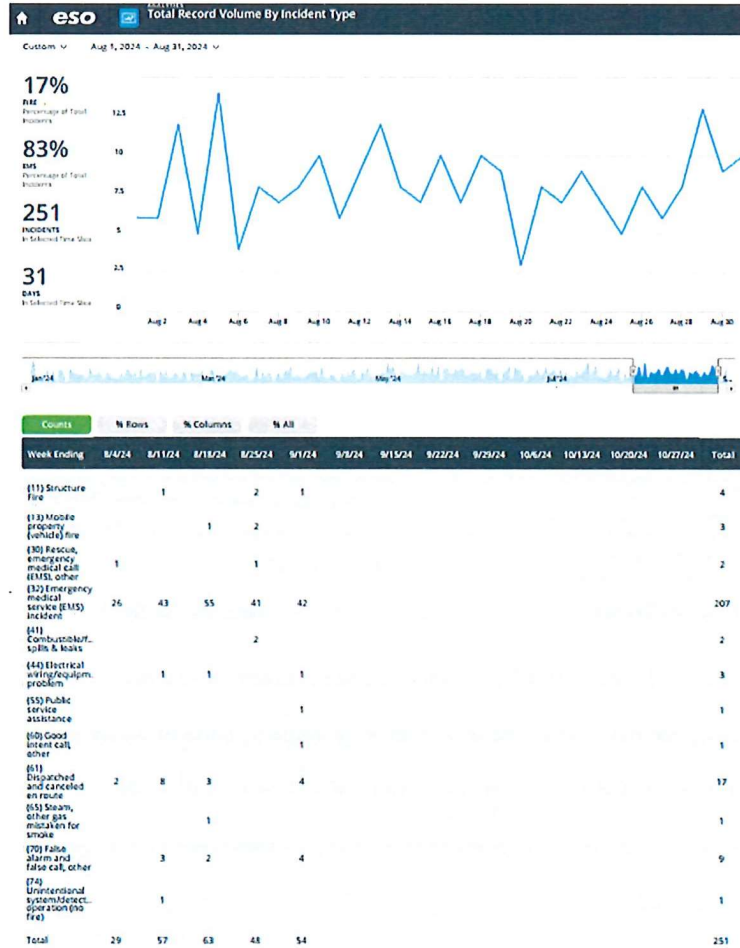
The motion carried.

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

[Signature]
Lynn M. Gorski, Clerk-Treasurer

APPROVED:

[Signature]
Robert Listenberger, Mayor

**BUILDING COMMISSIONER****Code Enforcement****Activity Report Summary 2024**

Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Tall Grass					23	8	8	4					43
Owner Complied					18	6	7	2					33
City Action (Mowed)					5	2	1	2					10
Action Pending													
Abandoned or Junk Vehicles													
Owner Complied													
City Action (Towed)													
Action Pending													
Debris/Junk on Property	4	5	4	8	2	1	4	6					34
Owner Complied	4	3	3	6	2	0	4	5					32
City Action (Cleaned)						1							1
Action Pending		2	1	1	0	1	0	1					1
Fowl/Livestock							3						3
Owner Complied													
City Action													
Action Pending							3						3
Signs in Public Right of Way (Removed)				1	2	0	0	0					3