

REGULAR SESSION, COMMON COUNCIL, February 10, 2025

Be it Remembered that the Common Council of the City of Plymouth, Indiana, met in regular session 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, and was called to order at 6:45 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., Kayla Krathwohl, Randy Longanecker, Shiloh Carothers Milner, Dave Morrow, and Linda Starr, 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.

Council members Starr and Culp moved and seconded to approve the minutes of the regular session of the Common Council on January 27, 2025, as presented. The motion carried.

City Attorney Houin stated the only uniform conflict of interest statement he had that night was from the Mayor but they would have another one coming from Councilman Longanecker. He reminded members that this was a blanket annual statement because both Mayor Listenberger and Longanecker had a financial interest in companies that sometimes do business with the city, so they file these annual routine statements. He stated he was not aware of any others, aside from those two but the only one presented that night was from the Mayor.

Council members Ecker and Krathwohl moved and seconded to approve the uniform conflict of interest statement as presented. The motion carried.

City Attorney Houin introduced the Electric Vehicle Charging Station Host Site Agreement with Michiana Area Council of Government (MACOG). He stated we were notified a year ago that MACOG was successful, and it took this long to get all the paperwork for the grant and this agreement had been sent for approval. He explained the plan would be to install a four-station electric vehicle charging station just north of the library at the corner of Center and Washington Street. He stated he worked with Leah Thill of MACOG and identified that parking lot as having sufficient space especially on the west end for due to the layout of the parking lot so it would be an ideal space for the charging station. He stated this would bracket downtown as one was already at River Park Square so this would allow for an additional one in the opposite corner of the downtown area. He stated that because of the grant there would be minimal cost to the city, and they estimate the city's portion between \$11,000-\$15,000 and he had already worked with Street Superintendent Jim Marquardt to identify funds available in the power and lights budget. He stated there was a five-year requirement to keep the station operational and MACOG would secure a five-year warranty on all the equipment. He listed that MACOG would also be responsible for repairing any malfunctioning equipment and the responsibility of the city would be to maintain that charging

station on that property and maintain access to the parking lot. He stated with it being a public parking lot, he did not see that being a problem.

Culp asked if there would be any changes as far as rates.

Houin replied that the requirement in this agreement was that the rates be based upon kilowatt usage and not time as modern electric vehicles pull at different kilowatt rates. He stated the amount of time a car stays plugged in really has little bearing on the amount of electricity that it draws. He stated it makes much more sense from the city's perspective instead of trying to estimate what the hourly rate should be to get the return; they instead were simply reselling the electricity at a markup. He stated they should not run any risk of losing profit on it and they should make a small profit on sales. He stated they were already in discussion about converting the fees on the existing charging station from an hourly rate to a per kilowatt rate. He stated it does make sense to wait until they get the final information on these new charging stations and then we use that calculation to determine the rates at the existing station. He stated when the existing station was installed at River Park Square that the funding for that was through the Volkswagen Settlement and the conditions for that were that for the first two years of operation, they had to provide two hours of free charging. He stated that it ended at the end of 2024 and the law was changed to allow them to switch from hourly to per kilowatt usage rate.

Ecker asked if they had a timeline as to when they would get these rates in place.

Houin replied that they did not because funding for federal grants had been fluid and currently, they believe it was authorized but that could change. He stated that MACOG is trying to ensure that everything was in place so that when funding is available and assuming that the federal government had not froze it again, then they could move forward quickly with this. He added the hope would be late Spring or sometime early Summer that they could be installed and operational.

Longanecker asked what all the requirements were from MACOG for the security and installation of this. He asked if this would include video surveillance and fire protection.

Houin replied that the cost of installation would be part of the grant funding. He stated for security, because it was a publicly accessible parking lot, then they do not need to do anything for the parking lot other than maintain public access to it.

Gorski asked if that would be the case even though it was included in the agreement. See the referenced verbiage below.

6. Security. Site Owner is responsible for installing and maintaining physical security strategies as agreed to in discussion with MACOG that may include lighting, siting and station design to ensure visibility from onlookers, measures to promote driver and vehicle safety, video surveillance, emergency call boxes, and fire prevention. MACOG has made an effort to select sites Host Sites that promote safety and include these measures. MACOG is prohibited from

Houin replied that it was site specific but because this was a public parking lot, that they would not need to install anything here. He stated that this was the standard agreement form. He stated that MACOG would not be requiring any video surveillance and that was the boilerplate language for certain locations that do not have regular public access and those that require that security surveillance but that would not be required in this case. He stated he could go back and request that this be changed.

Gorski stated that in signing this agreement you would agree to that.

Houin replied that it stated you would be agreeing to that in discussions with MACOG and they had not requested any of that. He interpreted that language as an agreement to discuss and come to an agreement which was common in boilerplate language in contracts but there was not a specific requirement. He explained that they were not asking for anything additional in that parking lot.

Longanecker expressed that his worry with the contract language would be if it could be used to their advantage.

Culp stated he would like to see the wording removed because if it was not spelled out, they do not want to be held liable.

Houin stated that if they would like to see the language amended in the contract that he would have to discuss that with MACOG and agree on the revised language. He stated he would like guidance from the council members on what they would like to see so they could bring it back at the next meeting if that was what they would like to do.

Council member Milner moved to approve the Electric Vehicle Charing Station Host Site Agreement with MACOG as presented. The motion died due to a lack of second.

Council members Longanecker and Culp moved and seconded to table the request and have the City Attorney discuss with MACOG to ensure that the city would not be liable for the above-mentioned security strategies. The motion carried.

Clerk-Treasurer Gorski explained that the city had received three donations: All in the amount of \$1,000.00 each from Comcast, NIPSCO, and Jones Petrie Rafinski (JPR) to be used for the Mayor's Summer of Music. She asked if they wished to accept the donations with the restricted terms, conditions, and purpose attached to each donation. She added that the donation would be receipted into the Monetary Gift Fund.

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

City Attorney Houin introduced Ordinance No. 2025-2240, An Ordinance to Amend Ordinance No. 2024-2229R, The 2025 Salary Ordinance on first reading.

REGULAR SESSION, COMMON COUNCIL, February 10, 2025

Houin wished to address that this amendment would be necessary if the Board of Public Works and Safety adopted the Police Uniform Credit Policy. He stated it was decided to keep this Ordinance amendment on the agenda for first reading because if the concerns could be resolved by next meeting, they could also have this considered on second and third reading at the same time.

Houin stated the Dustin's Place discussion would be moved to February 24th.

Houin updated the board on ONE Marshall County. He stated at the next meeting he would have a more detailed update.

Houin updated the board on the Comprehensive Plan Committees. He said the most active subcommittee continued to be the zoning subcommittee and he believed there was thirteen potential amendments to the zoning ordinance to be discussed that Friday. He explained they were everything from small clerical errors to some consolidation to make things more streamlined. He stated he believed there were items that could be improved but he had no idea how much could be improved until Adley started digging into it. He stated the other subcommittees were starting to get more active and they should see more action soon. He stated the full committee was looking more closely at the goals and action items of the Comprehensive Plan to identify things that have already been accomplished, in progress, and things that they should be looking at next.

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


- Minutes of the Board of Public Works and Safety meeting of January 27, 2025
- February 10, 2025 Check Register
- January 28, 2025 Technical Review Committee Minutes
- Plymouth Parks and Recreation Department Fee Schedule for 2025
- 2024 Q4 Council Report – Baker Tilly
- Electric Vehicle Charging Host Site Agreement
- January 6, 2025 Park Board Minutes

The motion carried.

There being no further business to come before the Council, Council members Longanecker and Starr moved and seconded to adjourn. Mayor Listenberger declared the meeting adjourned at 7:05 p.m.


Lynn M. Gorski
Clerk-Treasurer

APPROVED


Robert Listenberger, Mayor