

REGULAR SESSION, COMMON COUNCIL, December 9, 2024

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session on December 9, 2024. The meeting was held in the Council Chambers, on the second floor of the City Building, 124 N. Michigan St., Plymouth, Indiana, and was called to order at 6:46 p.m.

Councilman Ecker offered prayer, and Mayor Listenberger led the Pledge of Allegiance.

Mayor Listenberger presided over Council members Duane Culp, Don Ecker Jr., Randy Longanecker, Shiloh Carothers Milner, and Dave Morrow, who were physically present. Council members Kayla Krathwohl and Linda Starr were absent. 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.

Council members Ecker and Morrow moved and seconded to approve the minutes of the regular session of the Common Council on November 25, 2024, as presented. The motion carried.

NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS

Notice is hereby given to the taxpayers of the City of Plymouth, Marshall County, Indiana that the proper legal officers of the Common Council at their regular meeting place of the Council Chambers of the City Building, 2nd Floor, 124 N Michigan Street (Garro Street entrance), Plymouth, Indiana immediately following the Board of Works meeting at 6:30 p.m., Monday, December 9, 2024, will consider the following additional appropriation in excess of the budget for the current year:

Fund Name: Community Improvement
Major Budget Classification: Other Services & Charges
Amount: \$21,000.00
Fund Name: City Bldg Proj. Sinking
Major Budget Classification: Other Services & Charges
Amount: \$310,025.00

Fund Name: City Bldg Proj. O&P
Major Budget Classification: Other Services & Charges
Amount: \$1,000.00
Fund Name: E. LaPorte Bridge Rehabilitation/Repair Project
Major Budget Classification: Other Services & Charges
Amount: \$1,766.00
Taxpayers appearing at the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the Department of Local Government Finance (DLGF). The DLGF will make a written determination as to the sufficiency of funds to support the appropriation made within fifteen (15) days of receipt of a Certified Copy of the action taken. Handicapped citizens needing special accommodations for the meeting, please call the ADA Coordinator, 574-938-2348.
Lynn Gorski, Clerk-Treasurer
November 26, 2024 -P

November 26, 2024 10:15 AM

Council members Ecker and Longanecker moved and seconded to open the public hearing for the Additional Appropriations Resolution. The motion carried.

Gorski stated there were four additional appropriations and this would be the final additional appropriation of this year. She stated the first would be for Community Improvement and that was the fund that pays for the Commercial Revitalization Rebates. She explained an additional \$21,000 was needed and that this would be the second time they needed additional appropriations for this fund. She stated these were for rebates over and above what was budgeted for the 2024 budget. She stated the next two appropriations would be for the Plymouth Redevelopment Authority (RDA). She explained that the State Board of Accounts (SBOA) now requested that the city make Annual Financial Reports (AFR) for the RDA, that these were two different funds that the bonds and trustee fees are paid out of. She stated the first one in the City Building Project Sinking fund was in the amount of \$310,025 for Bond & Interest payments and the second was in the City Building Project O&R fund in the amount of \$1,000 for the Trustee fee. She stated the final additional appropriation was for the E. LaPorte Street Rehabilitation/Repair Project in the amount of \$1,766 for the city's portion of the grant that was over and above the amount that INDOT approved.

Ecker asked if that would close the E. LaPorte Street project.

Gorski replied that it would close the project as far as she was aware.

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Mayor Listenberger asked Houin to explain what they were planning to do for the façade grants (commercial revitalization), so they understood better what was available to them.

Houin stated that one of the Comprehensive Plan subcommittees had been working on the façade grant program and they were looking to make a couple changes to the grant. He stated that one of the key changes would be to set an annual cap on the amount to be distributed. He stated when the budget would be prepared in late Summer or in the Fall that they would know what was budgeted for the following year and then that would be the limit. He stated that once it was spent, that would be all that could be applied to that program in that year without appropriating more. He stated that they were working on a couple of the changes that would come to them in early January as an ordinance to amend that program and they were looking to make some changes to the fund agreement with the Community Foundation. He stated that he was not able to make it yet so the expectation would be early January.

Mayor Listenberger asked if they would be looking at additional appropriations again in 2025 for that fund.

Houin replied that they already budget a certain amount for that program and there historically had never been a cap on it. He stated that some years, the council had not awarded the full amount, but other years, like 2024, they had awarded more than what was budgeted for it. He stated there was never a cap and it was never consistent so that would be one of the things they would be looking to do so they could be more consistent with applying the budgeted amount. He stated it would make it more clear to the applicants for what was available. He stated they would also change the way that some of the awards were made so that they could have a greater impact while staying within that budget limit.

Longanecker asked how they were coming up with that cap. He asked if it was an average over the years.

Houin replied that it would be whatever was budgeted. He added that he was not sure what that number would be. He stated as they worked on the budget for the following year, they could review historically and how much the fund was earning. He believed that much of the money was invested in a fund at the Community Foundation, so it came down to what the distribution was. He stated that part of the idea was that the very simplest way would be in June, when the Community Foundation issues the distribution notices, that it would give them time to budget that amount for the following year. He stated that it would be based upon that investment return.

Ecker asked if it was under consideration to change the cap amount that they allowed over past years per award.

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Houin replied that it was currently 20% up to \$25,000. He stated the proposal would be an allowed 50% of the project price up to a \$10,000 maximum. He stated that historically, very few of the grant awards had been over \$10,000, but they have had a few outliers, especially this year, which caused them to go way over what was budgeted. He stated that historically, most of the applications were for less than \$10,000 so they could stay within that cap while awarding 50% of the project price up to \$10,000, which would allow for a greater impact on the project. He stated that it would spread it out and allow for greater impact on more projects.

Ecker asked while they transitioned to this new program, if they would be able to have a running balance with the budget. Gorski agreed.

Houin replied that it may be like the way department heads monitor their budget lines currently, which shows how much was spent and how much was remaining every month. He stated it could be tracked so they know. He stated that every time an application was submitted, they should be able to identify what was left in the budget.

Mayor Listenberger stated that he was happy that it was explained so that they could have a better handle going forward. He stated he was curious about what that distribution normally was. He asked if we knew how much it historically was.

Houin replied that Gorski would have that information as she had been sharing that information with the committee all along.

Mayor Listenberger stated that since he had been on council, they had been unsure of the available funds so this would give them a firm amount.

Morrow asked what the original budget was for rebate fund.

Mayor Listenberger and Gorski were unsure at that time without reference.

Morrow asked if this was the first appropriation that they had done for this line item.

Gorski replied that it was not and that it was at least the second appropriation this year.

Culp asked what the appropriation was for \$310,025.

Gorski replied that it was bond fees for the revitalization of the city building. She stated they would be paying that bond until 2027.

Ecker asked for clarification that the SBOA was requiring this change.

Gorski replied that SBOA was requiring this change for the Redevelopment Authority to put this into an AFR.

Council members Ecker and Longanecker moved and seconded to close the public hearing for the Additional Appropriations Resolution. The motion carried.

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Morrow complimented the Parks and Street Departments on the Christmas decorations and that they were beautiful. He stated as it was getting dark earlier, he really appreciated the yield lights at the intersection of Baker and Randolph Streets. He believed as a council, they should approve money to put lights in every place there was a Greenways Trail crossing that was not an intersection. He stated that it really informs drivers that there may be pedestrians in the area.

Gorski commented that because those lights are flashing 24/7 that people ignore them. Longanecker agreed. Gorski stated that she believed if it was something that we should do that it would need either an on/off button or a push button to make it start flashing so that cars are more aware.

Longanecker added that people have been flying through them without hesitation.

Mayor Listenberger asked Street Superintendent Jimmy Marquardt if they had the technology on those devices to do that.

Marquardt replied that those devices were solar powered and always on. He stated that they had the ability to turn them off whenever they wanted to, but they were always on. He stated there was technology out there as to where they could.

Longanecker stated there was the HAWK Pedestrian Crossing that was typical in school zones, and they are often a lot more money.

Marquardt stated that they were often referenced at the Complete Streets Committee meetings.

Mayor Listenberger stated that much of what Morrow had said had been identified already and they wished to do more of that. He asked if those two flashing yield signs came about from Michiana Area Council of Governments (MACOG).

Marquardt replied that it was from MACOG and the School Corporation.

Longanecker stated his interpretation was that it would be for soccer traffic, but it had just continued. He stated he agreed with Gorski's comments as he saw people ignoring the light every morning.

Mayor Listenberger touched on Morrow's comments about the Christmas decorations and stated they also had a parade that was well attended. He stated it was cold, but their Christmas trees were looking nice down at River Park Square. He thanked all those involved.

City Attorney Houin introduced Ordinance No. 2024-2235, An Ordinance to Amend Ordinance No. 2024-2229R, the 2025 Salary Ordinance on second reading.

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Council members Ecker and Morrow moved and seconded to approve Ordinance No. 2024-2235, An Ordinance to Amend Ordinance No. 2024-2229R, the 2025 Salary Ordinance on second reading. The motion passed by roll call vote.

Councilmembers in Favor: Culp, Ecker, Longanecker, Milner, Morrow

Councilmembers Opposed: N/A

Councilmembers Absent: Krathwohl, Starr

City Attorney Houin introduced Ordinance No. 2024-2235, An Ordinance to Amend Ordinance No. 2024-2229R, the 2025 Salary Ordinance on third reading.

Council members Morrow and Ecker moved and seconded to approve Ordinance No. 2024-2235, An Ordinance to Amend Ordinance No. 2024-2229R, the 2025 Salary Ordinance on third reading. The motion passed by roll call vote.

Councilmembers in Favor: Culp, Ecker, Longanecker, Milner, Morrow

Councilmembers Opposed: N/A

Councilmembers Absent: Krathwohl, Starr

ORDINANCE NO. 2024-2235
 AN ORDINANCE TO AMEND
 ORDINANCE NO. 2024-2229R, THE 2025 SALARY ORDINANCE

Statement of Purpose and Intent

The purpose and intent of this ordinance is to effectuate the proposed amendments to Ordinance No. 2024-2229R, An Ordinance Fixing Salaries of Appointed Officers and Employees, Fire and Police Personnel of the City of Plymouth, Indiana for the Year 2025, and to implement other policy changes regarding salary exempt status of three positions within the Office of the Mayor, Department of Law and Public & Recreation Department along with Additional Specialty Pay in the Police Department.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Plymouth, Indiana as follows:

Section 1. Within the provisions of Ordinance No. 2024-2229R addressing the Office of the Mayor, Department of Law, Park & Recreation Department and Police Department salaries are as follows:

OFFICE OF THE MAYOR			
Protection of the City Coordinator	_____	\$52,624.08	per yr
DEPARTMENT OF LAW			
Human Resources Manager	_____	\$50,032.20	per yr
PARK & RECREATION DEPARTMENT			
Pool and Recreation Director	_____	\$50,710.56	per yr
POLICE DEPARTMENT			
Additional Specialty Pay: Officer will be paid an additional .25 per hour that are trained and provide any or all of the following services (with a certificate tacked into payroll):			
1.0. IMA25 Certification			

Section 2. The first payroll for the above employees beginning the first payroll in January 2025, will reflect the rate of pay established by this amendment. All other aspects of Ordinance No. 2024-2229R will remain in full force and effect.

PASSED AND ADOPTED this 9th day of December, 2024.

ATTEST:

Lyn M. Goski
 Lyn M. Goski, Clerk-Treasurer

Presented by me to the Mayor of the City of Plymouth, Indiana on the 9th day of December, 2024, at 8:00 o'clock p.m.

Robert Listebarger
 Robert Listebarger, Mayor

Approved and signed by me this 9th day of December, 2024.

Robert Listebarger
Robert Listebarger, Presiding Officer

Robert Listebarger
Robert Listebarger, Mayor

City Attorney Houin introduced the 2025 Agreement for Transportation Services.

Ecker asked if the amount was the same as prior years. Houin agreed.

Council members Ecker and Milner moved and seconded to approve the 2025 Agreement for Transportation Services as presented. The motion passed by roll call vote.

Councilmembers in Favor: Culp, Ecker, Longanecker, Milner, Morrow

Councilmembers Opposed: N/A

Councilmembers Absent: Krathwohl, Starr

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AGREEMENT FOR TRANSPORTATION SERVICES

This agreement is entered into by and between the CITY OF PLYMOUTH, a municipal corporation of the State of Indiana acting by and through its duly elected Common Council, hereinafter referred to as "the City," and the MARSHALL COUNTY COUNCIL ON AGING, INC., an Indiana not-for-profit corporation with Federal Identification Number 35-1522711, hereinafter referred to as "Older Adults."

Statement of Purpose and Intent

Older Adults manages a program entitled "Marshall County Public Transportation Program" which in part provides partially subsidized public transportation to citizens of Marshall County, including citizens of Plymouth. For several years, the City has contributed to the funding of this public transportation program. The City desires to continue with its financial support of public transportation for the citizens of Plymouth and Older Adults desire to maintain the program into 2025.

NOW, THEREFORE, in consideration of the mutual promises and subject to the terms and conditions listed below, the parties agree as follows:

1. SERVICES TO BE PERFORMED

Older Adult agrees to maintain the Marshall County Public Transportation Program in its present form which consists of providing public transportation to citizens of Plymouth for a nominal and subsidized fee.

2. VOLUNTARY AUDIT AT REASONABLE TIME WITH REASONABLE ADVANCED NOTICE

Older Adults agrees to allow the City, or the City's designee, to audit all records of Older Adults related to the Marshall County Public Transportation Program at all reasonable times and with reasonable advance notice, to ensure that Plymouth citizens are being adequately served by the program relative to the monetary subsidy provided by City.

3. NON-AGENCY RELATIONSHIP

The parties specifically agree that one is not the agent of the other. In other words, Older Adults acknowledges that, in managing and providing services to the citizens of Plymouth, it is neither an agent of the City, nor in any way takes direction from the City in its management of the program, or Older Adults supervision of and relationship with the drivers providing services to citizen riders.

4. HOLD HARMLESS

Older Adults agrees to hold the City harmless from any cause of action arising out of Older Adults' management of the Marshall County Public Transportation Program or its supervision of the employees providing services to citizen riders.

5. SUBSIDY PAYMENT FOR SERVICES

In exchange for the performance of the obligations of this Agreement by Older Adults, City shall pay to Older Adults the annual sum of \$10,000.00, payable in at least semi-annual increments throughout the calendar year 2025. Older Adults shall prepare and submit to the Office of the Clerk-Treasurer a duly executed claim in proper form, with any other documentation requested by the Clerk-Treasurer.

6. BINDING AGREEMENT

This Agreement shall be binding upon the parties pursuant to its terms and conditions and both parties acknowledge each is duly authorized to enter into, effectuate and carry out this Agreement pursuant to said terms neither this Agreement nor any interest therein may be assigned by either party without the prior written consent of the party being first had and obtained.

7. TERM OF AGREEMENT

It is agreed the effective date of this Agreement shall be January 1, 2025, and that this Agreement shall be in full force and effect for the entire calendar year of 2025.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this ____ day of _____, 2024.

"CITY"

Robert Listenberger, Mayor

ATTEST:

Lynn M. Gorski, Clerk-Treasurer

"OLDER ADULTS"

Signature: _____

Printed Name: _____

President, Board of Directors
Marshall County Council on Aging, Inc.

ATTEST:

Gorski stated that the City had received a donation from Plymouth Foundry in the amount of \$1,250.00 to be used for Sponsorship Decals on Police Cars. She asked if they wished to accept the donation with restricted terms, conditions and purpose attached to the donation. She added that the donation would be receipted into the City Monetary Gift Fund.

Council members Ecker and Milner moved and seconded to approve the donations as presented. The motion carried.

City Attorney Houin introduced Ordinance No. 2024-2236, An Ordinance to Amend Fees Regarding City-Owned Electric Vehicle Charging Stations on first reading.

City Attorney Houin introduced Ordinance No. 2024-2237, An Ordinance to Allow Commercial Activity on Sidewalks on first reading.

Houin stated this came out of a committee with Councilman Morrow, Councilman Longanecker, and Councilwoman Starr. He stated this came about from the discussion about obstructions on the sidewalk. He explained that this ordinance tries to make it as simple as possible but still allow sidewalk activity downtown while complying with the code requirements that were previously mentioned.

Longanecker stated that we do have some flowerpots and we can work with the businesses if they desire to place items outside their establishments.

Superintendent Marquardt has one concern which is placement of items close to the curb. If items are not removed before it is time for snow removal such items may be damaged either by the

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State Highway with plowing or our Street Department removing piles of snow. Marquardt requested that the items be removed, and the items are still there and decorated for the holiday season.

Building Commissioner Manuwal stated that when he spoke to the owner of the Brass Rail they stated that they planned on having the items removed by Fall.

Houin will review this ordinance before it comes back for second and third readings.

City Attorney Houin introduced Ordinance No. 2024-2238, An Ordinance Regarding Permit and Application Fees for the City of Plymouth on first reading.

There was discussion on the other fees that were listed in Ordinance No. 2024-2238. Houin stated the only fees that are currently in the ordinance to amend are associated with the Building Commissioner, and all other fees will be addressed at a later date.

City Attorney Houin introduced Resolution No. 2024-1134, Additional Appropriations Resolution.

Council members Ecker and Milner moved and seconded to approve Resolution No. 2024-1134, Additional Appropriations Resolution. The motion passed by roll call vote.

Councilmembers in Favor: Culp, Ecker, Longanecker, Milner, Morrow

Councilmembers Opposed: N/A

Councilmembers Absent: Krathwohl, Starr

Mayor Listenberger introduced David Rainey with Veridus Group to discuss the public safety project of either building new or remodeling the existing fire and police stations.

Rainey stated that the Veridus Group is out of Indianapolis and works across the state. Veridus consists of three groups, Owner's Technical Representation, Community & Economic Development and Civil Site Development. They work with the owner, architect and construction manager. Phase I is the Project Development Service that we are discussing here tonight with a cost of \$40,000.00. This is all done to develop a program of the conceptual cost of the project. Veridus Group helps guide through the whole process from development, pre-construction, construction and pricing. After Phase I, is complete with the decisions of whether we recommend remodel or replacement of the facilities then we would identify the costs of Phases II – IV, to deliver the entire project. Veridus has a lot of experience in public safety, both police and fire. The first Phase will be a six-to-seven-month period for understanding the project.



INTRODUCTIONS



VERIDUS

GROUP

OWNER'S TECHNICAL REPRESENTATION

- Pre-Construction Representation
- Project Management
- Capital Program Management
- Construction Process Management
- Building Operations Strategy
- Maintenance Planning


COMMUNITY & ECONOMIC DEVELOPMENT

- Community Engagement
- Market Research and Studies
- Strategic Planning
- Workforce Development
- P3 Negotiations
- Real Estate / Redevelopment

Civil Site Development



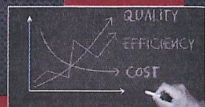

- Site Planning and Design
- Stormwater Analysis
- Utility Design
- Sustainable Design
- Grading and Drainage
- SWPPP






OUR PROCESS

- **Phase I – Project Development Services**
 - Key - Define Vision / Development Principles
 - Identify Project Delivery Method
 - Stakeholder Engagement
- **Phase II – Pre-Construction Services**
 - Design Development
 - Public Engagement
 - Key - Perform Risk Assessment
 - Key - Value Engineering
- **Phase III – Construction Period Services**
 - Key - Data Management / Schedule and Cost Controls / QAQC
- **Phase IV – Commissioning / Closeout & Warranty**
 - Key - OFE / Project Manual / Last Mile®
 - On-Going Management





Listenberger questioned if this initial phase would include bringing in an architect for the \$40,000.00.

Rainey stated that no, the \$40,000.00 is their fee, there would be additional fees for an architect for renderings.

Longanecker asked for clarification on their staffing regarding engineers, architects, and construction managers and if these would all be outsourced.

Rainey stated that the CM would be hired by the City or through Veridus with the fees built into one of the Phases.

Listenberger asked if we would need to engage an architect during this discovery stage.

Rainey replied that the City would need to engage an architect at an additional cost of between \$40,000 and \$60,000.

Morrow stated Phase I is bigger than he initially thought it was.

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Listenberger though the architect was included with the Phase I proposal.

Ecker proposes this be tabled for a future expenditure. We need to figure out where we are going to pay for this. Longanecker agreed.

Rainey stated that Veridus' goal is to help deliver a very complicated project that you have needed for a long time.

Houin updated the board on ONE Marshall County and stated there is not much to update on at this time, they are still focused on committee work.

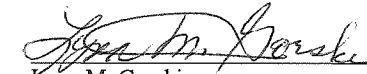
Houin updated the board on the Comprehensive Plan Committees. He stated we had our first annual recap celebration and meeting. MACOG is working on an online progress tracker and highlights what has been accomplished and what we are still working on. Eventually this will be linked to the city's website so that the public can see it anytime.

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


- Minutes of the Board of Public Works and Safety meeting of November 25, 2024
- December 9, 2024 Check Register
- November 26, 2024 Technical Review Committee Minutes
- November 4, 2024 Park Board Minutes
- November 6, 2024 Plan Commission Minutes
- October 1, 2024 Board of Zoning Appeals Minutes

The motion carried.

There being no further business to come before the Council, Council members Longanecker and Morrow moved and seconded to adjourn. Mayor Listenberger declared the meeting adjourned at 7:49 p.m.


Lynn M. Gorski
Clerk-Treasurer

APPROVED


Robert Listenberger, Mayor