

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, FEBRUARY 23, 2010**

Supervisor Reaume called the meeting to order at 7:04 p.m. and led in the Pledge of Allegiance to the Flag.

MEMBERS PRESENT: Richard Reaume, Supervisor
Joe Bridgman, Clerk
Ron Edwards, Treasurer
Kay Arnold, Trustee
Robert Doroshewitz, Trustee
Michael Kelly, Trustee
Steven Mann, Trustee

ABSENT: None

OTHERS PRESENT: James Anulewicz, Director of Public Services
Mark Lewis, Chief Building Official
Mark Wendel, Fire Chief
Robert Smith, Assistant Police Chief
Patrick Fellrath, Township Civil Engineer
Ronald Witthoff, Township Attorney
Michael Bailey, Dietrich Bailey Associates
Alice Geletzke, Recording Secretary
48 Members of the Public

D. CLOSED SESSION

Mr. Mann moved to table Item D, Closed Session, until later in the meeting. Supported by Mr. Edwards. Ayes all.

E. APPROVAL OF AGENDA

Regular Meeting: Tuesday, February 23, 2010

Mr. Bridgman moved to approve the agenda for the Board of Trustees regular meeting of February 23, 2010 as amended, also removing Item K.8, Senior Transportation Services, under New Business. Supported by Ms. Arnold. Ayes all.

F. CONSENT AGENDA

F.1 Approval of Minutes

Special Meeting: Tuesday, January 19, 2010

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F.2 Approval of Township Bills

		Year 2010
General Fund	101	\$1,037,297.71
General Fund		-
Loan to Downtown Development Authority	101	
Solid Waste Disposal Fund	226	101,056.70
Improvement Revolving Fund	246	51,653.48
Drug Forfeiture Fund	265	10,809.80
Water & Sewer Fund	592	1,409,569.49
Trust and Agency Fund	701	13,000.000
Police Bond Fund	702	5,680.00
Tax Pool Fund	703	28,465.17
Special Assessment Capital Project Fund	805	-
Total:		\$2,657,532.35

F.3 Approval of Easements – N/A

F.4 Communications – Resolutions – Reports

a. Communications: N/A

b. Resolutions: N/A

c. Reports:

Building Department, January 2010

Fire Department, January 2010

FOIA Report, January 2010

Police Department, January 2010

Western Townships Utilities Authority, Financial Report 2009

Mr. Bridgman moved to approve the consent agenda for the Board of Trustees regular meeting of February 23, 2010 as submitted. Supported by Ms. Arnold. Ayes all.

G. PUBLIC COMMENT AND QUESTIONS

Mr. Reaume presented background budget information concerning the reduced financial resources available.

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The following residents addressed the Board during public comment: Mike Belanger, John Hesano, Lindsay Lehrer, Rebecca Hayes, Jacqueline George, Janice Johnson, and Tony Signorelli.

D. CLOSED SESSION

At 7:40 p.m., Mr. Mann moved that a closed session be called for the purpose of

RE: Contract Negotiations
Attorney-Client Opinions

This is a permissible purpose under the Michigan's Open Meeting Act, Public Act No. 267, Article 15.268, Section 8, paragraph (c & h). Seconded by Ms. Arnold. Ayes all on a roll call vote.

At 8:50p.m., Ms. Arnold moved to return to open session, seconded by Mr. Mann. Ayes all on a roll call vote.

H. PUBLIC HEARING

H.1 Industrial Facilities Tax Exemption – Bauer Associates
Resolution Number 10-02-23-04

Mr. Jim Axelson, CEO of Bauer Associates, and Kristi Eidt, CFO and partner, addressed the Board and answered questions.

Mr. Reaume opened the public hearing at 8:59 p.m. There being no public comment, the hearing was closed at 9 p.m.

Ms. Arnold moved to approve Resolution No. 10-02-23-04 for Bauer Associates, Inc., for a seven (7) year Industrial Facility Tax Exemption Certificate for improvements to their facility located at 44190 Plymouth Oaks Blvd., Plymouth Oaks Business Park Sub, Plymouth Township, Wayne County, Michigan. Seconded by Mr. Mann. Ayes all on a roll call vote.

A copy of the Resolution is on file in the Clerk's office for public perusal.

H.2 Brownfield Redevelopment Authority Plan – 5 Mile and Ridge Road
Resolution Number 10-02-23-05

Mr. Patrick McGow, Attorney for Miller Canfield, explained aspects of the project that relate to brownfield environmental costs.

Mr. Reaume opened the public hearing at 9:04 p.m. There being no public comment, the hearing was closed at 9:05 p.m.

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Mr. Mann asked to abstain from voting on this item because his employer, Miller Canfield, is involved in working on this project.

Ms. Arnold moved to approve Resolution No. 10-02-23-05, approving the Brownfield Plan for the 5 Mile and Ridge Road Project as submitted by the Plymouth Township Brownfield Redevelopment Authority. Seconded by Mr. Edwards. Ayes all on a roll call vote, with Mr. Mann abstaining.

A copy of the Resolution is on file in the Clerk's office for public perusal.

I. COMMUNITY DEVELOPMENT

I.1 Zoning Ordinance Number 99, Text Amendment 006

Mr. Anulewicz, Director of Public Services, explained that the proposed text amendment, recommended by the Planning Commission after public hearing, increases the width of a single family structure that the ZBA may allow to extend into the required 50 ft. rear yard from 40% to 100%, but restricts the height of the addition that encroaches to one story only, not to exceed the height of the single family structure.

Ms. Arnold moved to amend Zoning Ordinance No. 99 by adopting Text Amendment 006, which amends Article XX, Schedule of Regulations, Section 20.2, footnote 20(bb). Seconded by Mr. Edwards. Ayes all.

A copy of the Ordinance Amendment is on file in the Clerk's office for public perusal.

I.2 Zoning Ordinance Number 99, Text Amendment 007

Mr. Anulewicz explained that this proposed amendment, also recommended by the Planning Commission after public hearing, is related to use or erection of any building which would be in violation of any State or Federal Law.

Mr. Mann moved to amend Zoning Ordinance No. 99 by adopting Text Amendment No. 007, which adds the following sections to the Zoning Ordinance: SEC5.2A, SEC10.2A, SEC11.2A, SEC12.2A, SEC13.2A, SEC14.3A, SEC16.2A, SEC17.2A, SEC18.2A and SEC19.3 PARAGRAPH 8. Seconded by Mr. Edwards.

AYES: Mann, Edwards, Arnold, Bridgman, Kelly, Mann, Reaume
NAYS: Doroshewitz

Motion carried.

A copy of the Ordinance Amendment is on file in the Clerk's office for public perusal.

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I.3 Master Plan Amendment, November 2009

Mr. Anulewicz explained that the proposed draft of the “Master Plan Amendment, November 2009” is ready for distribution for comments from neighboring communities and other entities, as required by the Michigan Planning Enabling Act.

Ms. Arnold commended Mr. Anulewicz and Ms. Mary Bruce from his office for their hard work in efficiently compiling this clear, well-organized document in-house.

Mr. Edwards moved to authorize the Chairman of the Township Planning Commission to send the draft letter (Exhibit 1) and a copy of the proposed amendment to the master plan titled “Master Plan Amendment, November 2009” to the list of communities and entities as found in Exhibit 2. Seconded by Mr. Doroshewitz. Ayes all.

A copy of the exhibits and proposed amendment to the master plan is on file in the Clerk's office for public perusal.

J. UNFINISHED BUSINESS – N/A

K. NEW BUSINESS

K.1 Industrial Facilities Tax Exemption – DADCO, Inc.
Set date for Public Hearing

Mr. Bridgman moved that March 23, 2010 be set for public hearing for DADCO, Inc., for an Industrial Facility Tax Exemption Certificate for improvements to their facility located at 43830 Plymouth Oaks Blvd., Plymouth Oaks Business Park, Plymouth Township, Wayne County, Michigan. Seconded by Ms. Arnold. Ayes all.

K.2 Board of Review Appointment

Mr. Mann moved to appoint Ann Marie Musson as an alternate to the Board of Review and Robert Harris as a member of the Board of Review, with terms expiring on December 31, 2010. Seconded by Mr. Edwards. Ayes all.

K.3 Emergency Management Coordinator
Resolution Number 10-02-23-06

Mr. Edwards moved to approve Resolution No. 10-02-23-06 to appoint the Wayne County Emergency Management Coordinator as the Charter Township of Plymouth emergency management coordinator. Seconded by Mr. Mann. Ayes all on a roll call vote.

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A copy of the Resolution is on file in the Clerk's office for public perusal.

K.4 Plymouth Professional Center Storm Drain Agreement
Resolution Number 10-02-23-07

Mr. Michael Bailey of Dietrich Bailey Associates explained the need for this resolution.

Mr. Kelly moved to adopt Resolution No. 10-02-23-07, authorizing the Township Supervisor to sign Wayne County Permit M-44966 and approve the Storm Drain Agreement with Emmett Contracting, LLC, and authorize the Township Supervisor and Clerk to execute same. Seconded by Mr. Doroshewitz. Ayes all on a roll call vote.

A copy of the Resolution is on file in the Clerk's office for public perusal.

K.5 Michigan Department of Transportation Annual Permit
Resolution Number 10-02-23-08

Township Civil Engineer Patrick Fellrath explained the need for the yearly permit to work in State right-of-ways.

Mr. Bridgman moved to approve Resolution No. 10-02-23-08, the MDOT Right-of-Way Miscellaneous Work Permit Application, the Permit and the Performance Commitment and Indemnification Agreement, and authorize the signature of same with a cover letter to be sent reserving the township's right to challenge the indemnification provisions as beyond the authority of the Township. Seconded by Mr. Edwards. Ayes all on a roll call vote.

A copy of the Resolution is on file in the Clerk's office for public perusal.

K.6 Wayne County Annual Permit "C's"
Resolution Number 10-02-23-09

Mr. Fellrath explained these annual Wayne County maintenance permits are also necessary.

Mr. Edwards moved to approve Resolution No. 10-02-23-09, authorizing the execution of the Annual Maintenance Permits with Wayne County to allow the Township to work within the Wayne County Road Right-of-Ways and further authorize the Township Supervisor to sign the Annual Permit "C's" on behalf of the Township with a cover letter reserving the Township's right to challenge the indemnification provisions as beyond the authority of the Township. Seconded by Mr. Doroshewitz. Ayes all on a roll call vote.

A copy of the Resolution is on file in the Clerk's office for public perusal.

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K.7 Teamster Collective Bargaining Agreement

Ms. Arnold moved to approve the agreement between the Charter Township of Plymouth and Teamsters Local 214, and authorize the Clerk and Supervisor to sign the agreement. Seconded by Mr. Mann. Ayes all.

L. SUPERVISOR COMMENTS

Mr. Reaume indicated the assessment notices have been sent out.

M. TRUSTEE COMMENTS – There were none.

N. PUBLIC COMMENT

Mr. Dave Hayes, Township police officer, and Mr. Rick Tefend, Township firefighter, expressed their respective unions' desire to negotiate further with the Township.

Mr. Paul Garow offered suggestions for the financial crisis such as approaching bond holders for possible balance reductions.

Mr. Chris Somercik urged Board members and the unions to come together to provide needed fire and police services.

O. ADJOURN

Mr. Mann moved to adjourn the meeting. Seconded by Mr. Edwards. Ayes all.

Mr. Reaume adjourned the meeting at 10:03 p.m.

Joseph Bridgman, Clerk
Charter Township of Plymouth

PLEASE TAKE NOTE: The Charter Township of Plymouth will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at all Township Meetings, to individuals with disabilities at the Meetings/Hearings upon two weeks notice to the Charter Township of Plymouth by writing or calling the following: Human Resource Office, 9955 N Haggerty Road, Plymouth, MI 48170. Phone number (734) 354-3202 TDD units: 1-800-649-3777 (Michigan Relay Services)