



CITY OF PLYMOUTH MEETING MINUTES

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CITY OF PLYMOUTH
CITY COMMISSION MEETING MINUTES
MONDAY, JUNE 20, 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:

Charles and Kathleen Thornell, 780 S. Evergreen, stated they are 38 year residents and expressed concern about the Friday night concerts in the park. They complained about people that start before 7:00am putting their chairs and blankets in the park to reserve their spot for the concerts. Children don't have an area to play during the day because of all the chairs and blankets all over the park area. They asked if the Commission could take a look at this problem and maybe come up with signs of some kind of a policy for this situation because it is getting out of hand.

Mayor Daniel Dwyer stated he appreciates the feedback and will speak with the Downtown Development Director and take a look at this situation.

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, June 20, 2016.

MOTION PASSED

ENACTMENT OF THE CONSENT AGENDA:

4a. Approval of June 6, 2016 City Commission Regular Meeting Minutes

4b. Approval of May, 2016 Bills

A motion was made by Mayor Pro-tem Oliver Wolcott and seconded by Commissioner Daniel Dalton for approval of the Consent Agenda for Monday, June 20, 2016.

MOTION PASSED

COMMISSION COMMENTS:

Commission Colleen Pobur stated she was excited to see the aerial fire truck come back from a run just before the meeting began. She stated it is a gorgeous truck. She spoke about the signs that were placed around all the railroad crossings providing information to everyone who wishes to contact the railroad with complaints about blocked train crossings. She feels it is a very proactive way for the community to find a resolution. She also spoke about Congressman Trott getting involved with this problem and he has set up a meeting with other elected officials and the rail road administration to make them aware of how severe this problem is. She hopes they can come up with some answers to alleviate trains blocking the crossings and she plans on attending the meeting. She stated the meeting is scheduled on the 28th of June.

Mayor Pro-tem Oliver Wolcott spoke about the poor condition of the overpass on Plymouth Road and wanted to know who we can contact. City Manager Paul Sincock stated it is a Wayne County Road, not a City responsibility.

Mayor Daniel Dwyer spoke about five of the Commissioners attending "Day of Service" at the PARC and provided their services. He stated they plan on making it an annual event and it was very

rewarding.

OLD BUSINESS: None

NEW BUSINESS:

7a. Fire Mutual Aid Agreement – MI MABAS -

RES. #2016-55

WHEREAS, The City of Plymouth is a Michigan Municipal Corporation; and
WHEREAS, The City of Plymouth has the power, privilege and authority to maintain and operate a fire department providing fire protection, fire suppression, emergency medical services and special operations; and

WHEREAS, Fire Services can further be improved by cooperation between political subdivisions during times of public emergency, conflagration or disaster; and

WHEREAS, The Michigan constitution of 1963, Article 7, 28 and the Urban Cooperation Act of 1967, Act Number 7 of the public Acts of 1967, extra sessions, being MCL 124.501 Et seq of the Michigan Compiled Laws permit a political subdivision to exercise jointly with any other political subdivision any power, privilege or authority which such political subdivisions share in common and which each might exercise separately, and

WHEREAS, The Michigan Mutual Aid Box Alarm System Association has been formed as a separate legal entity Michigan public body corporation under the Cooperation Act; and

WHEREAS, The Michigan Aid Box alarm System (MI-MABAS), is a mechanism that may be used for deploying special personnel and equipment in a multi-jurisdictional or multi-agency emergency Mutual aid response; and

WHEREAS, The City of Plymouth has the authority to execute this Agreement pursuant to the resolution of its governing body; and

WHEREAS, The City of Plymouth desires to commit personnel and equipment another party if deemed reasonable upon the request of another party.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby approve the attached "Amended Michigan Mutual Aid Box Alarm System Association Agreement.

BE IT FURTHER RESOLVED THAT the City Commission hereby authorizes the Mayor of the City of Plymouth and the City Clerk to sign the Amended and Restate Interlocal Agreement.

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

MOTION PASSED

7b. Police Equipment Purchases –

RES. #2016-56

WHEREAS, The City of Plymouth operates a Police Department in order to protect the public health, safety and welfare of our residents and visitors to our City; and

WHEREAS, The Police Department has examined its overall training, tactics and equipment and it was determined that there was a need for some additional modern equipment; and

WHEREAS, The Department has researched various manufacturers of this type of equipment and determined that equipment from Baker Ballistics, LLC meets the needs of the Department.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth hereby authorizes the purchase of 1 – NIJ Level IIIa Armored Shield, 1, MRAP Protective Shield and seven (7) ballistic helmets for a total purchase price of \$10,261.00. Funding for this purchase shall be from the Drug, OWI, Omnibus Forfeiture Fund Accounts.

BE IT FURTHER RESOLVED THAT the City Commission has determined that this purchase is from a sole source vendor and the City shall use the Police Agency Pricing

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

MOTION PASSED

7c. Liability Insurance Proposals –

RES. #2016-57

WHEREAS, The City received four proposals for Liability and Property Insurance; and

WHEREAS, The City Administration has analyzed the proposals and has determined that the proposal

of Trident Insurance, in the amount of \$190,868, meets the City's requested specifications and is the lowest cost proposal that meets the required specs. The City will obtain, as part of this premium, the Liquor Liability Policy and Athletics Accident Policy using HUB International Midwest as the Agent of Record; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Commission of the City of Plymouth, Michigan does hereby accept the proposal of Trident for Liability and Property Insurance in accordance with the specifications at an annual premium of \$190,868, using HUB International Midwest as Agent of Record. The City will obtain the Liquor Liability Policy and the Athletics Accident Policy through HUB, included in this premium. Further, the City Commission hereby rejects all other proposals.

A motion was made by Mayor Pro-tem Oliver Wolcott and seconded by Commissioner Daniel Dalton for approval the resolution.

MOTION PASSED

7d. Emergency Purchase Authorization for Cultural Center Pump -

RES. #2016-58

WHEREAS, The City of Plymouth operates a Recreation Department to help provide for the Public Welfare; and

WHEREAS, The Recreation Department operates the Plymouth Cultural Center and the facility from time to time will need certain maintenance to keep the facility running; and

WHEREAS, The City Administration notified the City Commission that there was a need for an Emergency Purchase of a pump replacement to maintain the heat and air conditioning in the facility; and

WHEREAS, The City Administration has reviewed the recommended repairs.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize Goyette Mechanical to complete repairs to the pumping systems in an amount not to exceed \$27,500. Funding for these repairs is authorized from the City Recreation Funds and not from the City General Fund.

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

MOTION PASSED

7e. Liquor License Transfer INTO the City by Greek Islands -

RES. #2016-59

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 City LLRC has received and reviewed Notice of Transfer of ownership of a Class C a Liquor License into the City to operate a new liquor serving establishment would exceed the number of 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 and revoke the transfer of a license for G.I. Poros, Inc. to operate a liquor serving establishment in the City of Plymouth's B-2 Zoning (Downtown) District. This denial is based on the fact that the proposed establishment would exceed the current cap on liquor licenses in the locally established B-2 Zoning District and the proposed plan does not comply with 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 Mike Wright and seconded by Commissioner Joe Valenti for approval of the resolution.

MOTION PASSED

7f. Charter Amendment – Election Filing Date -

RES. #2016-60

WHEREAS, there is a need to amend the Charter for the City of Plymouth from time to time to bring certain areas into compliance.

WHEREAS, State Elections supersedes the charter language for the City of Plymouth and therefore the City of Plymouth needs to amend Chapter 10, Section 10.9, Nomination Petitions to read as follows:

Persons desiring to qualify as candidates for any office under this Charter shall file an official petition therefore with the clerk signed by not less than forty (40) or more than one-hundred (100) registered electors of the city. Such petitions shall be filed with the Clerk, along with such affidavit of identity that may be required by State law, "not later than 4:00 p.m. on fifteenth Tuesday before the August Primary. (City Charter currently states the 12th Tuesday)

NOW, THEREFORE BE IT RESOLVED, that the pursuant to MCL 117.11(1) an amendment to an existing City Charter may be proposed by the legislative body, the amendment "shall" be submitted to the electors of the City at the next regular municipal or general state election, which would be November 8th, 2016. An Amendment being proposed will need to have a 3/5 vote of the members-elect. The language was changed by legislature and beginning January 1, 2014 the various county, township, and city clerk's shall receive nominating petitions or filing fees filed under State Election Law, Section 551, under this act up to 4 p.m., eastern standard time, of the fifteenth Tuesday before the August primary.

THEREFORE, The City Commission is proposing an amendment to Charter Section 10.9 Nominating Petitions, of the City Charter and requesting that the City Attorney and City Clerk proceed with ballot language to be forwarded to the State and County to be approved for the ballot for November 8, 2016 election.

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

MOTION PASSED

7g. Intergovernmental Contract with Plymouth Township Retiree Health Care –
RES. #2016-61

WHEREAS, The City of Plymouth and the Charter Township of Plymouth have both previously entered into the Intergovernmental Fire Services Agreement and the 1st Modified Intergovernmental Fire Service Agreement; and

WHEREAS, As a result of the termination of the Agreements there are certain Post Termination retiree Health Care Costs which must continue to be split between the two parties; and

WHEREAS, There have been several months of negotiations on the subject matter of the Retiree Health Care Costs and after much review of data supplied by the Township it was determined that the two parties agree, based on actual health care costs paid by the Township that the City shall pay the Township for the City share of those costs; and

WHEREAS, As a result of the data review the two parties agree that the City shall pay the Township a total of \$330,558.22 to cover the period of January 1, 2012 through December 31, 2015; and

WHEREAS, The two parties agree that this agreement does not address actual health care costs for January 1, 2016 and beyond and that there will be additional discussions between the parties related to those health care costs based on amounts paid by the Township.

NOW THEREFORE BE IT RESOLVED THAT this City Commission of the City of Plymouth does hereby authorize an agreement between the Charter Township of Plymouth and the City of Plymouth regarding Post Termination Fire Fighter Health Care Costs through December 31, 2015.

BE IT FURTHER RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize Mayor Dan Dwyer to execute the agreement between the two parties; and

BE IT STILL FURTHER RESOLVED THAT THE CITY CLERK SHALL INCLUDE A COMPLETE COPY OF THIS AGREEMENT IN THE MINUTES OF THIS MEETING OF THE CITY COMMISSION.

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

MOTION PASSED

7h. 4th Quarter Budget Amendments –
RES. #2016-62

WHEREAS, Actual patterns of departmental expenditures occur differently than originally projected in

the 2015-2016 City Budget as adopted in June of 2015; and
WHEREAS, Overall revenue and expenditure forecasts require modifications to the original budgetary allocations as established in the adopted budget ; and
WHEREAS, The City Budget amendments require the approval of the City Commission for changes between activity department and between funds of the City; and
WHEREAS, An amendment was proposed by Mayor Pro-tem Oliver Wolcott and seconded by Commissioner Dan Dalton amending the General Fund budget to cover costs regarding the approval on June 20, 2016 of a contract with Plymouth Township for payment of legacy health care costs for former fire services in the amount of \$330,558.22;

NOW THEREFORE BE IT RESOLVED, That the 2015-2016 City Budget is hereby amended as originally presented to the City Commission with the addition of \$330,560 reflecting an increase in the fire department budget of the General Fund and a reduction to the fund balance of the General Fund in the amount of \$330,560 pursuant to the added amendment introduced at the meeting of June 20, 2016 by Mayor Pro-tem Oliver Wolcott and seconded by Commissioner Dan Dalton and as shown in the revised Budget Amendments Summary, which is made a part of this resolution.

BE IT FURTHER RESOLVED, That the City Finance Director is authorized to change the budgetary appropriations as necessary to comply with the Budget Amendments Summary effective June 21, 2016.

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

MOTION PASS

8. REPORTS AND CORRESPONDENCE: None

9. ADJOURNMENT:

Hearing no further business to come before the Commission, a motion was made by Mayor Pro-tem Oliver Wolcott and seconded by Commissioner Colleen Pobur for adjournment of the meeting at 7:53 p.m.

MOTION PASSED