

The Board of Public Works and Safety of Plymouth, Indiana, met in Regular Session at 6:00 p.m. on February 10, 2025. 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 Culp and Morrow moved and seconded to approve the minutes of the regular session of the Board of Public Works and Safety meeting of January 27, 2025, as presented. The motion carried.

City Attorney Houin and Utility Superintendent Donnie Davidson made a last call for quotes before opening the quotes as follows.

CITY OF PLYMOUTH, INDIANA		
2025 3/4 TON PICKUP TRUCKS FOR WATER & WASTEWATER		
QUOTES RECEIVED: FEBRUARY 10, 2025		
TRADE-INS	OLIVER FORD LINCOLN 1001 E JEFFERSON STREET PLYMOUTH, IN 46563	AUTO PARK 2705 N MICHIGAN STREET PLYMOUTH, IN 46563
WATER 2006 FORD F250	\$48,776.00	\$40,125.28
WASTEWATER 1996 FORD F250	\$52,310.00	\$41,625.28
WASTEWATER 2004 FORD F-250	\$52,310.00	\$40,125.28

Davidson explained that he would like to take these quotes under advisement and report back with a recommendation at the following meeting.

Board members Ecker and Morrow moved and seconded to take the bids under advisement. The motion carried.

City Engineer Dan Sellers stated after diligent review that he recommended the award of the 2025 Street Repaving Projects to the lowest bidder: E&B Paving; in the amount of \$1,198,224.28 according to their bid received on January 27, 2025.

Board members Ecker and Milner moved and seconded to award the 2025 Street Repaving Projects to E&B Paving. The motion carried.

Building Commissioner Dennis Manuwal wished to inform the board that he had sent a violation order to The Pointe and twice now the Police Department had been called out there for people being in the building, which was in violation of the order sent previously in the

year. He stated in the fine order; he had given the owner 15 days to pay the fine and 30 days to finish the project. He stated on February 12th, that would be when the fine would be due, and February 27th would be when the project needed to be complete. He stated if it was not finished, then they would have to proceed from there.

Mayor Listenberger asked how much the fine was.

Manuwal replied that it would be \$5,000 due by the 12th. He stated we had been more than generous in giving them time as they originally had 60 days, with 30 days to start the project. He stated they did not want to hire a contractor to come in and complete the inside work to speed up the project. He stated he had been receiving calls all the time about people entering the building after hours, so he had asked the Police Chief to have officers patrol it. He stated they had made an arrest on one individual who had broke into the building and the second case happened on January 24th, where officers found people who claimed to be working in the building at 2:00 A.M. He stated when the officers opened the door to their apartment, they were in their sweats watching TV with no shoes on.

Mayor Listenberger asked what the next step would be after the 27th.

Manuwal replied that the next step would be that they would open it up for bids to have the work done or they start fining them per day.

Ecker asked what response he had received from the owner, if any.

Manuwal replied that it had been extremely slow. He stated the only communication he had from anyone there was back in November when he first stopped to see if somebody was staying in the building. He stated he had spoken with Mr. Collins at the time, and he said that he put locks on the doors, but all the old tenants still had keys. He informed him to change the locks and Mr. Collins put clasp locks on the doors. He stated he went into the one room where they arrested the person, and he found food in the room. He stated it was rather obvious that somebody was staying there.

Mayor Listenberger added that Mr. Collins called him to discuss the \$5,000 fine and he told him that he could be put on the agenda if he stopped in.

Deputy Clerk-Treasurer Williams replied that he had stopped by the City Office to pick up paperwork and he said he would drop it off the next day. He added that no paperwork had been received the following day or any day afterward.

Mayor Listenberger stated they ask people to communicate with them and there are procedures to follow that we tell them. He stated we would most likely hear from him.

Ecker stated they had this going on since July and here they are in February still talking about it. He stated the reports were slow, and people continue to get inside so they are not securing the building like they should be. He stated that everything that had been asked for or instructed them to do had not been followed through or done at a slow pace.

Culp asked if they knew how people were getting in. He asked if people had been breaking the clasp off on the front.

Police Chief John Weir replied that the north door had been left unlocked for the two times that his officers had to enter the building.

Manuwal stated that the other violation he had was at 819 W. Monroe Street. He stated he had first did an inspection on the property back in June of 2023 and the homeowner was in the first stages of Alzheimer's and was under the impression they would be coming back home. He stated the caretaker reached out to him to inspect the property. He explained he had to have permission to be able to go in so he waited until he received a letter that would allow him to go in. He stated upon entering the property, he had immediately called utility companies and asked for them to be shut off as it was not in a livable state. He stated he locked the door and informed them that the utilities had been shut off. He stated nothing happened to the property and when he revisited the property on January 7th, 2025, the door was open, and nothing had been done. He stated he sent a letter informing them that they had 15 days to make the repairs and make it a habitable building. He stated a letter had been sent issuing a fine and gave it until February 11th to pay the fine and seal the building up.

Manuwal stated there was good news on another project. He stated that 500 W. Harrison Street, the old McCords/Indiana Heat Transfer building, their remediation finally ended so they are hoping to have the building demoed by the end of 2025. He stated it could be another 2-5 years before all the IDEM reports would be finalized.

Manuwal stated that the final project he had to mention was 2220 Lake Avenue that was originally a demolition order, but it had been extended due to a new person purchasing the property. He stated the house was no longer there as it was demoed that Friday. He believed the intention of the new homeowner was to demo the property and build a new home.

Weir informed the board that he was looking at a 2020 Honda CR-V for their Detective instead of buying their seventh vehicle. He stated he was looking into something better on gas and more incognito for him. He stated he had found one through Auto Park that had 39,000 miles on it. He stated they were asking \$23,951 and he thought it was a decent

price. He stated he had them look at their 2014 Ford Taurus for trade-in and they would give them about \$2,000 in trade towards that so that would bring the price down to \$22,196.28.

Culp asked if that had to be bid out.

Houin replied that for that price, it did not require quotes.

Weir stated that it would save him about \$50,000 in his line item for other things he was working on.

Ecker asked how many miles a year they estimate the Detective would put on that vehicle.

Weir replied that his current vehicle was averaging about 13,000 miles. He stated their averages are anything from 10,000-30,000 miles. He stated on the purchases of the other vehicles, he decided to go with three Tahoes and three Explorers with ballistic doors on them.

Ecker asked if the Ford Explorer's would be hybrids. Weir agreed.

Morrow asked Weir if he had priced the gasoline model from Oliver Ford.

Weir replied that it was not an option that year as it was either the hybrid or a turbo model eco boost which would have been more, so he did not quote that.

Steve Keiser of Oliver Ford stated they had a gasoline model available, and they were providing three deliveries to the county the following week. He stated he was not sure of the miscommunication with the Police Chief. He explained it was the same vehicle that had been provided to the city for many years. He stated the hybrid was only sold for police use so it would not be available to the public. He stated just in case he took the liberty of pulling a quote for a gasoline version, which would be \$2,000 less than a hybrid.

Mayor Listenberger asked if the ballistic door was available with that model.

Keiser replied that it was available for all models. He explained that would make the normal gasoline version around \$7,500 less than the Tahoe version. He stated he had the numbers put together and he could get them to the Police Chief or the council.

Mayor Listenberger stated if they were to change here that they would have to rebid the project.

Houin agreed and stated if the Police Chief and the board wished to consider these other options that they would simply have to reject all the quotes received and the Police Chief would have to send out new requests for quotes. He clarified that it was a quoting process and not a bidding process.

Culp asked if this was a necessity that would need to be done that night.

Weir replied that he did not want to wait another month to go through the quoting process again as it would put him behind on orders. He stated he was hoping to get his orders that next day.

Ecker stated that his dilemma would be the location where the Tahoe's would be coming from would be the location of the dealer. He stated he was not suggesting the dealer was bad at all but rather that the location disturbed him. He stated he would prefer them to stay as close to home as possible. He explained if they had a dealer in Bremen that was quoting competitively that he would be fine with that but the point he was getting to was that taking a vehicle over 70 miles for service would be unreasonable.

Weir replied that it would be any Chevrolet Dealer so he could take his vehicles to Bremen for service.

Ecker stated that was not what he understood when they spoke before when he had an issue with one.

Weir stated the only reason they took that one back there was because Copsgear had to take out the cage and everything, so he had asked Copsgear to take it to Fort Wayne since they were close as a favor.

Culp asked, regarding the Tahoe's, what the main reason was for getting them. He stated he was not sure on how to justify to the taxpayers a \$6,000 difference between a Tahoe and a Ford Explorer.

Weir replied that the Tahoe had more room, which he had Ecker stop by last Summer to see when he had all three new vehicles out in the lot with the officers and equipment. He explained that for their CSI Officer, all their equipment could not fit in the Explorer, so they had to load up two Explorers to go to one scene and now he could get it all in the Tahoe.

Culp agreed that the CSI Officer needed it, but he was trying to understand why other officers needed it. He stated he spoke to about 4-5 other officers that presently have Ford Explorers, and a larger man like himself fit into the Explorers. He stated it was a little tighter and the Tahoe had a little more room, but he did not believe he could justify saying yes to a Tahoe with a \$6,000+ difference.

Weir stated with the difference between the Hybrids that were quoted that it would be a \$2,000 difference with the ballistic doors.

Culp stated he understood that, but he liked to stay as close to home as he could. He stated it could be Dodge, Chevy, or whatever but he would like to stay in the county if he could.

Weir replied that he had asked for quotes, and some did while others did not.

Morrow stated he was aware of the urgency, but he felt they should re-quote and get a comparison with gasoline Explorers. He stated it would put them back another thirty days, but the taxpayers deserve that. He stated there was a communication gap that created this, but he felt it should be re-quoted.

Board members Morrow and Culp moved and seconded to reject all the quotes and to requote the police vehicles. The motion carried.

City Attorney Houin introduced a request from Robert's Environmental to waive the financial guarantee for work in the right-of-way and that Plan Director Ty Adley would be speaking on this later tonight as well. He explained this was the old McCord's/Indiana Heat Transfer building on the corner of Washington and Water Streets downtown. He stated they had been working alongside Michiana Area Council of Government (MACOG) and Brownfield grant to do environmental testing on this building, which had been ongoing for a couple years now. He stated there was a lapse in time on that project as funding for the grant went out and they had to wait for the next grant round to be funded and available, so they are ready to move forward again. He explained that Robert's Environmental would be applying for a work in the right-of-way permit to do some soil boring and monitoring there. He stated they had asked as they were doing this project through MACOG on behalf of the city, that they are asking to waive the financial guarantee requirement for that work.

Adley stated that the site had historically been occupied by residents back in the 1800's and 1900's with a mix of commercial use and where they are at now was that it had gone through both phase one and phase two environmental study with the second phase wrapping up in November of 2023. He stated it was through the funding of the Brownfield grant through MACOG's Brownfield Coalition. He stated over the last six years he had been a part of about three different grants that span at least two years each costing around \$500,000. He stated with the latest one, Metric Environmental was the lead for that project and they hired out environmental testing for those so when they came back for phase two in 2023, they identified the need for additional testing of soils as there was potential contaminants where some of the machinery was located. He stated they were looking to do some soil boring and

water sampling wells where they could monitor any potential chemicals or issues. He stated they wanted to ensure with the redevelopment aspect of this, given they want to do residential with that location, that they have some of the strictest requirements when they are doing the cleanup process as someone would be laying their head there to sleep. He stated they have a contract sent towards the Environmental Protection Agency (EPA) and they had some revisions with it on behalf of MACOG and they are awaiting approval. He stated on a federal scale when you are going through changes with policy makers that things could take a little time with transition. He stated once the approval process goes through, Roberts Environmental would be able to move forward on their proposed action plan for their project so they could begin that testing process. He added that they would only be in the right-of-way for one testing site out of eight.

Morrow asked if this would only be for further testing and not for mitigation at this point. Adley agreed. Morrow asked what our risk would be for waiving the financial guarantee.

Houin replied that they have a blanket financial guarantee policy for any work done within the right-of-way. He stated the purpose of that was to ensure that all the work completed was done according to city standards. He stated if work was not done correctly, or damage was caused that the city would have that financial guarantee to reimburse the cost of repairs. He stated on the one hand they do not believe there was a significant risk of damage or work not being completed accurately when they are simply doing soil boring but if there were to be any damage that they would still be liable for that. He explained they would just have to ask them to cover the cost instead of having that financial guarantee already held back. He stated the main risk would be having certain contractors coming in and if they cause damage that they may not find out about it right away. He stated they could be finished and gone with no way to contact them to get it repaired. He stated it would not be the same in this case as they know Roberts Environmental and are familiar with them. He stated they are also working with MACOG and feel this would be sufficient instead of requiring the financial guarantee.

Adley commented that additional sampling was already planned for part of the grant itself so there would be no additional cost to the city for that. He stated the materials could not be put into a regular dumpster as you would for normal demolition projects.

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Mayor Listenberger stated this was a privately owned parcel but two-three years ago the council had decided that it was an important part of our downtown and the owners are working with them to sell it at a reasonable price to demo and develop the property. He stated this would be the next step in that process.

Board members Ecker and Culp moved and seconded to waive the financial guarantee requirement for UT-25-003 – 125 E. Washington St., Soil Boring as presented. The motion carried.

Clerk-Treasurer Gorski introduced Resolution No. 2025-1142, A Resolution of the Board of Public Works and Safety to Write-Off Delinquent and Uncollectable Water, Wastewater, Garbage and Stormwater Bills.

Gorski explained the amount to write-off would be \$1,144.45 from 2022.

Board members Culp and Ecker moved and seconded to approve Resolution No. 2025-1142, A Resolution of the Board of Public Works and Safety to Write-Off Delinquent and Uncollectable Water, Wastewater, Garbage and Stormwater Bills as presented. The motion carried.

RESOLUTION NO. 2025-1142

A RESOLUTION OF THE BOARD OF PUBLIC WORKS & SAFETY TO WRITE-OFF DELINQUENT AND UNCOLLECTABLE WATER, WASTEWATER, GARBAGE AND STORMWATER BILLS

BE IT RESOLVED by the Board of Public Works & Safety of the City of Plymouth, Indiana, that the delinquent and uncollectable water, wastewater, garbage, public hydrant and stormwater bills as listed be written off the ledgers of the City of Plymouth as bad debts.

2022 WRITE-OFFS - DELINQUENT AND UNCOLLECTABLE BILLS											
FINAL	ACCT #	NAME	SERVICE ADDRESS	WATER	WASTW	GARBAGE	STORM	PUBLIC	TOTAL	ATTORNEY	
	12310221	16022436	Ashley M Maca****	324 Cozart Ct		03 06	19 15	16 50	6 08	133 29	7 89
	3/10/2022	11203935	Sharon Kaye Avilaga	812 W Jefferson St	0 31	5 01	0 32	1 25	0 16	7 05	
	6/10/2022	56209387	Philip Andrew Mignone****	821 E Gary St		42 79		9 05	51 83		
	6/10/2022	55124641	Jeffrey Douglas Rice****	317 Berkeley St		74 71	3 62	16 50	9 05	100 79	
	6/10/2022	56613518	Derek C Buchanan****	121 Green St	41 28	53 28	45 34	16 50	9 55	165 95	
	6/06/2022	11815061	Katy G Cruz Mayne**	1002 W Madison St		14 37			6 61	29 98	
	6/10/2022	11432787	Lee A Richardson****	312 W Washington St		62 09	8 85	16 50	5 91	102 24	8 85
	7/10/2022	11122895	Ronald E Lutz****	102 W Washington St	19 34	38 54	10 84	4 40	2 29	75 41	
	6/10/2022	11814593	Plymouth Plaza Investors LLC	2001 2007 2009 H Michigan St				0 95		0 95	
	6/10/2022	11571445	Alejandra Jose Fari****	708 H First St		29 01			7 45	36 46	
	6/10/2022	11017619	John Spengler****	1537 W Lake Ave		50 00			50 00		
	6/10/2022	55872587	Emilio Gonzalez Hernandez****	1390 Evans Ave	142 75		43 39		9 13	195 29	
	11/20/2022	11001915	Victor L Rabey****	503 W Lake Ave	15 06	15 63	16 79	6 12	3 22	54 32	
	11/20/2022	56536229	Marcy Rabey****	1233 Jackson Hills Rd				0 01	0 01	0 02	
	12/13/2022	11713214	Jeffrey L Duvall****	208 Shady Dr	68 69		45 57		10 07	124 33	
	12/28/2022	11704232	Erica Bolton****	127 E Jackson St	5 56	8 92	5 02	1 52	1 11	27 13	
* Estate Filed ** Wastewater/Stormwater Lien Fund *** Quarterly **** Delinquent no collect											
Total Write-offs				222.59	314.46	222.30	89.39	68.66	1,144.45	16.74	
Total Billed in 2022				1,622,072.34	\$ 2,524,497.29	549,037.64	441,130.00	251,134.41	\$ 5,439,818.68	\$ 17,319.02	
% Not Collected				0.01%	0.01%	0.02%	0.02%	0.03%	0.01%	0.03%	
% of Collections				99.99%	99.99%	99.98%	99.98%	99.97%	99.99%	99.97%	

PASSED AND ADOPTED this 10th day of February 2025.


Robert Listenberger, Mayor

ATTEST:

Lynn Gorski, Clerk-Treasurer

Board members Ecker and Milner moved and seconded to allow the payroll for January 31, 2025, and the claims for February 10, 2025, as entered in Claim Register #2025-3. The motion carried.

