



**CITY OF PLYMOUTH
MEETING MINUTES**

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CITY OF PLYMOUTH
CITY COMMISSION MEETING MINUTES
MONDAY, MARCH 21, 2016, 7:00 p.m.
CITY HALL
201 S MAIN
PLYMOUTH, MI 48170

CALL TO ORDER:

PRESENT: Mayor Pro-Tem Oliver Wolcott, Commissioners Mike Wright, Colleen Pobur, Joe Valenti
ABSENT: Mayor Daniel Dwyer, Commissioners Daniel Dalton, Suzie Deal, excused

PROCLAMATION:

Mayor Pro-tem Oliver Wolcott recognized Tyler Melow from Municipal Services as he enters into the military. He will be leaving in May for the Marine Corp and his grandfather, Dick Melow, worked for the City for many years. Tyler has worked for MSD for one year. Mayor Pro-tem Wolcott presented Tyler with a token gift from the City and stated that he and Mayor Dwyer and the rest of the City Commission wished Tyler well in his endeavor with the military.

CITIZEN COMMENTS:

David Wilson, a Canton Township resident, was present and indicated he was representing Senior Alliance. He spoke about their programs and provided financial information to the Commissioners. He stated that his organization is required to provide information annually to entities participating in their programs.

Jennifer Chinitz, 679 N. Sheldon, spoke about the Commission possibly considering an overhead crossover for people traveling on foot to downtown and Old Village area.

APPROVAL OF THE AGENDA:

3. A motion was made by Commissioner Colleen Pobur and seconded by Commissioner Mike Wright for approval of the Agenda for Monday, March 21, 2016.

MOTION PASSED

ENACTMENT OF THE CONSENT AGENDA:

4a. Approval of March 7, 2016 City Commission Regular Meeting Minutes

4b. Approval of February, 2016 Bills

4c. Special Event for Susan G. Komen Michigan 3-Day: August 7 – 9, 2016

A motion was made by Commissioner Colleen Pobur and seconded by Commissioner Mike Wright for approval of the Consent Agenda, as amended by adding #4c, for Monday, March 21, 2016.

MOTION PASSED

COMMISSION COMMENTS:

Commissioner Colleen Pobur spoke about the letter received from Schoolcraft College President and Board thanking the City of Plymouth for their generous gift of the 1980 Aerial Truck. He stated they were very excited and looking forward to using the vehicle for training experiences for the Fire Academy Program. She also spoke about the MML Press Conference concerning revenue sharing in the State of Michigan with regard to Municipalities. She indicated that along with her, the City Manager and the Community Development Director would all travel to Lansing on Tuesday to attend a session with the Michigan Municipal League concerning this issue and listen to their viewpoints regarding other information. They have a website set up to provide information and they indicate

how much each community has lost. She hopes to get more information at this session and bring back to the board for further discussions.

City Manager Paul Sincock stated this has been an ongoing battle for many years. He hopes that the MML will take this project on and maybe do something about it.

Mayor Pro-tem Oliver Wolcott stated after the City Manager and Finance Director have significantly more information they can engage in more detailed discussions.

PUBLIC HEARING:

6a. Proposed Brownfield Plan for Starkweather School –

Mayor Pro-tem Oliver Wolcott opened the public hearing at 7:27 p.m. for public comments.

Hearing no further comments, Mayor Pro-tem Oliver Wolcott closed the public hearing at 7:28 p.m.

RES. 2016-20

WHEREAS, The City of Plymouth Planning Commission has approved a final Planned Unit Development Plan for the property at 550 N. Holbrook consisting of redeveloping the school building into 24 apartments; and

WHEREAS, The property located at 550 N. Holbrook, commonly referred to as Starkweather School, has been deemed functionally obsolete by the City of Plymouth Assessor; and

WHEREAS, The developer of the property, Curtis Plymouth LLC, in conjunction with AKT Peerless has presented a Brownfield Plan that meets all the criteria of Act 381; and

WHEREAS, The City Attorney's office and the Brownfield Redevelopment Authority Board have reviewed and approved the Brownfield Plan for the Starkweather School Site; and

WHEREAS, The Brownfield Redevelopment Authority Board recommended at their

February 10, 2016 meeting that the City Commission review and approve the Brownfield Plan for the Starkweather School site.

NOW THEREFORE BE IT RESOLVED that the City of Plymouth City Commission have reviewed and do approve the attached Brownfield Plan for the Starkweather School site located at 550 N. Holbrook in Plymouth, MI.

A motion was made by Commission Colleen Pobur and seconded by Commissioner Mike Wright for approval of the resolution.

MOTION PASSED

OLD BUSINESS: None

NEW BUSINESS:

8a. Removal of Redundant DTE Street Lights –

City Manager Paul Sincock and the City Attorney informed the Commission that the vote for this agenda item would require a "Super Majority Vote", and since the whole Commission is not present it is suggested the Commission table this item for now.

RES. #2016-21 (table)

WHEREAS, The City of Plymouth has public street lighting for the safety and welfare for the residents and visitors to the City; and

WHEREAS, Recently, the City replaced the old and worn decorative street light heads along Starkweather Street with new LED energy saving light fixtures; and

WHEREAS, The new energy saving light fixtures improved the street lighting along this street enough to allow the City to contract to remove the now redundant overhead street lights owned and maintained by DTE Energy.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize a contract between the City and DTE Energy to remove 28 overhead street lights, sixteen light poles and the associated wire for this project. The cost of \$15, 128 for this removal project is authorized from the Public Improvement Fund.

A motion was made by Commissioner Colleen Pobur and seconded by Commissioner Joe Valenti to table Agenda Item #8a until a date certain.

MOTION PASSED

8b. Purchase of Police Car for 2016 –

RES. #2016-22

WHEREAS, The City of Plymouth operates a vehicle fleet to help protect the public health, safety and welfare; and

WHEREAS, From time to time vehicles in the fleet need replacing and the City Administration is recommending the replacement of a Police Vehicle; and

WHEREAS, The City has the option of using Fleet Discount pricing Programs to obtain group volume discount pricing for the new vehicles, and Lou LaRiche Chevrolet has met the fleet pricing program.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize the purchase of one (1) new 2016 Chevrolet Police Special Service vehicle matching the Cooperative Fleet Purchasing Pricing Plan. The Vehicle is authorized to be purchased from Lou LaRiche Chevrolet in Plymouth, in the amount of \$34,470.28 and the expenditure is authorized from Fiscal Year 2015-2016 account 661-000-141.000.

A motion was made by Commissioner Mike Wright and seconded by Commissioner Joe Valenti for approval of the resolution.

MOTION PASSED

8c. Purchase of Police Radios –

RES. #2016-23

WHEREAS, The City of Plymouth uses a variety of two way radios in order to help protect the public health, safety and welfare; and

WHEREAS, From time to time these radios need to be replaced; and

WHEREAS, The state of Michigan requires certain types and models of radios to be used on their radio system and they offer special state pricing for new radios.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize the purchase of three (3) Tait TM9155 700/800 MHz mobile radios and accessories in the total amount of \$6,039.00. Funding for this purchase is authorized from the Capital Outlay Program. A motion was made by Commissioner Mike Wright and seconded by Commissioner Colleen Pobur for approval of the resolution.

MOTION PASSED

8d. Grass Cutting Bids –

RES. #2016-24

WHEREAS, The City of Plymouth has a variety of public properties which need to have the lawn mowed on a regular basis; and

WHEREAS, From time to time the City bids these services to arrange for lawn mowing and leaf clean up services; and

WHEREAS, The City did receive a total of four bids from different vendors for these services; and

WHEREAS, The City Administration did review the bids and recommends accepting the bid from Frank's Landscaping.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby accept the bid from Frank's Landscaping for lawn mowing and fall leaf clean up. Further, the City Commission hereby rejects all other bids.

A motion was made by Commissioner Colleen Pobur and seconded by Commissioner Mike Wright for approval of the resolution.

MOTION PASSED

8e. Metro Act Right of Way Permit – 123 Net, Inc. –

RES. #2016-25

WHEREAS, 123. Net, Inc. has applied for a permit to use the City of Plymouth Rights of Way in accordance with the terms of the State of Michigan Metro Act; and

WHEREAS, The City Attorney has determined that the request is complete; and

WHEREAS, The State Legislature has not provided an opportunity for the local unit of government to

negotiate or provide input into the application or contract process under the terms of the State Metro Act.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize a permit under the terms of the Metro Act in accordance with the State Law for 123.Net, Inc. The City Manager is hereby authorized to sign the permit extension agreement on behalf of the City of Plymouth.

A motion was made by Commissioner Mike Wright and seconded by Commissioner Joe Valenti for approval of the resolution.

MOTION PASSED

8f. Annual Wayne County Maintenance Permit –A-16064-
RES. #2016-26

At a Regular Meeting of the Plymouth City Commission on Monday, March 21, 2016, the following resolution was offered:

WHEREAS, the City of Plymouth periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") for permits to conduct emergency repairs, annual maintenance work, and for other purposes on local and County roads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel;

WHEREAS, pursuant to Act 51 of 1951, being MCL 247.651 et seq., the County permits and regulates such activities noted above and related temporary road closures;

NOW THEREFORE, BE IT RESOLVED, in consideration of the County granting such permit (hereinafter the "Permit"), the Community agrees and resolves that:

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community; or their subcontractors.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor's behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The incorporation by the County of this Resolution as part of a permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

This Resolution stipulates that the requesting Community shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

This Resolution stipulates that the requesting Community shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This Resolution shall continue in force from the date of execution until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

The Community stipulates that it agrees to the terms of the County of Wayne permit at the time a permit is signed by the Community's authorized representative.

BE IT FURTHER RESOLVED, that the following individual(s) is/are authorized in their official capacity as the Community's authorized representative to sign and so bind the Community to the provisions of any and all permits applied for to the County of Wayne Department of Public Services Engineering Division Permit Office for necessary permits from time to time to work within County road right-of-way or local roads on behalf of the Community.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the

Plymouth City Commission of the City of Plymouth, County of Wayne, Michigan, on March 21, 2016.		
Chris Porman	and/or	Director of Municipal Services
Steve Faiman	and/or	Asst. director of Municipal Services
Mike Brindley	and/or	Foreman
Al Cox	and/or	Director of Public Safety
Paul Sincock	and/or	City Manager

A motion was made by Commissioner Colleen Pobur and seconded by Commissioner Mike Wright for approval of the resolution.

MOTION PASSED

8g. Annual Wayne County Pavement Restoration Permit –A-16119 -
RES. #2016-27

At a Regular Meeting of the Plymouth City Commission on Monday, March 21, 2016, the following resolution was offered:

WHEREEAS, the City of Plymouth periodically applies to the County of Wayne Department of public Services, Engineering Division Permit Office (hereinafter the "County") for permits to conduct emergency repairs, annual maintenance work, and for other purposes on local and County roads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel.

WHEREAS, pursuant to Act 1 of 1951, being MCL 247.651 et seq., the County permits and regulates such activities noted above and related temporary road closures;

NOW THEREFORE, BE IT RESOLVED, in consideration of the County granting such permit (hereinafter the "Permit"), the Community agrees and resolved that:

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor's behalf, it shall also require that such policy include as names insured the County of Wayne and all officers, agents and employees thereof.

The incorporation by the County of this Resolution as part of a permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

This Resolution stipulates that the requesting Community shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

This Resolution stipulates that the requesting Community shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This Resolution shall continue in force from the date of execution until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

The Community stipulates that it agrees to the terms of the County of Wayne permit at the time a permit is signed by the Community's authorized representative.

BE IT FURTHER RESOLVED, that the following individual(s) is/are authorized in their official capacity as the Community's authorized representative to sign and so bind the Community to the provisions of any and all permits applied for to the County of Wayne Department of Public Services Engineering Division Permit Office for necessary permits from time to time to work within County road right-of-way or local roads on behalf of the Community.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the City

Commission of the City of Plymouth, County of Wayne, Michigan on March 21, 2016.

Chris Porman	and/or	Director of Municipal Services
Steve Faiman	and/or	Asst. Director of Municipal Services
Mike Brindley	and/or	Foreman
Al Cox	and/or	Director of Public Safety
Paul Sincock	and/or	City Manager

A motion was made by Commissioner Colleen Pobur and seconded by Commissioner Mike Wright for approval of the resolution.

MOTION PASSED

8h. Starkweather School PUD – 2nd Reading - Recommendation to Table:

RES. #2016-28

WHEREAS, The Developer of the Starkweather School Planned unit Development was insistent that the second reading of the Ordinance Amendment for the Starkweather School PUD be [;aced pm the City Commission Agenda; and

WHEREAS, the Developer delivered additional technical material to the City on Thursday, March 17, 2016 and this material has not yet had an opportunity to be reviewed by the City Attorney or City Administration.

NOW THEREFORE BE IT RESOLVED THAT the Starkweather School Planned Unit Development Ordinance Amendment be tabled until a date certain, on April 4th, 2016.

A motion was made by Commissioner Colleen Pobur and seconded by Commissioner Joe Valenti for approval of the resolution.

MOTION PASSED

8i. Starkweather School PUD Agreement – Recommendation to Table -

RES. #2016-29

WHEREAS, The Developer of the Starkweather School Planned Unit Development was insistent that the PUD Agreement for the Starkweather School be placed on the City Commission Agenda; and

WHEREAS, The Developer delivered additional technical material to the City on Thursday, March 17, 2016 and this material has not yet had an opportunity to be reviewed by the City Attorney or City Administration.

NOW THEREFORE BE IT RESOLVED THAT the Starkweather School Planned Unit Development Agreement be tabled until a date certain, April 4, 2016.

A motion was made by Commissioner Colleen Pobur and seconded by Commissioner Mike Wright for approval of the resolution.

MOTION PASSED

9. REPORTS AND CORRESPONDENCE: None

10. ADJOURNMENT:

Hearing no further discussion, a motion was made by Commissioner Mike Wright and seconded by Commissioner Colleen Pobur for adjournment of the meeting at 7:53 p.m.

MOTION PASSED