



CITY OF PLYMOUTH MEETING MINUTES

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CITY OF PLYMOUTH
CITY COMMISSION MEETING MINUTES
MONDAY, JUNE 6, 2016, 7:00 p.m.

CALL TO ORDER:

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

ABSENT: None

CITIZEN COMMENTS:

Ed Krol, 1108 Beech, thanked the City Manager for the e-mail with information concerning contact information for the Railroad Company in order to make formal complaints. He stated he was stuck at the railroad crossings for almost an hour and this seems to be happening more frequently. He also spoke about a recent article in the Observer Newspaper regarding the lawsuit in the township regarding filing information missing on documents for candidates. He spoke about when he filed for City Commission last year as a candidate and not knowing when the deadline to file was. He found out it was different in the City Charter because the State supersedes our charter, and there were changes to filing deadlines as of 2014. He provided the information and requested the City place this as a Charter Amendment on the next election ballot.

APPROVAL OF THE AGENDA:

3. A motion was made by Commissioner Colleen Pobur and seconded by Mayor Pro-tem Oliver Wolcott for approval of the Agenda for Monday, June 6, 2016, as amended.

MOTION PASSED

ENACTMENT OF THE CONSENT AGENDA:

4a. Approval of May 16, 2016 City Commission Regular Meeting Minutes

4b. Special Event: Good Morning USA 45h of July Parade, 7/4/2016

A motion was made by Commissioner Colleen Pobur and seconded by Commissioner Mike Wright for approval of the Consent Agenda for Monday, June 6, 2016.

MOTION PASSED

COMMISSION COMMENTS:

Mayor Pro-tem Oliver Wolcott spoke about the scheduled outdoor City Commissioner Meeting and feels they are a wonderful thing they do for the residents and glad they do the meeting this way every summer.

PUBLIC HEARING:

Mayor Dan Dwyer opened the Public Hearing at 7:12 p.m. for public input.

Michael Vas thanked Chris Porman for providing the microphone in the park and wanted the City Commissioner to know that he is in strong opposition that the city implements the 1% administrative fee. He does not understand why this issue could not be brought for a vote of the people.

Hearing no further comments, Mayor Dwyer closed the Public Hearing at 7:14 p.m.

6a. Adoption of 2016-17 Budget -

RES. #2016-46

The following was moved by Commissioner Mike Wright and seconded by Commissioner Joe Valenti :

WHEREAS, The 2016-2017 City Budget was presented by the City Manager on April 4, 2016, and was reviewed by the City Commission with the Administration during three budget study sessions; and

WHEREAS, Various modifications have been made to the proposed budget, based on a review of the projected revenues and the City's priorities for various programs and projects; and

WHEREAS, A public hearing was held on June 6, 2016, as required by the City Charter and Act 43 P.A. 1963, as amended; and

WHEREAS, The maximum operating tax levies for general purposes and refuse removal have been amended as required by Section 211.34 of the General Property Tax Law; and

WHEREAS, The City Commission acted on a 5-2 vote at the City Budget session held on April 25, 2016 to authorize the levy of a property tax administration fee of 1% on all property taxes for the July 1, 2016 and

December 1, 2016 tax levies as authorized under Section 211.44(3) of the General Property Tax law;
 NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby set the
 City's 2016 millage levy as follows:

GENERAL FUND OPERATING	11.1848 Mills
2008/2012/2014 GO & Refunding Bond Debt	3.0000 Mills
Solid Waste/Recycling Operating	1.8200 Mills
GRAND TOTAL LEVY	16.0048 Mills

BE IT FURTHER RESOLVED THAT the 2016-2017 City Budget is hereby adopted by the City Commission as
 presented at the June 6, 2016 Regular Commission meeting as follows:

GENERAL FUND:

REVENUES		EXPENDITURES	
Property Taxes	\$5,240,350	Administration	\$1,629,420
Licenses & Permits	5,100	Buildings & Grounds	409,590
Federal Grants	1,000	Police Department	3,567,120
State-Shared Rev	854,470	Fire Department	923,740
Sales of Service	764,730	Public Works Dept	755,400
Cemetery Revenue	157,000	Other Functions	182,880
Parking Revenue	69,400	Capital Outlay	216,600
Other Revenue	797,180	Debt Service	60,616
Transfers In	135,480	Transfers Out	279,344
REVENUE TOTAL	\$8,024,710	EXPENDITURE TOTAL	\$8,024,710

MAJOR STREET FUND:

Gas & Weight Tax	\$ 458,290		
Contrib & Other	500,010		
REVENUE TOTAL	\$ 958,300	EXPENDITURE TOTAL	\$958,300

LOCAL STREET FUND:

Gas & Weight Tax	\$ 244,770		
Contrib & Other	142,410		
REVENUE TOTAL	\$ 387,180	EXPENDITURE TOTAL	\$387,180

RECREATION FUND:

Contrib. From G/F	\$ 200,000		
Prog. Fees & Other	1,006,680		
REVENUE TOTAL	\$1,222,880	EXPENDITURE TOTAL	\$1,206,680

WASTE & RECYCLING FUND:

Property Taxes	\$ 802,250		
Sales of Service	420,630		
REVENUE TOTAL	\$1,222,880	EXPENDITURE TOTAL	\$1,222,880

OTHER CITY FUNDS:

	REVENUES	EXPENDITURES
PARC Fund	\$ 85,000	\$ 85,000
Parking Fund	\$ 10	\$ 10
DDA Operating Fund	\$ 1,006,890	\$ 1,006,890
Building Fund	\$ 577,700	\$ 577,700
Neighborhood Services Fund	\$ 79,730	\$ 79,730
Brownfield Re-Development Authority Fund	\$ 388,530	\$ 388,530
Brownfield Site Remediation Fund	\$ 50	\$ 50
Drug Law Enforcement Fund	\$ 6,500	\$ 6,500
OWI Forfeiture Fund	\$ 11,250	\$ 11,250
Omnibud Forfeiture Fund	\$ 1,700	\$ 1,700
2006 LTGO Debt Fund	\$ 122,850	\$ 122,850
2008 GO Debt Fund	\$ 367,640	\$ 367,640
2010 LTGO Debt Fund (DDA)	\$ 233,040	\$ 233,040
2012 GO Bond & 2002 Refunding Bond Debt Fund	\$ 581,150	\$ 581,150
2012 W/S Refunding Bond Debt Fund	\$ 258,050	\$ 258,050
2014 GO/2004 Refunding Bond Debt Fund	\$ 414,310	\$ 414,310
2015 LTGO Cap Imp Bond Debt Fund (DDA)	\$ 102,560	\$ 102,560
2015 LTGO Cap Imp Bond Debt Fund (W/S)	\$ 258,940	\$ 258,940
Public Improvement Fund	\$ 50	\$ 50
Recreation Capital Improvement Fund	\$ 4,050	\$ 4,050
DDA Capital Improvement Fund	\$ 25,050	\$ 25,050
2012 GO Bond Construction Fund	\$ 1,076,010	\$ 1,076,010

2015 LTGO Cap Imp Bond Construction Fund (DDA)	\$	309,948	\$	309,948
2015 LTGO Cap Imp Bond Construction Fund (W/S)	\$	1,033,542	\$	1,033,542
Water/Sewer Capital Improvement Fund	\$	150,400	\$	150,400
Water/Sewer Operating & Maintenance Fund	\$	4,760,950	\$	4,760,950
Equipment Fund	\$	879,630	\$	879,630
Cemetery Trust Fund	\$	14,600	\$	14,600

BE IT STILL FURTHER RESOLVED THAT pursuant to State Law, the City Manager is hereby authorized to transfer up to ten percent (10%) of each appropriation to any other appropriation within each Fund, but not from Reserve Accounts nor between Funds.

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

MOTION PASSED

Mayor Daniel Dwyer wanted everyone to know that he votes in a tie breaker and would have voted no on the budget because of the 1% Administrative Fee that will be added.

Commissioner Dan Dalton spoke about the history of revenue cuts from the state and the discussions the Commission has had in regards to adding the 1% fee. He feels at this point the City needs extra revenue to operate and this would be a source and we are allowed to do this. Many other communities are charging this fee and wanted everyone to get a feel of the big picture of the context of the 1% Administrative Fee. He stated that at some point the Commission feels they no longer want to charge this they can reject it in the future. He supports the budget as presented.

Mayor Daniel Dwyer gave an overview of the law and stated he is opposed because he feels it is an extra tax and has explained his reasons in the past about implementing this fee and cannot support this budget.

Commissioner Colleen Pobur spoke about the revenue decline to municipalities that is being discussed in Lansing and the MML has taken this issue on to try to change the way funds flow among Schools and Municipalities from the State. She feels the City of Plymouth has the best team and can only cut so far and afraid that we are at the point it will start to effect vital services. She supports the 1% Administrative Fee and the budget as presented.

Commissioner Mike Wright stated he supports the Administrative Fee and the employees have gone with no pay increases for staff, reduced staff from 60 to 40. He feels the City has exhausted every area to do what they can and this is the only option they can do at this point. He feels if things change with revenue sources at some point, perhaps they can revisit this whole issue.

Mayor Pro-tem Oliver Wolcott stated he is one of the two votes against the 1% Administrative Fee, but will vote yes on the total budget. He stated he has been very torn on this topic and has listened to all sides of the discussion.

OLD BUSINESS:

7a. Liquor Management Ordinance – 2nd Reading :

City Manager Paul Sincock provided an overview and stated the recommendation from the Liquor License Review Committee is that the ordinance being proposed be adopted as presented.

A motion was made by Commissioner Colleen Pobur and seconded by Commissioner Joe Valenti for discussion on the proposed ordinance.

Frank Yaquinto from Compari's restaurant proposed changes in several areas of the proposed ordinance because he feels it is much too confusing in areas of 6.35 & 6.36.

A business owner present spoke about the area of the ordinance that indicates that there needs to be a 70% food ratio at the establishment and 30% liquor. He doesn't feel any of the bar/restaurants in town can live up to that requirement and the City needs to develop reasonable guidelines.

Mayor Dan Dwyer stated that the City is looking for restaurants, not total liquor establishments.

A motion was made by Commissioner Joe Valenti and seconded by Commissioner Colleen Pobur to table the ordinance to a date certain, June 20th, 2016, in order to review language in question.

MOTION PASSED

(AGENDA ITEM TO BE BACK ON FUTURE MEETING, 6-20-2016)

NEW BUSINESS:

8a. Youth Sports Policy Update – Soccer

RES. #2016-47

WHEREAS, The City of Plymouth offers a Youth Soccer program to help promote the public health, safety and welfare; and

WHEREAS, The City has a number of policies for this program and from time to time they need to be updated;

and

WHEREAS, The Recreation Director has proposed a number of changes to the current policies.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby adopt the Revised Youth Soccer Program Policies as of May 26, 2016 as presented.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby directed to place a copy of the adopted policies in the Meeting Minutes for this City Commission Meeting.

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

MOTION PASSED

8b. Soccer Equipment Bids –

RES. #2016-48

WHEREAS, The City offers a soccer program to help promote the public health and welfare and to promote the benefits of a parks and recreation program; and

WHEREAS, Each year it is necessary to purchase a variety of soccer equipment in order to operate the program each year; and

NOW THEREFORE BE IT RESOLVED that the City Commission of the City of Plymouth does hereby accept as the lowest best bid the bid from Plymouth Trading Post for a variety of soccer equipment for the 2016-17 Fiscal Year as follows:

PLYMOUTH TRADING POST:

Prottime – Arlington Youth Size Jerseys	\$16.60 each
Prottime – Arlington Adult Size Jerseys	\$17.80 each
Prottime – Sedona Youth	\$14.60 each
Prottime – Sedona Adult	\$15.80 each
Prottime “All Sport” Sock Black	\$ 3.10 per pr.
Select Classic – Soccer Balls	\$ 10.00 each
Corner Flags – Bicycle Type	\$ 3.75 each

Funding for these purchases is authorized from the Recreation Fund. The City Commission further rejects all other bids for these products.

A motion was made by Mayor Pro-tem Oliver Wolcott and seconded by Commissioner Joe Valenti for approval of the resolution.

MOTION PASSED

7C. Delinquent Charges on Tax Rolls –

RES. #2016-49

WHEREAS, The City Administration has reported delinquent water charges in the amount of \$57,642.68 and other miscellaneous charges in the amount of \$1,325.00; and

WHEREAS, these delinquent charges in total amount to \$58,967.68 and have remained unpaid and are transferable by City Charter and applicable ordinances to the summer taxes.

NOW, THEREFORE BE IT RESOLVED that the delinquent charges described above be assessed against the property benefited and placed on the 2016 summer tax roll.

A motion was made by Commissioner Mike Wright and seconded by Mayor Pro-tem Oliver Wolcott for approval of the resolution.

MOTION PASSED

7d. Changes to Fee Schedules – Community Development -

RES. #2016-50

WHEREAS, The City Commission of the City of Plymouth has reviewed the proposed fee schedule amendments for plumbing permits; and

WHEREAS, The City of Plymouth Community Development Department has compared current and proposed fee schedules to the actual staff time required; and

WHEREAS, The fee schedule adequately accounts for the cost of staff time; and

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby adopt the proposed attached fee amendments for water service, storm sewer and sanitary sewer installation, repair and replacement as presented.

NOW THEREFORE BE IT FURTHER RESOLVED that the proposed and amended fee schedules as attached will go into effect for all plan reviews completed and permits applied for and issued on or after July 1, 2016.

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

MOTION PASSED

8e. 2016 Infrastructure Program – Fleet Street -

RES. #2016-51

WHEREAS, The City of Plymouth has been involved in a voter approved street paving improvement Program for nearly 20 years; and

WHEREAS, There is a need to continue to use the voter authorized bond issue proceeds for the paving of streets and improvements to the storm sewer systems; and

WHEREAS, The City Commission did review the proposed program of infrastructure improvements being recommended for 2016 and the total scope of the 2016 program is 1.424 million dollars the final scope of the project will be determined at a future time based on bids submitted for the project; and

WHEREAS, The City Commission has selected the following to be included into the proposed project scope:

Fleet Street - North around the Central Parking Deck

Fleet Street - South Ann Arbor Trail to Wing

Backyard water main improvements Dewey, Harding & Coolidge Streets

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize professional services from Wade Trim to complete the Design Phase of the 2016 Street Paving Program in an amount not to exceed \$102,000.

A motion was made by Mayor Pro-tem Oliver Wolcott and seconded by Commissioner Colleen Pobur for approval of the resolution.

MOTION PASSED

Commissioner Colleen Pobur and Mayor Pro-tem Oliver Wolcott stated they are both very supportive of this paving improvement project and improvements to the storm sewer systems.

Mayor Dan Dwyer stated he has issues and not supportive of the city paving alleys and there is a history of the city not getting involved to maintain any alleys in the City of Plymouth, even though residents would petition for it to be completed. He stated that he feels that Fleet Street North is in the condition it is because of the parking deck routing traffic. He spoke about consideration of voter improved millage to take care of these problems.

Patrick O'Neil stated he owns property in Old Village and in the downtown area and would like consideration and a voice in future issues regarding paving of alleys.

8f. Plymouth Canton Little League – Bingo at Fall Festival -

RES. #2016-52

WHEREAS, The City of Plymouth is host to the annual Plymouth Fall Festival which is held in the City's Downtown Area, Kellogg Park and the Gathering Pavilion; and

WHEREAS, Bingo Games have been a part of the Festival for many years; and

WHEREAS, The Plymouth Fall Festival is held the weekend after Labor Day each year; and

WHEREAS, The Plymouth Fall Festival Board has indicated that the Plymouth Canton Little League is authorized to run the Bingo Games at the Fall Festival and they have a duly authorized license from the State of Michigan Bureau of the State Lottery to host the Bingo Games.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize the Plymouth Canton Little League to use the Gathering Pavilion for Bingo Games during the 2016 Plymouth Fall Festival.

A motion was made by Mayor Pro-tem Oliver Wolcott and seconded by Commissioner Joe Valenti for approval of the resolution.

MOTION PASSED

8g. Adoption of Additional Goal –

RES. #2016-53

WHEREAS, The City Commission of the City of Plymouth annually determines the goals of the City and formally adopts those goals to help direct the City Administration and various Boards and Commissions to dedicate efforts and resources these projects; and

WHEREAS, The City Commission has determined that it will add an additional goal to the 2016 Goal List of the City.

NOW THEREFORE BE IT RESOVLED THAT the City Commission of the City of Plymouth does hereby adopt the additional goal of Code or Ordinances review as a City Commission Goal.

A motion was made by Commissioner Dan Dalton and seconded by Commissioner Colleen Pobur for discussion of the proposed ordinance.

City Manager Paul Sincok stated that the establishment of goals is a City Commission driven process and goals direct the City Staff as well as Boards & Commissions where to put additional time and financial resources. The City currently uses Municipal Code Corporation for hosting and updates to the code. Municipal Code has indicated to the City Clerk that a codification project would take about a year and at the cost of \$20,000 and go from there. It would take a significant amount of staff time that would have to be dedicated to this project. Commissioner Dan Dalton spoke about the letter from a resident complaining about the ticket he had received for a "dog running at large". The resident ended up with a very strong fine and could have resulted in jail time and felt that it was very extreme. He felt that due to the cost of the fine that the City Commission needs to

look at this ordinance and make it a goal for next year. He also felt that they need to have a discussion about reviewing the whole code and put it on the 2017 list of goals.

Mayor Dan Dwyer stated the Commissioners could make this a goal for next year and make it as big or small as a project they wish.

Commissioner Colleen Pobur suggested they fix the problem with the dog ordinance and make this project a goal for 2017 and form a sub-committee at that time.

**A motion was made by Commissioner Dan Dalton and seconded by Commissioner Colleen Pobur to withdraw the motion on the proposed resolution.

8h. Liquor License Transfer Denial – RES. #2016-54

WHEREAS, The City of Plymouth has established the Liquor Management Ordinance and other Ordinances related to liquor serving establishments in order to help maintain the public health, safety and welfare as well as to conserve City resources for the good of the entire community; and

WHEREAS, The Liquor License Review Committee (LLRC) is required to review and make recommendations to the City Commission related to liquor serving establishments; and

WHEREAS, The City LLRC has received and reviewed an application to transfer a liquor License into the City to operate a new liquor serving establishment known as Westborn Market at 860 Penniman; and

WHEREAS, The proposed liquor serving establishment would exceed the number of the Liquor serving establishments allowed in the B-2 Zoning District and as such this establishment would not be able to comply with City Ordinances in violation of State Liquor Law.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby recommend to State of Michigan liquor Control Commission that they cease/deny/reverse the transfer of a license for Westborn – Plymouth located outside of the City of Plymouth transferring that “outside license” into the City of Plymouth to operate a liquor serving establishment in City of Plymouth’s B-2 Zoning (Downtown) District. This denial is based on the fact that the proposed license transfer into the City for the establishment would exceed the current cap on liquor licenses in the locally established B-2 Zoning District and the proposed plan exceeds the requirements of the Zoning District and as a result the proposed establishment would not be able to comply with the State of Michigan Liquor Laws which requires compliance with all local Codes and Ordinances.

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

MOTION PASSED

9. REPORTS AND CORRESPONDENCE: None

10. ADJOURNMENT:

Hearing no further business, a motion was made by Commissioner Colleen Pobur and seconded by Mayor Pro-tem Oliver Wolcott for adjournment of the meeting at 8:19 p.m.

MOTION PASSED