



# Plymouth City Commission Regular Meeting Agenda

Monday, March 16, 2020 7:00 p.m.-Plymouth City Hall

The City of Plymouth is committed to transparency and open government. In the interest of public health and welfare, we are asking those who are feeling ill or think they may have been exposed to COVID-19, to please consider staying home and viewing the meeting on our website on or after Tuesday, March 17. All City Commission meetings may be viewed [here](#). In addition, City staff will be available at 734-453-1234 ext. 203 to answer any questions you may have.

City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

www.plymouthmi.gov  
Phone 734-453-1234  
Fax 734-455-1892

1. **CALL TO ORDER**
  - a. Pledge of Allegiance
  - b. Roll Call
2. **CITIZENS COMMENTS**
3. **APPROVAL OF THE AGENDA**
4. **ENACTMENT OF THE CONSENT AGENDA**
  - a. Approval of March 2, 2020 Regular Meeting Minutes
  - b. Approval of February 2020 Bills
  - c. Special Event – Our Lady of Good Counsel School Picnic May 21, 2020
  - d. Special Event – Lightning Robotics August 16, 2020
  - e. Special Event – Art in the Park July 10-12, 2020
  - f. Special Event – Plymouth Community Band May 28-July 30, 2020
5. **COMMISSION COMMENTS**
6. **PUBLIC HEARING**
  - a. Annual Liquor License Review
  - b. Add Stockholder Stella's Black Dog Tavern
  - c. Add Stockholder Stella's Trackside
7. **OLD BUSINESS**
8. **NEW BUSINESS**
  - a. Authorization to Hire - DMS
  - b. Annual Review of MRTMA
  - c. Authorization for Dewey Street Improvement and Update on 2020 Road Designs
9. **REPORTS AND CORRESPONDENCE**
  - a. Public Act 33 of 2020 – **No action required**
  - b. Liaison Reports
10. **ADJOURNMENT**

Citizen Comments - This section of the agenda allows up to 3 minutes to present information or raise issues regarding items not on the agenda. Upon arising to address the Commission, speakers should first identify themselves by clearly stating their name and address. Comments must be limited to the subject of the item. Persons with disabilities needing assistance with this should contact the City Clerk's office at 734-453-1234 Monday through Friday from 8:00 a.m.-4:30 p.m., at least 24 hours prior to the meeting. An attempt will be made to make reasonable accommodations.

Consent Agenda - The items on the Consent Agenda will be approved by one motion as Agenda Item #4. There will be no separate discussion of these items unless a Commissioner or citizen so requests, in which case that item will then be placed on the regular agenda.

# City of Plymouth Strategic Plan 2017-2020

## GOAL I - QUALITY OF LIFE

### OBJECTIVES

1. Support the neighborhoods with high-quality customer service
2. Engage in collaboration with private entities and surrounding municipalities to implement the [Joint Recreation Master Plan](#)
3. Improve communication with the public across multiple platforms
4. Maintain a high level of cleanliness throughout the City
5. Support and host a diverse variety of events that foster community and placemaking

### ONE YEAR TASKS 2020-21

- Liquor/marijuana license review
- Rooftop seating review
- Adopt Downtown Development Authority (DDA) Master Plan and identify funding sources for implementation
- Begin implementation of Kellogg Park Master Plan with fountain replacement
- Establish format & requirements for public parks sponsorship
- Resident education programs on zoning basics, ordinance change and update, services, and recycling
- City webpage - create city-wide F.A.Q. "Index" page and push out link
- Increase social media presence – 1k new followers/subscribers/etc.
- Review and evaluate City truck routes
- Complete update to Special Events Policy

## GOAL II - FINANCIAL STABILITY

### OBJECTIVES

1. Approve balanced budgets that maintain fiscal responsibility
2. Advocate for increased revenue sharing with the State of Michigan
3. Encourage and engage in partnerships, both public and private, to share costs of services and equipment
4. Address the issue of legacy costs
5. Seek out and implement efficient and effective inter-departmental collaboration
6. Market our successes to attract new economic and investment opportunities

### ONE YEAR TASKS 2020-21

- Actively promote and participate in the 2020 census
- Explore internal and external supplemental funding of legacy costs
- Target revenue enhancements for large-scale capital projects, including grants and millage
- Assist the Michigan Municipal League (MML) in facilitating and increasing support for state revenue sharing initiatives
- Redesign Capital Improvement Plan and evaluate future funding process for Equipment Fund
- Create a rate card for payment in lieu of paid parking
- Develop financial plan for public safety model
- Identify cost estimates, timeframe and potential funding sources for central parking deck
- Complete road bond sale – phase one

## GOAL III - ECONOMIC VITALITY

### OBJECTIVES

1. Continue to support and improve active, vibrant downtown branding
2. Support community and economic development projects and initiatives
3. Support a mix of industrial, commercial and residential development
4. Reference the [Master Plan](#) in economic decision-making

### ONE YEAR TASKS 2020-21

- Continued administration of development projects and proposals including Wilcox Mill, Saxton's, Pulte, Starkweather School, Lumber Mart, and various residential builds
- Branding – consistency across all communications (email, letterhead, agenda)
- Provide annual process and risk-management training to all boards and commissions
- Continue implementing Redevelopment Ready Community (RRC) plan to achieve certification
- Develop list of transitional properties and utilize Michigan Economic Development Corporation (MEDC), Wayne County, others to market
- Explore marketing partnerships (schools, Chamber, hotels, available publications etc.)

## GOAL IV - SERVICE AND INFRASTRUCTURE

### OBJECTIVES

1. Support administration and staff by providing professional development opportunities, supplying resources, and maintaining a commitment to recruitment, retention and succession planning
2. Support and deliver safe and responsive emergency services
3. Maintain a sophisticated and responsive technology to communicate and manage data
4. Continually record, maintain, update, and improve City infrastructure

### ONE YEAR TASKS 2020-21

- Administration to make parking recommendation to City Commission by end of first quarter
- Implement updates to parking system according to direction given by City Commission
- Actively engage employees for further career development for succession planning with special focus on the depth of Cultural Center staffing
- Continue Asset Management Plan
- Review Insurance Services Office (ISO) Report and International City/County Management Association (ICMA) Study & begin meeting to discuss viable options for the future delivery of emergency services
- Approve third version of agreement on sanitary sewer with Western Township Utilities Authority (WTUA) based on delay by Wayne County
- Develop multi-modal transportation policy to City Commission
- Implement 2020 street repairs
- Restore Commercial Motor Vehicle (CMV) enforcement
- Continue geographic information system (GIS) mapping of the City
- Define process/educate citizenry/pursue adoption/Implement form-based codes



City of Plymouth  
City Commission Regular Meeting Minutes  
Monday, March 2, 2020 - 7:00 p.m.  
Plymouth City Hall Commission Chambers

ITEM 4.a

City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

www.plymouthmi.gov  
Phone 734-453-1234  
Fax 734-455-1892

**1. CALL TO ORDER**

- a. Mayor Wolcott called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance
- b. Roll call

Present: Mayor Oliver Wolcott, Commissioners Suzi Deal, Marques Thomey and Tony Sebastian

Absent: Mayor Pro Tem Nick Moroz, Commissioners Ed Krol and Kelly O' Donnell

Also present: City Manager Paul Sincock, Attorney Robert Marzano, Public Safety Director Al Cox and various City Department Heads

**2. CITIZENS COMMENTS**

Holly Smith – 230 Parkview – Pulte Development issues related to trash from construction  
Mark Oppat – 253 – Lighting issues in old village, Main Street development to old village from downtown, Entrance from Plymouth Road to Edward Hines Drive/Park  
Lee Jasinski - 1380 Maple - Plymouth Leafy/Tree Plantings update in the City

**3. APPROVAL OF THE AGENDA**

Commissioner Thomey made a motion, seconded by Commissioner Deal, to approve the agenda for Monday, March 2, 2020.

MOTION PASSED 4-0

**4. ENACTMENT OF THE CONSENT AGENDA**

- a. Approval of February 17, 2020 Regular Meeting Minutes
- b. Approval of January 2020 Bills
- c. Special Event – Music in the Air
- d. Special Event – An American Salute
- e. Wednesday Night Workouts

Commissioner Deal made a motion, seconded by Commissioner Sebastian, to approve the Consent Agenda for Monday March 2, 2020.

MOTION PASSED 4-0

**5. COMMISSION COMMENTS**

Commission Thomey requested some information regarding the Pulte site development on Mill Street.

Mayor Wolcott commented Main Street developments, possible entrance from Plymouth Road to Edward Hines Drive/Park, and lighting in old village.

**6. OLD BUSINESS**

a. Sign Ordinance Second Reading

RESOLUTION #2020-17

The following Resolution was offered by Comm. Deal and seconded by Comm. Thomey.

WHEREAS The Plymouth City Commission directed the Administration and Planning Commission to revise and amend the City's Sign Ordinance to adhere to Redevelopment Ready Community Best Practices, and

WHEREAS The Plymouth City Commission further directed the Administration and Planning Commission to revise and amend the City's Sign Ordinance to comply with the Reed vs. Gilbert, AZ decision made by the United States Supreme Court in 2015, and

WHEREAS The City Commission approved an expenditure to contract with the City's Planner for a special project to assist the administration and Planning Commission the review and revise the Sign Ordinance, and

WHEREAS The Planning Commission performed an extensive review of the sign ordinance -in conjunction with the administration and City Planner and recommend several amendments to the following sections of the Zoning Ordinance: Sec. 78-21. Definitions, Sec. 78-220-78-239. Signs, Sec. 78-181. Mixed Use District, Sec. 78-212 Home Occupations, and Sec. 78-284 Bed and Breakfast, and

WHEREAS the Planning Commission did post and hold a Public Hearing on the proposed language as referenced above at their December 11, 2019 regular meeting, and

WHEREAS the Planning Commission did at the conclusion of the Public Hearing approve the language amendments as presented to the several sections and recommend review and approval by the City Commission of the same, and

WHEREAS the City Attorney has reviewed the enclosed proposed language and is comfortable with the language as presented, and

WHEREAS the City Commission has completed a First and Second Reading of the proposed language,

NOW BE IT RESOLVED that the Plymouth City Commission adopts the amendments as presented to the following sections of the City's Zoning Ordinance: Sec. 78-21. Definitions, Sec. 78-220 – 78-239. Signs, 78-181. Mixed Use District, 78-212. Home Occupations, and Sec. 78-284 Bed and Breakfast as related to sign ordinance amendments.

NOW BE IT FURTHER RESOLVED that the Plymouth City Commission directs the City Clerk to publish the language as required by law prior to the language becoming effective.

MOTION PASSED 4-0

**Sign Ordinance**  
*City of Plymouth*

**Section 78-21. Definitions**

***[Add the following text from ARTICLE XIX SIGNS to this section.]***

Sign means any display or object which is primarily used to identify or display information about or direct or attract attention to a person, institution, organization, business, product, event, location or otherwise, or any religious, political, social, ideological or other message, by any means which is visible from any public street, sidewalk, alley, park, or public property and is otherwise located or set upon or in a building, structure or piece of land. The definition does not include goods displayed in a window.

For purposes of this ordinance, sign shall also include the following terms:

Sign, abandoned means a sign which, for ninety (90) consecutive days, fails to direct a person to or advertises a bona fide business, tenant, owner, product or activity conducted, or product available on the premises where such sign is displayed.

Sign area per business site means the allowable signage allocated to a building with one or more tenants who each have a separate means of ingress and egress. Multi-tenant buildings with a shared means of ingress and egress shall be considered one business site.

Sign, awning means a sign which is applied to or attached flat against the surface of an awning or canopy.

Sign, banner means a sign of lightweight fabric or similar material, but not including paper or cardboard, which can be easily folded or rolled.

Sign, bench means an advertising sign placed upon a bench or other seating structure.

Sign, changeable copy (Electronic) means a sign or portion thereof that displays changeable, electronic alphanumeric characters, graphics, or symbols using light emitting displays, fiber optics, light bulbs or other illumination devices within the display area, and are generally manipulated by computer programmable, microprocessor controlled devices. Electronic changeable copy signs include projected images or messages with these characteristics onto buildings or objects. A sign on which the only copy that changes is an electronic indication of time or temperature shall be considered a "time and temperature" portion of a sign and not an electronic changeable copy sign for purposes of this ordinance.

Sign, changeable copy (Manual) means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged by hand without altering the structural integrity of the sign.

Sign, channel letter means individual channel letters that are mounted on a building so that the face of the letter is parallel to the building wall.

Sign, directional means a sign which indicates the route or location of facilities, services, or activities which are of public interest, and signs denoting the direction of vehicular traffic.

Sign, directory means a sign that displays the tenant names and locations for a building containing multiple tenants.

Sign, feather flag means a portable sign of fabric or similar lightweight material that contains a harpoon-style pole or staff driven into the ground for support, supported by means of an individual stand, or attached to a building.

Sign, festoon means banners, pennants, or other such temporary features which are hung or strung overhead and which are not an integral, physical part of the building or structure they are intended to serve.

Sign, flag means any fabric or similar lightweight material attached at no more than two corners of the material so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices or text. If any dimension of a flag is more than three times as long as any other dimension, it shall be regulated as a banner.

Sign, flashing, animated or moving means a sign that has intermittently reflecting lights, or signs which have movement of any illumination such as intermittent, flashing, scintillating, or varying intensity, or a sign that has any visible portions in motion, either constantly or at intervals, whether caused by artificial or natural sources. This would include, but not be limited to, electronic or digital displays.

Sign, ground means a sign which is attached to or part of one or two posts permanently mounted in or on the ground or mounted on a solid base that is on the ground and is not attached to any building or structure.

Sign, hanging means a sign mounted on the first floor of a building perpendicular to the building façade wall, hung from a metal bracket in a manner that permits it to swing slightly. These signs are small, pedestrian scaled, and easily read from both sides.

Sign, inflatable means a sign, figure or object that is either expanded to its full dimensions or supported by gases or liquids contained within the sign, figure or object, or part, at a pressure greater than atmospheric pressure.

Sign, marquee means a sign attached to or part of a permanent roof-like structure projecting above the entrance to a place of assembly, attached to and supported by the building and projecting beyond the wall of the building. These signs are typically manual changeable copy signs.

Sign, menu board or order board means a sign which serves patrons using a drive-through facility.

Sign, neon means an internally illuminated sign consisting of glass tubing, filled with neon or another gas, which glows when electric current is sent through it, including faux or simulated neon.

Sign, nonconforming means any sign which was lawfully erected and maintained prior to the effective date of this ordinance and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this chapter. Signs for which the zoning board of appeals has granted a variance are exempt and shall not be defined as nonconforming.

Sign, off-premises means a sign other than an on-premises sign.

Sign, on-premises means a sign which advertises only goods, services, facilities, events, or attractions on the contiguous land in the same ownership or control which is not divided by a public street and is located on said land.

Sign, permanent means any sign that is constructed or intended for long-term use and is permanently affixed to its location.

Sign, pole means a sign mounted on a freestanding pole(s) or other support(s) with a clear space of eight (8) feet or more between the bottom of the sign face and the grade below.

Sign, projecting means a sign other than a wall sign that is perpendicularly attached to and projects from a structure or building wall not specifically designed to support the sign.

Sign, sidewalk means a sign that is freestanding, double-sided sign with lettering painted or applied to the surface, placed at the entrance to a building in a primarily pedestrian environment. This type of sign may include but isn't limited to "A"-frame signs.

Sign, roof means a sign which is erected, constructed, and maintained wholly upon or over the roof of any building, with its principal support on the roof structure. For purposes of this section, any architectural element which is used on the wall of a structure to give the appearance of a roof line

similar to a mansard, gambrel or other roof type, shall be considered a roof. A vertical plane or fascia which is attached to and located below the angled plane of a slope roof and which is less than six (6) inches in height shall be considered part of a roof.

Sign, temporary means a display sign, banner or other advertising device constructed of cloth, canvas, fabric, plastic or other light temporary material, with or without a structural frame, or any other sign intended for a limited period of display that is not permanently anchored to the ground or building.

Sign, vehicle business means a sign applied or attached to a vehicle which is parked or placed upon premises primarily for purposes of advertising the business or product for sale on the premises. Commercially licensed vehicles which are generally used daily off-site are not included in this definition.

Sign, wall means a sign which is applied or attached directly to the building wall.

Sign, window means a sign that is applied, painted, posted, displayed, or etched onto a glazed surface, regardless of opacity or perforation, so that its primary purpose is to be observed from outside the building.

**[Modify ARTICLE XIX SIGNS as follows. NOTE THAT THIS SECTION HAS BEEN COMPLETELY RE-WRITTEN; HOWEVER, MOST OF THE NUMBER AND DIMENSIONAL REQUIREMENTS REMAIN THE SAME]**

**Sec. 78-220. - Intent.**

The intent of this article is to regulate the location, size, materials, construction, manner of display, maintenance, and removal of signs, except those expressly exempted from regulation by this ordinance. This ordinance has the following objectives:

- (a) Minimize any potential harmful effects on the public health, safety and welfare by ensuring that signs are structurally sound and adequately maintained, minimizing the potential for unsafe traffic conditions due to signage that unreasonably distracts drivers or emulates official traffic signs, keeping signage out of pedestrian and vehicle travel ways, and minimizing glare or vision impairment from sign lighting.
- (b) Protect the constitutionally guaranteed right of free speech.
- (c) Recognize the legitimate needs of business, industry and other activities, through appropriate guidelines, in attaining their identification and informational objectives and promote economic development in the city.
- (d) Preserve the aesthetic quality of roadways and zoning districts by:
  - (1) Preventing visual clutter and blight.
  - (2) Protecting views.
  - (3) Preventing proliferation of signs.
  - (4) Avoiding glare, light trespass, and skyglow through the appropriate selection of light fixtures, light location and direction.
- (e) Preserve the character of unique districts by establishing time, place, and manner regulations that reflect the unique qualities of the area, including, but not limited to, historical, aesthetic, natural, and cultural characteristics.

**Sec. 78-221. - Signs exempt.**

The following signs are exempt from the requirements in this article:

- (a) Flags
- (b) Legal notices, identification information, or directional signs erected or permitted by governmental bodies or agencies;
- (c) Building or unit addresses;
- (d) Religious symbols or paintings which do not display lettering and do not advertise a business, product or service;
- (e) Decorative holiday displays.

**Sec. 78-222. - Signs permitted.**

The following signs are permitted, subject to compliance with the requirements in this article:

- (a) Awning sign;
- (b) Banner sign;
- (c) Manual changeable copy sign;
- (d) Channel letter sign;
- (e) Directional sign;
- (f) Directory sign;
- (g) Flag sign;
- (h) Ground sign;
- (i) Hanging sign;
- (j) Marquee sign;
- (k) Menu board or order board sign;
- (l) Monument sign;
- (m) Neon sign;
- (n) On-premises sign;
- (o) Projecting sign
- (p) Sidewalk sign;
- (q) Temporary sign;
- (r) Wall sign;
- (s) Window sign.

**Sec. 78-223. - Signs not permitted.**

Any type of sign not expressly permitted in [section 78-222 is not allowed in any district. Examples of signs that are not permitted include, but are not limited to, the following.](#)

- (a) Abandoned sign;
- (b) Bench sign;
- (c) Feather flag sign;
- (d) Festoon sign;
- (e) Flashing, animated or moving signs, except signs which display of the current time or temperature
- (f) Electronic or digital changeable copy signs, except signs which display the current time or temperature;
- (g) Inflatable sign;
- (h) Non-conforming sign;
- (i) Off-premise sign;
- (j) Pole sign;
- (k) Roof sign;
- (l) Vehicle business sign;

- (m) Any device erected or maintained which simulates or imitates in size, color, lettering, or design any traffic sign or signal or other word, phrase, symbol, or character in such a manner as to interfere with, mislead or confuse vehicular traffic;
- (n) Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit;
- (o) Any sign that, as determined by the Building Official or his or her designee, is deemed unsafe, constitutes a hazard, is structurally unsound or not in good repair;
- (p) Any sign unlawfully installed, erected or maintained.

**Sec. 78-224. - General conditions.**

The following conditions shall apply to all signs erected or located in any use district that are visible from a public right-of-way, private road, public park or residentially zoned property. Where signs are located in the Ann Arbor Road Corridor (ARC) District (Sec. 78-169), if any regulations covered by this section and Sec. 78-169 conflict, Sec. 78-169 shall control and prevail.

(a) Location:

- (1) Only signs established or permitted by city, county, state or federal government may be located in or project into the public road right-of-way or public property, unless specifically provided otherwise herein.
- (2) Signs shall be placed so as not to obstruct the clear vision or movement of pedestrians, cyclists, or motorists.
- (3) All signs shall be on-premises signs.

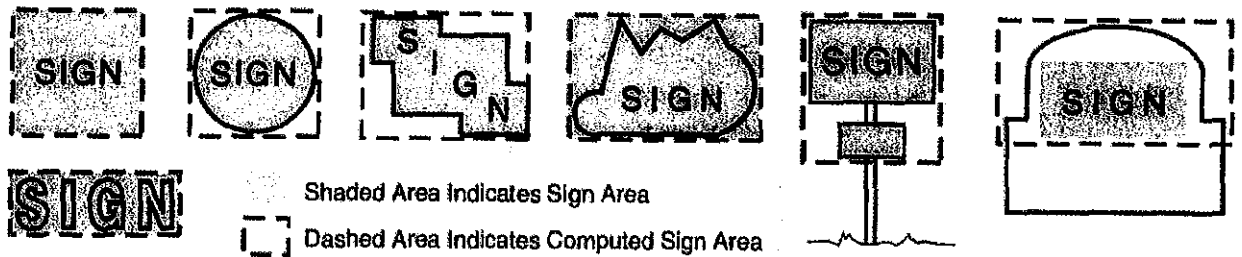
(b) Illumination:

- (1) No sign shall be illuminated by other than electrical means.
- (2) All signs whether internally or externally illuminated shall not interfere with the vision of pedestrians, cyclists, or motorists.
- (3) The light from illuminated signs shall not directly shine into adjacent or abutting properties.
- (4) Illuminated signs adjacent to residentially zoned property shall be designed and maintained such that illumination levels do not exceed 0.1 foot-candles along the adjacent property line.
- (5) No sign shall have blinking, flashing, or fluttering lights or other illuminating devices which have a changing light intensity, brightness or color.
- (6) When signs are externally illuminated, the light source shall be shielded and not visible from a public street or adjacent property.
- (7) The illumination provisions above shall not apply to sign lighting systems owned or controlled by any public agency for the purpose of directing traffic.
- (8) Neon lighting or similar lighting technologies is prohibited outside of the sign.
- (9) Signs affixed or applied to awnings and canopies shall not be back-lit.

(c) Measurement:

(1) Sign area. Sign area shall be computed as follows:

- a. The sign area is measured by enclosing the entire area within a rectangle or square of the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame, tower, or other material or color or internally illuminated area forming an integral part of the display or used to differentiate such sign. Such signs shall be deemed to be a single sign whenever the proximity, design, content or continuity reasonably suggests a single unit, notwithstanding any physical separation between parts. The graphics below illustrate the measurement of area of various shaped signs:



- b. Wall sign. Where a sign consists of a generally flat surface or sign face on which lettering and other information is affixed, the sign area shall be computed by measuring the entire face of the sign including any framing or borders. Awning signs, channel letter signs, hanging signs, marquee signs, and projecting signs shall be included in the calculation of a wall sign.
- c. Individual letters. Where a sign consists of individual letters and/or logo affixed directly to a building without a supporting structure, the area of the sign shall be computed by measuring the area of the envelope required to enclose the lettering and logo.
- d. Ground sign. The area of a ground sign shall include the entire area of the sign upon which copy, lettering, drawings or photographs could be placed, excluding the base of the sign. Any sign with a solid base that is greater than 30 inches tall as measured from the average grade shall be calculated as part of the sign area.
- e. Two or more faces. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back to back and are at no point more than two feet from one another, the area of the sign shall be taken as the area of one face, if the two faces are of equal area, or as the area of the larger face, if the two faces are of unequal area.
- f. Cylindrical sign. The area of a cylindrical freestanding sign shall be computed by multiplying the circumference of the cylinder by its height.

(2) Sign Height. The height of a sign shall be computed as the distance from the base of the sign at average grade directly adjacent to sign base to the highest point of the sign structure, including any supportive or decorative appendages of the sign. Average grade shall be construed to be the lower of:

- a. Existing average grade prior to construction; or

- b. The newly established average grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purposes of locating the sign.

In cases where the average grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the average grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the lot of record, whichever is lower.

(3) Sign setback.

- a. Signs that are setback from property lines or public rights-of-way will be measured from the portion of the sign structure nearest to the specified line. For purposes of these measurements, the property lines and public right-of-way lines extend vertically and perpendicularly from the ground to infinity.
- b. The distance between two signs shall be measured along a straight horizontal line that represents the shortest distance between the two signs.
- c. The distance between a sign and a parking lot or building shall be measured along a straight horizontal line that represents the shortest distance between the outer edge of the parking lot or building.

(d) Addresses. For purposes of identification by emergency personnel (fire, police, EMS) all businesses, offices, industrial buildings, apartment complexes, or residences either multiple- or single-family, shall prominently display on the front side (facing the street) of their building or upon freestanding signs or entranceways to all buildings, their street address. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). If the residence or business cannot be seen from the street, an additional street address sign shall be displayed in an area where it can be seen from the street. In all residences with more than one unit, such as apartments, each individual unit shall be clearly marked.

- (f) Nothing in this ordinance shall be construed to prohibit non-commercial messages on signs that are otherwise allowed herein.

**Sec. 78-225 - Permanent signs.**

The following regulations shall apply to all permanent signs, except where such signs are located in the Ann Arbor Road Corridor (ARC) District. In such cases, if any regulations covered by this section and Sec. 78-169 conflict, Sec. 78-169 shall control and prevail.

(a) Construction Standards.

- (1) All permanent signs shall be designed, constructed and installed in a stable and safe manner in accordance with the City's adopted Building and Electrical Codes.
- (2) All electrical wiring associated with a freestanding sign shall be installed underground.

- (3) All signs attached to a structure shall be designed so that the supporting framework is contained within or behind the face of the sign or within the building to which the sign is attached so as to be totally screened from view.
- (b) Awning Sign.
- (1) Signs affixed or applied to awnings or canopies are permitted in RM-1, RM-2, O-1, O-2, B-1, B-2, B-3, I-1, I-2 and for multi-family residential and non-residential uses in the MU District.
  - (2) Signs affixed to awnings or canopies shall be considered wall signs and subject to the regulations of wall signs and shall be included in the total amount of sign area permitted for the subject building.
- (c) Changeable Copy Sign (Manual).
- (1) Manual changeable copy signs are permitted in RM-1, RM-2, O-1, O-2, B-1, B-2, B-3, I-1, I-2 and for multi-family residential and non-residential uses in the MU District.
  - (2) Manual changeable copy signs affixed to a building wall shall be considered wall signs and subject to the regulations of wall signs.
  - (3) Manual changeable copy signs attached to or part of a completely self-supporting structure placed on or below the ground surface and not attached to any building or any other structure, shall be considered a freestanding sign and subject to the regulations of freestanding signs.
- (d) Channel Letter Sign.
- (1) Channel letter signs are permitted in RM-1, RM-2, O-1, O-2, B-1, B-2, B-3, I-1, I-2 and for multi-family residential and non-residential uses in the MU District.
  - (2) Channel letter signs shall be considered wall signs and subject to the regulations of wall signs.
- (e) Directional Sign.
- (1) Directional signs are permitted in all zoning districts.
  - (2) Directional signs shall not exceed two (2) square feet per side, shall have a maximum of two sides, shall contain no advertising except the business name or logo, and may be illuminated in compliance with Sec. 78-224.
  - (3) Directional ground signs shall not exceed a height of six (6) feet and one may be located at each driveway entrance.
- (f) Directory Sign.
- (1) Directory signs are permitted in RM-1, RM-2, O-1, O-2, B-1, B-2, B-3, I-1, I-2 and for multi-family residential and non-residential uses in the MU District.
  - (2) Directory signs shall be oriented to pedestrian traffic. Directory signs shall not exceed four (4) square feet and shall contain no advertising except the business or tenant names or logos.
- (g) Ground Sign.

- (1) Location.
  - a. Ground signs are permitted in all zoning districts.
  - b. The ground sign shall be set back a minimum of five (5) feet from the road right-of-way, and no closer than five (5) feet from the edge of the principal entrance driveway and all property lines.
- (2) Number of sides. Ground signs shall have a maximum of two (2) sides.
- (3) Number of signs.

Table 78-225-A. Ground Signs - Allowable Number

Uses	Number of Ground Signs Permitted	If lot of record meets the following standard:
<b>In O-1, O-2, B-1, B-2, B-3, I-1, I-2, Non-Residential Permitted Uses in MU</b>		
For all permitted and special land uses except multi-tenant business sites	One (1) per lot of record	One (1) additional sign may be permitted if lot of record exceeds 400 linear feet or at a secondary entrance if secondary entrance is not located on the same street as the primary entrance.
For multi-tenant business sites	One (1) per multi-tenant business site	If the lot fronts on two or more collector or arterial streets, one (1) such sign may be permitted for each frontage.
<b>In R-1, RT-1, RM-1, RM-2, Residential Uses in MU</b>		
For dwellings and home occupations	Not Permitted	
For subdivision, site condominium, multi-family development	One (1) at primary entrance	One additional ground sign may be permitted at a secondary entrance if it is not located on the same street as the primary entrance.
<b>In R-1, RT-2, RM-1, RM-2, Non-Residential Land Uses in MU</b>		
For publicly owned libraries, parks, parkways and recreational facilities, arts councils, museums, and religious institutions and	One (1) per lot of record for each non-residential land use.	One additional ground sign may be permitted at a secondary entrance if it is not located on the same street as the primary entrance.

non-residential special land uses		
<b>In Planned Unit Developments (PUD)</b>		
For all uses	Number of ground signs shall be determined by the intended use of the premises, subject to review and approval during the PUD process.	

- (4) Sign height and area. Maximum height and area requirements for ground signs shall be applied within each zoning district according to the following schedule.

Table 78-225-B. Ground Signs – Maximum Height and Area

District	Max. Height (ft.)	Maximum Area (sq. ft.) Per Side	Total (sq.ft.)
R-1	4	18	36
RT-1	4	18	36
RM-1	6	25	50
RM-2	6	25	50
MU (Residential uses)	4	18	36
O-1	8	25	50
O-2	8	25	50
B-1	8	25	50
B-2	15	25	50
B-3	15	25	50
I-1	6	25	50
I-2	6	25	50
For multi-tenant business sites	8	32	64
MU (Non-Residential uses)	8	25	50

- (5) Sign base. The support structure for a ground sign shall not exceed 25 percent of the maximum permissible area of the sign measured by viewing the elevation of the sign perpendicular to the sign face, unless otherwise approved during the site plan review process.

- (h) Hanging Sign.

- (1) Location.

- a. Hanging signs are permitted in the B-1, B-2, and MU zoning districts for non-residential uses and shall be governed by the following regulations.
  - b. The hanging sign must be located in the center third of the storefront/business site or over an entrance door.
  - c. Hanging signs shall not be allowed above a street or alley where they could interfere with vehicular traffic.
  - d. The maximum distance from the face of the building to the sign edge closest to the right-of-way shall be 30 inches or, if hanging under an awning, the depth of the awning, whichever is less.
  - e. Hanging signs shall be spaced at least 20 feet apart.
- (2) Number of sides.
- a. Hanging signs shall have a maximum of two (2) sides.
- (3) Number of signs.
- a. One (1) hanging sign may be permitted for each first-floor business or tenant space with a separate means of ingress and egress.
  - b. One (1) hanging sign may be used in addition to a wall sign for each business site. However, hanging signs are not allowed at business sites which display a projecting sign, a freestanding sign, a nonconforming wall sign, or signs which exceed the current allowed square footage for wall signs.
- (4) Sign height and area.
- a. Hanging signs must provide a clear vertical distance of eight feet from the sidewalk and ten feet from any driveway.
  - b. The hanging sign may be a maximum of six (6) square feet in area (per side) and shall be included in the total amount of wall sign area permitted for the subject building.
  - c. Signage, lettering, or numerals on a hanging sign shall not exceed eight inches excluding letters or digits used as part of a logo.
- (5) Hanging signs shall not be internally illuminated.
- (6) Changeable copy shall not be permitted as part of a hanging sign.
- (7) All hanging signs shall be safely and securely attached by not less than two (2) metal chains, metal brackets, or metal cables which are firmly secured to the structure. No excess chain shall be allowed. In no case shall any hanging sign be attached with wire, string, rope, wood, or secured by nails.
- (i) Marquee Sign.

- (1) Marquee signs are permitted in B-2, B-3 zoning districts.
- (2) One (1) marquee sign is permitted per business site with a separate means of ingress and egress.
- (3) A marquee sign may be used in addition to a wall sign for each business site. However, marquee signs are not allowed at business sites which display a hanging sign, projecting sign, freestanding sign, nonconforming wall sign, or signs which exceed the current allowed square footage for wall signs.
- (4) The marquee sign shall not cover more than fifty (50) percent of the front building façade that is above the front entry door, and the area of all faces of the marquee sign shall not total more than 42 square feet and shall be included in the total amount of wall sign area permitted for the subject building.
- (5) The marquee sign may be positioned in one of two ways as follows:
  - a. The changeable copy portion surface of the sign shall be attached flat against, and not extending beyond, the vertical surface of the marquee structure.
  - b. Individual cut-out letters mounted on top of the edge of the marquee structure and parallel to it.
- (6) No portion of a marquee sign shall be taller than the top of the marquee structure, or the eave line of the building to which the structure is attached.

(j) Menu Board or Order Board Sign.

- (1) Menu board or order board signs are permitted in the O-1, O-2, B-1, B-2, B-3, and MU district to serve drive-through facilities.
- (2) Menu board or order board signs shall be located on the interior of the lot or parcel and shall not be readable from the exterior of the lot.
- (3) Menu board or order board signs shall only service the public using the drive-through facilities.
- (4) The placement, size, content, coloring or manner or illumination of the sign shall not cause a traffic or pedestrian hazard or impair vehicular or pedestrian flow.
- (5) The volume on the menu board or order board shall be maintained at the minimum level necessary so that it is audible to users, but to minimize extraneous noise traveling off site.

(k) Projecting Sign.

- (1) Location.
  - a. Projecting signs are permitted in the B-1, B-2, and MU zoning districts for non-residential uses.
  - b. A projecting sign may extend from the wall it is mounted to by no more than four (4) feet, or 1/3 of the sidewalk width, whichever is less.

- b. Projecting signs shall be spaced at least 20 feet apart.
  - c. Projecting signs shall not be allowed above a street or alley where they could interfere with vehicular traffic.
  - d. Projecting signs must provide a clear vertical distance of eight feet from the sidewalk and ten feet from any driveway.
- (2) Number of Sides.
- a. Projecting signs shall have a maximum of two (2) sides.
- (3) Number of Signs.
- a. One (1) projecting sign may be permitted for each first-floor business or tenant space with a separate means of ingress and egress.
  - b. One (1) projecting sign may be used in addition to a wall sign for each business site. However, projecting signs are not allowed at business sites which display a hanging sign, an awning sign, a ground sign, a nonconforming wall sign, or signs which exceed the current allowed square footage for wall signs.
- (4) Sign Height and Area.
- a. The projecting sign may be a maximum of eight (8) square feet in area (each side) and shall be included in the total amount of wall sign area permitted for the subject building.
- (5) Projecting signs shall not be internally illuminated.
- (6) Changeable copy shall not be permitted as a part of projecting signs.
- (I) Wall Sign.
- (1) Location.
- a. Wall signs are permitted in O-1, O-2, B-1, B-2, B-3, I-1, I-2 and for non-residential uses in the MU district. See Sec. 78-212 Home occupations and Sec. 78-284 Bed and breakfast for sign requirements of those uses.
  - b. Wall signs shall be displayed flat against the wall of the building. No signs shall be painted directly on a roof or wall. Wall signs shall not extend more than 12 inches from the face of the building wall.
- (2) Number of Signs.
- (a) One (1) wall sign may be permitted for each business or tenant space with a separate means of ingress and egress.

- (b) A wall sign may be used in addition to a projecting or hanging sign, or awning sign for each business site. Wall signs are not allowed at business sites which display a ground sign.
  - (c) One (1) wall sign or awning sign shall be permitted on each facade, which has a separate public means of ingress and egress.
  - (d) PUD Districts. Within all PUD districts, the number and size of wall signs shall be determined by the intended use of the premises, subject to the review and approval of the planning commission, during PUD plan review.
- (3) Sign area.
- a. Within all non-residential zoning districts, the sign area of a combination of awning signs, channel letter signs, hanging signs, marquee signs, projecting signs, and wall signs may not exceed the maximum sign area per table 78-225-C below for each business site with a separate means of ingress and egress.

Table 78-225-C. Maximum Wall Sign Area per Business Site with Single Tenant

District	Maximum Area in sq. ft.
O-1	25
O-2	25
B-1	25
B-2	25
B-3	25
I-1	25
I-2	25
MU	25

Wall signs for multiple tenant shopping centers shall not exceed 25 square feet.

(4) Channel Letter Sign.

Channel letter signs are considered wall signs. Mounting regulations for channel letter signs, from wall to outermost face, are as follows:

- a. Channel letters with transformers mounted inside the letters shall not extend more than 12 inches from the building wall.
- b. Channel letters with remote transformers shall not extend more than 12 inches from the building wall.
- c. Channel letters mounted on a raceway (channel) shall not extend more than 12 inches from the building wall.
- d. Channel letter signs must provide a clear vertical distance of eight feet from the sidewalk to bottom edge of the sign, but shall not extend over public or private roadways, or parking lots.

(m) Window Sign.

- (1) Window signs are permitted in O-1, O-2, B-1, B-2, B-3, I-1, I-2, and for non-residential uses in the MU District.
- (2) Window signs are permitted in addition to any other type of sign.
- (3) Window signs shall not occupy more than 25 percent of the glass surface of the window area in which the sign is located.
- (4) Window signs shall be located only on the first floor front facade of the building. Buildings on a corner lot shall be permitted window signs on each road frontage.

**Sec. 78-226. – Temporary Signs.**

The following regulations shall apply to all temporary signs, except where such signs are located in the Ann Arbor Road Corridor (ARC) District or are defined as sidewalk signs. In such cases, if any regulations covered by this section and Sec. 78-169 conflict, Sec. 78-169 shall control and prevail.

- (a) Temporary signs. Temporary signs are permitted in all zoning districts according to the following:
  - (1) Location.
    - a. Temporary signs shall be located only on the sign owner’s property or on private property with the owner’s permission.
    - b. Temporary signs shall be located at least one (1) foot inside the property line of the premises.
    - c. Temporary signs shall not be located in any road right-of-way or other public land, and shall not obstruct visibility or movement of pedestrians, bicyclists, and motorists unless otherwise provided for in this section.
    - d. Temporary signs shall not be attached to or located on a tree, shrub, or any other plant materials; a utility pole, traffic-control devise or on any public land or right-of-way, either by nail, screw, wire, cord, tape or by any other manner whatsoever.
  - (2) Number of signs.
    - a. Five (5) signs shall be permitted per lot of record
  - (3) Sign area.

Table 78-226-A. Maximum Sign Area, Number and Height – Temporary Signs

	Maximum Area of All Temporary Signs Per Lot/Parcel/Business Site	Maximum Area of any Individual Sign		Maximum Height When Not Affixed to a Structure
<b>Residential (R-1, RT-1, RM-1, RM-2 and Residential Uses in MU)</b>				

	18 s.f.	6 s.f.		4 feet
<b>Non-Residential (O-1, O-2, B-1, B-2, B-3, I-1, I-2 and Non-Residential uses MU)</b>				
	40 s.f.	20 s.f.		6 feet

- a. The sign area of a temporary sign shall be measured as described in Sec. 78-224.
- b. Temporary sign area permitted for multi-tenant, non-residential buildings (i.e. commercial buildings) shall be allocated amongst tenants by the property owner.

(4) Display time.

a.

The maximum display time of temporary signs is sixty (60) days unless modified by subsections (i), (ii), (iii), or (iv) below. After this time expires, the sign shall be removed. Once the temporary sign is removed, there shall be a gap of at least thirty (30) days before the display of any new temporary sign on the same lot of record.

- i. When all or a portion of a building or land area on a lot of record is listed or advertised for sale or lease, the maximum display time for temporary signs shall be the duration the building, building unit or land is listed or advertised for sale or lease. In all cases, the sign area limits in Table 78-226-A apply.
- ii. When a building is being constructed, and only after a building permit has been issued, the maximum display time for temporary signs shall be the duration of construction activities or until 51% of the units or square footage of the project is occupied. In all cases, the sign area limits in Table 78-226-A apply.
- iii. If a sale of a property owner's goods is being conducted, and only after the sale has been registered with the city, the displays advertising the sale may be posted no more than one day prior to the sale and must be removed within one day of the end of the sale.

iv. Acknowledging that there is a need for additional expression of speech prior to a scheduled election, the maximum total allowable area of all temporary signs shall be increased to twice that allowed in Table 78-226-A, based upon the zoning district in

which the property is located for a period of sixty (60) days prior to and until three (3) days after an election day on which there is at least one ballot item. The maximum area of an individual sign remains as stated in the table above during this period.

- (6) Temporary signs shall have a maximum of two (2) sides.
- (7) Temporary signs shall be constructed of durable, all-weather materials and designed to remain in place and in good repair so long as they remain on display.
- (8) Temporary signs shall not be illuminated in any manner whatsoever except incidentally by streetlights or house lights.

(b) Temporary Sidewalk Sign.

(1) Location.

- a) Sidewalk signs are permitted in the B-1, B-2 and B-3 Districts, and for non-residential uses in the MU District.
- b) Sidewalk signs may be located, per the standards in this section and below, on sites that provide a minimum of six (6) feet of unobstructed sidewalk abutting the principal building where the sign will be displayed.
- c) Sidewalk signs may only be located on the sidewalk in front of the property where the business is located in a manner which is safe for and does not interfere with normal pedestrian traffic or vehicular access. Sidewalk signs shall be placed against the building wall unless placement by a curb line ensures more of an unobstructed pedestrian path like in the case of a tree or other streetscape elements.
- d) Each sign shall be placed outside only during the hours when the business is open to the general public and shall be stored indoors at all other times.
- e) Sidewalk signs shall be moved indoors after accumulation of one (1) or more inches of snow and shall not be placed back on the sidewalk until the entire sidewalk on the side of the street where the business is located is clear of snow.

(b) Number of Sides.

- i. Sidewalk signs shall have a maximum of two (2) sides.

(c) Number of Signs.

- i. One (1) sidewalk sign is allowed for each business that has frontage along a sidewalk and an individual means of ingress and egress, up to a maximum of two (2) signs per multi-tenant building. A single sign may contain advertising for more than one business in the multi-tenant building.

(d) Sign Height and Area.

- a. The maximum height of a sidewalk sign shall be four (4) feet, and the maximum width two (2) feet.

- (e) All sidewalk signs shall be constructed of a weather-proof material and shall be kept in good repair.

**Sec. 78-227. – Sign permits.**

- a. A sign permit is not required for the following types of signs:
  - (1) Street address signs.
  - (2) Name plates identifying the occupant or address of a parcel of land not exceeding two square feet in area.
  - (3) Window signs not exceeding two square feet in area indicating the hours of operation for a business, and whether a business is open or closed.
  - (4) Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible material.
  - (5) For sale signs attached to vehicles.
  - (6) Flags bearing the official design of a nation, state, municipality, educational institution or non-profit organization.
  - (7) Traffic safety and control signs erected by or on behalf of a governmental body, or other municipal signs such as the following: legal notices, railroad crossing, danger and other emergency notices as may be approved by the municipality.
  - (8) Signs related to a special event approved by the City of Plymouth City Commission
  - (9) Private traffic control signs which conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices published in accord with Section 508 of Public Acts 300 or 1949, as amended.
  - (10) Park and playground signs.
  - (11) One or more temporary freestanding and wall signs on a residential lot of record with a total area of 18 square feet or less, or business site with a total area of 40 square feet or less.
  - (12) Any sign required by the municipality to be posted.
  - (13) Community entrance and streetscape signs erected by the municipality.
  - (14) A change of copy or change of sign face only.
  - (15) Signs not visible from a public right-of-way, public park, or residentially zoned property.
  - (16) Permanent wall signs that are two (2) square feet in size or smaller affixed to a single-family residence.
- b. It shall be unlawful for any person to erect, re-erect, alter or relocate any sign unless a sign permit has been first obtained from the Building Official, except as provided elsewhere in this Article. Any permanent sign located in the Historic District must also obtain approval from the

Historic District Commission. Any permanent sign that makes use of electricity must also obtain an electrical permit from the Building Official.

- c. Site plan review. For new development projects subject to site plan review under the provisions of Article XX, the final site plan must provide enough information to determine if the proposed signage meets ordinance requirements.
- d. Sign permit applications. To apply for a sign permit, an applicant must fill out and submit the relevant sections of the City's Building Permit application form. The completed and signed application form shall be submitted to the Community Development Department for review and include the following:
  - (1) A scaled drawing of each proposed sign, as well as any existing signs that will remain, showing:
    - (i) The dimensions of the sign(s), including total area of the sign(s);
    - (ii) The height of the sign(s);
    - (iii) The design of the sign(s);
    - (iv) The writing, emblems and figures on the sign(s) (to measure "sign area"); and
    - (v) The type of material used for the sign(s) and support system(s).
  - (2) A scaled drawing of any electrical connections.
  - (3) A scaled drawing of the site or building, showing the placement of all signs, both existing and proposed. This drawing shall include all the dimensions of the site and/or building.
  - (4) Consenting signature of the property owner.
- (5) The sign permit fee paid in accordance with the current fee schedule, as amended.
- e. Sign permit review and approval. Permits for the erection of signs shall only be issued to property owners and/or assignees qualified to carry on such work. The Building Official shall issue permits for signs defined in Sec. 78-21 and permitted in Article XIX. Any sign which is not explicitly defined in Sec. 78-21 and permitted in Article XIX must be approved by the Zoning Board of Appeals before a permit is issued.
- f. Permit expiration. A sign permit shall become null and void if the work for which the permit was issued is not completed within one year of the date of issuance.
- g. Sign maintenance. No permit shall be required for ordinary maintenance, repainting, or cleaning of an existing sign. No permit is required for change of message of a sign without change of the structure.
- h. Inspections. All newly erected signs shall be inspected by the Building Official. Signs for which a permit is required shall be inspected periodically by the Building Official for compliance with this Article and other relevant ordinances.
- i. Correction of defects. If the Building Official, or his/her designee, finds that any sign is unsafe, insecure, improperly constructed or poorly maintained, the sign erector, owner of the sign, or owner of the land shall make the sign safe and secure by completing any necessary reconstruction or repairs, or entirely remove the sign in accordance with the timetable established by the Building official.

**Sec. 78-228. – Removal of Signs.**

- a. **Removal of Abandoned Signs.** Abandoned or obsolete signs shall be removed by the owner, agent or person having use of the land, building or structure. Upon vacating an establishment, facility or land, the proprietor shall be responsible for removal of all abandoned or obsolete signs.
- b. **Removal of Signs in Violation of the Ordinance or Unsafe Signs.** The Building Official, or his or her designee, shall order the removal of any sign erected or maintained in violation of this ordinance except for legal, non-conforming signs. Notice in writing shall be given to the owner of such sign or of the building, structure, or premises on which such sign is located, to remove the sign or bring it into compliance with the ordinance. Failure to remove the sign or to comply with this notice shall be a civil infraction. The city shall also remove any sign immediately and without notice if it reasonably appears that the condition of the sign is such as to present an immediate threat to the safety of the public. Any cost of removal incurred by the city shall be assessed to the owner of the property on which such sign is located.

**Sec. 78-229. - Nonconforming existing signs.**

- a. Any sign lawfully existing at the time of the adoption of this amendment which does not fully comply with all provisions shall be considered a legal nonconforming sign and may be permitted to remain as long as the sign is properly maintained and not detrimental to the health, safety and welfare of the community.
- b. **Continuance: Nonconforming signs shall not:**
  - (1) Be expanded or changed to another nonconforming sign;
  - (2) Be relocated, or altered so as to prolong the life of the sign, or so as to change the shape, size, type, placement, or design of the signs structural or basic parts;
  - (3) Be enhanced with any new feature including the addition of illumination;
  - (4) Be re-established after damage or destruction if the estimated expense of reconstruction exceeds sixty (60) percent of the appraised replacement cost as determined by the Building Official.
  - (5) Be repaired if such repair involves any of the following, except if such repair brings the sign into conformance with this ordinance:
    - (i) Expense which exceeds fifty (50) percent of the sign's appraised value as determined by the Building Official;
    - (ii) Necessitates the replacement of both the sign frame and sign panels;
    - (iii) Replacement of the sign's primary support pole(s) or other support structure;
    - (iv) For signs without framework supporting the sign panels, requires replacement of the sign panels;
    - (v) Be replaced;
    - (vi) Be re-established after the activity, business, or use to which it related has been discontinued for ninety (90) days or longer.
- c. **Permitted modification.** The following modifications may be permitted:
  - (1) A change solely in the wording of the copy; and
  - (2) Routine repair to maintain the sign in a safe and aesthetic condition exactly as it existed at the time of the enactment of this amendment.
- d. **Elimination of nonconforming signs.** The municipality may acquire by purchase, condemnation, or by other means any nonconforming sign which it deems necessary to preserve the health, safety, and welfare of the community's residents.

- e. Electronic changeable copy signs. An electronic changeable copy sign that was established lawfully at the adoption of this amendment shall not change messages more than eight times per day.

**Sec. 78-230 – Variances.**

The zoning board of Appeals (ZBA) shall have authority to vary the restrictions relating to signage upon finding that practical difficulties exist, and that the strict application of this Article would place the applicant at a substantial and significant disadvantage with respect to other signs controlled by the Article. Comparisons to existing nonconforming signs shall not be considered by the Zoning Board of Appeals.

**Sec. 78-231. - Violations and penalties.**

It shall be unlawful for any person to erect, construct, maintain, enlarge, alter, move or convert any sign in the city, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Article. It shall be unlawful to erect, construct, enlarge, alter, move or convert any sign regulated by this Article, except a sign which is permitted by the provisions of this Article. Any person violating any of the provisions of this article shall be guilty of a civil infraction pursuant to [section 78-382](#) of this chapter.

**Secs. 78-232—78-239. - Reserved.**

**[Modify ARTICLE XVI MU MIXED USE DISTRICT as follows.]**

**Sec. 78-181. – Principal uses permitted.**

- (11) Bed and breakfast operations shall be located only on major or collector thoroughfares as designated in the city's master plan and shall further be subject to city licensing provisions. Bed and breakfast operations shall further be subject to the following:

**[Sections a – j remain the same.]**

- k. One (1) unlighted wall sign not exceeding six (6) square feet in area may be provided. Such wall sign shall not be an awning, changeable copy or channel letter sign. Bed and breakfast operations shall not be permitted freestanding signs.

**[Modify ARTICLE XVIII MISCELLANEOUS PROVISIONS as follows.]**

**Sec. 78-212. – Home occupations.**

- (4) The home occupation shall not display or create outside the building any external evidence of the operation of the home occupation, except that there may be one (1) unlighted wall sign, that is not an awning, changeable copy or channel letter sign, not to exceed three (3) square feet in area. Home occupations shall not be permitted freestanding signs.

**[Modify ARTICLE XXIII SPECIAL USES as follows.]**

**Sec. 78-284. – Bed and breakfast.**

- (11) One (1) unlighted wall sign not exceeding six (6) square feet in area may be provided. Such wall sign shall not be an awning, changeable copy or channel letter sign. Bed and breakfast operations shall not be permitted freestanding signs.

**7. NEW BUSINESS**

a. Geothermal Computer Control System Replacement

RESOLUTION #2020-18

The following Resolution was offered by Comm. Thomey and seconded by Comm. Deal.

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

WHEREAS As a part of that Department, the City operates the Plymouth Cultural Center Ice Arena and meeting facility and that building operates on a Geo-Thermal system for heating, air conditioning, hot water supply and ice arena temperature control; and

WHEREAS The current computer control system is approximately 10 years old and the vendor does not service or support that unit any longer and there is a need to upgrade the computer control systems to current technology; and

WHEREAS Due to the ice scheduling as well as the meeting room scheduling there is a need to complete the upgrade schedule on a very tight timeline; and

WHEREAS The City did accept sealed bids for this project and two vendors submitted bids to complete the project and the low bidder was Automated Energy System of Madison Heights in the amount of \$34,892.00 and the high bid was from Innovated Energy Controls of Howell in the amount of \$78,687.00.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize the PCC Geo-Thermal Computer System replacement and award the bid to Automated Energy System of Madison Heights, Michigan in the amount of \$34,892.00.

BE IT FURTHER RESOLVED THAT the Expense for this project shall be charged to the Equipment Fund and it shall not have an impact on the General Fund.

MOTION PASSED 4-0

b. Soccer Equipment Bid

RESOLUTION #2020-19

The following Resolution was offered by Comm. Sebastian and seconded by Comm. Thomey.

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.

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 2020 – 21 Fiscal Year as follows:

PLYMOUTH TRADING POST:

Prottime – Youth Size Jerseys	\$15.65 each
Prottime – Adult Size Jerseys	\$16.90 each
Prottime “All Sport” Sock Black	\$ 3.30 per pair
Select Classic – Soccer Balls	\$11.50 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.

MOTION PASSED 4-0

c. Emergency Confirmation Water System Repairs

RESOLUTION #2020-20

The following Resolution was offered by Comm. Deal and seconded by Comm. Thomey.

WHEREAS The City of Plymouth operates a water system to protect the public health and safety; and

WHEREAS There was a break in the system causing water loss and this was investigated and found to be beyond the scope of the ability for the City’s Department of Municipal Services to repair, without specialized equipment; and

WHEREAS The City Manager in accordance with the City Charter the City Manager has reported to the City Commission the results of the emergency authorization for repairs to the water system; and

WHEREAS The City Manager has reported to the City Commission and now seeks confirmation of emergency work that was completed to the City’s water system.

NOW THEREFORE BE IT RESOLVED THAT THE City Commission of the City of Plymouth does hereby confirm and authorize the emergency repairs to the City’s water system near Hamilton and Red Ryder Streets and authorizes payment to CI Contracting of Brighton, Michigan in the amount of \$18,815.00 for repairs to the water system.

BE IT FURTHER AUTHORIZED THAT payment for this purchase of services is authorized from the City’s Water Fund and shall have no impact on the General Fund.

MOTION PASSED 4-0

d. Air Duct Cleaning Bid

RESOLUTION #2020-21

The following Resolution was offered by Comm. Thomey and seconded by Comm. Deal.

WHEREAS The City of Plymouth operates several public facilities in their mission to protect the public health and safety, and

WHEREAS From time to time it is necessary for routine maintenance to be completed on the air duct systems in the building to help ensure a safe work environment as well as the public safety, and

WHEREAS The City Administration did accept sealed bids for the cleaning of the air ducts at certain City facilities.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby accept the bid from B Clean Air Maintenance in the amount of \$10,500 for the City Hall Complex in the current fiscal year.

BE IT FURTHER RESOLVED THAT the City Commission also authorizes an additional scope of work in the amount of \$3,100 for cleaning of the air ducts at the Department of Municipal Services in Fiscal Year 2020 – 21.

MOTION PASSED 4-0

e. Wilcox Fountain Grant Agreement

RESOLUTION #2020-22

The following Resolution was offered by Comm. Thomey and seconded by Comm. Deal.

WHEREAS The City of Plymouth operates a number of parks and public properties for the public health and welfare, and

WHEREAS One of those parks is known as Kellogg Park, and

WHEREAS The City and Wilcox Family Foundation are interested in replacing the current fountain in Kellogg Park with a new Wilcox Fountain, and

WHEREAS The Wilcox Family Foundation is willing to provide a significant grant to the City of Plymouth to fund the construction and installation of the Wilcox Fountain.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby agree to enter into a Grant Agreement between the Wilcox Family Foundation and the City of Plymouth for the purpose of the construction and installation of the Wilcox Fountain.

BE IT FURTHER RESOLVED THAT the City Commission does hereby direct that \$30,000 of the City's cash reserves shall be used in concert with the Downtown Development Authority's authorization of \$20,000 as the City's total \$50,0000 "match" as indicated in Section 2 of the Grant Agreement.

BE IT FURTHER RESOLVED THAT the City Commission hereby directs the City Clerk to include the entire Grant Agreement between the City of Plymouth and the Wilcox Family Foundation as a part of the official Meeting Minutes of this City Commission Meeting.

BE IT SILL FURTHER RESOLVED THAT the City Commission hereby authorizes the Mayor to agree and accept the attached Grant Agreement on behalf of the City of Plymouth.

MOTION PASSED 4-0

**8. REPORTS AND CORRESPONDENCE**

a. Liaison Reports

None

**9. CLOSED SESSION**

a. Legal Matters – Attorney/Client Privileged Communication

A motion was made by Commissioner Thomey and seconded by Commissioner Deal for approval of the above resolution

RES. #2020-23

WHEREAS The City of Plymouth City Commission is allowed under the Michigan Open Meetings Act to go into closed session to discuss strategy for labor discussions.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize going into closed session for the sole purpose of discussing strategy for labor contract negotiations.

Mayor Wolcott asked for a roll call vote:

Roll Call Vote:	Commissioner Sebastian	Yes	Commissioner Deal	Yes
	Commissioner Thomey	Yes	Mayor Wolcott	Yes

MOTION PASSED 4-0

The Commission moved into a closed session at 7:46 p.m.

**10. OPEN SESSION**

The Commission returned to the open session at 8:23 p.m.

**11. ADJOURNMENT**

Hearing no further discussion, Mayor Wolcott asked for a motion to adjourn. A motion to adjourn was made by 8:24 p.m.

MOTION PASSED 4 – 0

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OLIVER WOLCOTT  
MAYOR

---

ATHANASIOS ALEXANDRIS  
ACTING CITY CLERK



# Special Event Application

City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

www.plymouthmi.gov  
Phone 734-453-1234  
Fax 734-455-1892

Complete this application in accordance with the City of Plymouth Special Events Policy, and return it to the City Manager's Office at least 21 calendar days prior to the starting date of the event.

**FEES WILL BE CHARGED FOR ALL SPECIAL EVENTS. SEE ATTACHMENT B.**

Sponsoring Organization's Legal Name Our Lady of Good Counsel Parish School

Ph# 734-453-3053 Fax# \_\_\_\_\_ Email dangh@olgcparish.net Website iamolgc.com

Address 1151 William St. City Plymouth State MI Zip 48170

Sponsoring Organization's Agent's Name Huy-Linh Pang Title Administrator

Ph# 248-252-4973 Fax# \_\_\_\_\_ Email dangh@olgcparish.net Cell# 248-252-4973

Address 1151 William St. City Plymouth State MI Zip 48170

Event Name School Procession / Picnic

Event Purpose Social gathering, community building

Event Date(s) May 21, 2020

Event Times 11:00 AM - 12:30 PM

Event Location Kellogg Park

What Kind Of Activities? Walking, singing, eating, talking

What is the Highest Number of People You Expect in Attendance at Any One Time? 400

Coordinating With Another Event? YES  NO  If Yes, Event Name: \_\_\_\_\_

Event Details: (Provide a detailed description of all activities that will take place. Attach additional sheets if necessary.)

Students and families/teachers will process from the school to downtown Plymouth, Kellogg Park. When all have arrived at Kellogg Park, a short Praise Concert/singing will occur. We will end with a family picnic.

MAR - 9 2020

1. **TYPE OF EVENT:** Based on Policy 12.2, this event is: *(Weddings Ceremonies – Please Review Section 12.2 f.)*  
City Operated  Co-sponsored Event  Other Non-Profit  Other For-Profit  Political or Ballot Issue

2. **ANNUAL EVENT:** Is this event expected to occur next year? YES  NO   
If Yes, you can reserve a date for next year with this application (see Policy 12.15). To reserve dates for next year, please provide the following information:

Normal Event Schedule (e.g., third weekend in July):

Next year's specific dates:

May 20, 2021

\*\*\*See section 12.13 for license & insurance requirements for vendors\*\*\*

3. **FOOD VENDORS/ CONCESSIONS?** YES  NO  **OTHER VENDORS?** YES  NO   
4. **DO YOU PLAN TO HAVE ALCOHOL SERVED AT THIS EVENT?** YES  NO   
5. **WILL ALCOHOL BE SERVED ON PRIVATE PROPERTY AS PART OF THIS EVENT?** YES  NO   
6. **WILL YOU NEED ELECTRICITY AND/OR WATER?** YES  NO

**CITY SERVICES REQUIRED?** If needed, please attach a letter indicating all requests for City Services.  
(see Attachment B)

We would need electricity to plug in amplification for sound and music. We would also request a police car to accompany the students and families for safety

7. **AN EVENT MAP IS**  **IS NOT**  attached. If your event will use streets and/or sidewalks (for a parade, run, etc.), or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also show any streets or parking lots that you are requesting to be blocked off.

8. **EVENT SIGNS:** Will this event include the use of signs? YES  NO   
If Yes, refer to Policy 12.8 for requirements, and describe the size and location of your proposed signs: **Please complete a sign illustration / description sheet and include with the application.**

Signs or banners approved by the City of Plymouth for Special Events shall be designed and made in an artistic and workman like manner. THE CITY MANAGER MUST APPROVE ALL SIGNS. SIGNS CANNOT BE ERECTED UNTIL APPROVAL IS GIVEN.

Signs and/or Banners may be used during the event only. Please refer to Special Event Policy for information related to the installation of banners on Downtown Street Light Poles in advance of event. NO SIGNS ARE ALLOWED IN THE PARK IN ADVANCE OF THE EVENT.

9. **UNLIMITED PARKING:** Are you requesting the removal of time limits on parking (see Policy 12.5)?  
YES  NO   
If Yes, list the lots or locations where/why this is requested:

10. **CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that
- a. a Certificate of Insurance must be provided which names the City of Plymouth as an additional named insured party on the policy. (See Policy 12.10 for insurance requirements)
  - b. Event sponsors and participants will be required to sign Indemnification Agreement forms (refer to Policy 12.12).
  - c. All food vendors must be approved by the Wayne County Health Department, and each food and/or other vendor must provide the City with a Certificate of Insurance which names the City of Plymouth as an additional named insured party on the policy. (See Policy 12.13)
  - d. The approval of this Special Event may include additional requirements and/or limitations, based on the City's review of this application, in accordance with the City's Special Event Policy. The event will be operated in conformance with the Written Confirmation of Approval. (see Policy 12.11 and 12.16)
  - e. The sponsoring organization will provide a security deposit for the estimated fees as may be required by the City, and will promptly pay any billing for City services which may be rendered, pursuant to Policy 12.3 and 12.4.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with City's Special Event Policy, the terms of the Written Confirmation of Approval, and all other City requirements, ordinance and other laws which apply to this Special Event.

3-9-20  
Date

  
Signature of Sponsoring Organization's Agent

**RETURN THIS APPLICATION at least twenty (21) days prior to the first day of the event to: City**

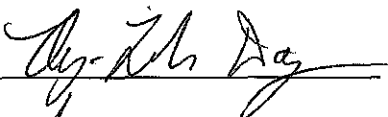
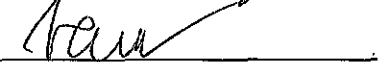
Manager's Office  
City Hall  
201 S. Main Street  
Plymouth MI 48170

Phone: (734) 453-1234 ext. 203

11. INDEMNIFICATION AGREEMENT

INDEMNIFICATION AGREEMENT

The Our Lady of Good Counsel Parish School (organization name) agree(s) to defend, indemnify, and hold harmless the City of Plymouth, Michigan, from any claim, demand, suit, loss, cost of expense, or any damage which may be asserted, claimed or recovered against or from the End of Year Procession (event name) by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss, cost of expense is caused in whole or in part by the negligence of the City of Plymouth or by third parties, or by the agents, servants, employees or factors of any of them.

Signature   
Witness 

Date 3-9-20  
Date 3-9-20

**EVENT REVIEW FORM**

<b>MUNICIPAL SERVICES:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	<b>Initial</b> CP
ELECTRICITY IN KELLOGG				
\$250 Bathroom Cleaning Fee Per Day of Event? <input checked="" type="radio"/> <b>NO</b>				
Labor Costs: \$	0	Equipment Costs: \$	0	Materials Costs \$
0				
<b>POLICE:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	<b>Initial</b> JEC
No Services Needed				
Labor Costs \$		Equipment Costs \$	0	Materials Costs \$
0				
<b>FIRE:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	<b>Initial</b> JEC
No Services Required				
Labor Costs \$		Equipment Costs \$		Materials Costs \$
0				
<b>HVA:</b>	<input type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	<b>Initial</b>
<b>DDA:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	<b>Initial</b> JB
Labor Costs \$	0	Equipment Costs \$		Materials Costs \$
0				
<b>RISK MANAGEMENT:</b>	<input type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	<b>Initial</b>
Class I – Low Hazard				
Class II – Moderate Hazard				
Class III – High Hazard				
Class IV – Severe Hazard				

EVENT NAME: \_\_\_\_\_ TOTAL ESTIMATED FEE: \_\_\_\_\_  
 (Note: All fees are only initial estimates and can increase upon assessment of services after the close of the event).

SITE FEE APPLIED TO ALL EVENTS IS \$100 PER DAY. TOTAL EVENT SITE FEE \$ _____	
APPROVED _____	NOT APPROVED _____ DATE _____

# City of Plymouth SPECIAL EVENT APPLICATION

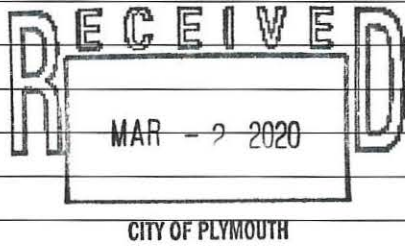
**>> FEES WILL BE CHARGED FOR ALL SPECIAL EVENTS <<**

Complete this application in accordance with the City of Plymouth Special Events Policy, and return it to the City Manager's Office at least 21 Calendar days prior to the starting date of the event.

Sponsoring Organization's Legal Name Lightning Robotics  
Ph# \_\_\_\_\_ Fax# \_\_\_\_\_ Email swintergerst@att.net Website \_\_\_\_\_  
Address 46472 Creekside Ct City Centon State MI Zip 48187  
Sponsoring Organization's Agent's Name Sheila Wintergerst Title \_\_\_\_\_  
Ph# 734-751-2828 Fax# \_\_\_\_\_ Email pioneer.ftc.robotics@gmail.com Cell# 734-751-2828  
Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Event Name Robots in the Park  
Event Purpose to showcase PCCSD FIRST Robotics program + STEM activities to the community.  
Event Date(s) 8-16-2020  
Event Times 1000-1700  
Event Location Kellogg Park Gathering Space  
What Kind Of Activities? STEM based activities for kids + family  
What is the Highest Number of People You Expect in Attendance at Any One Time? 150  
Coordinating With Another Event? YES  NO  If Yes, Event Name: \_\_\_\_\_

Event Details: (Provide a detailed description of all activities that will take place. Attach additional sheets if necessary.)  
Robots in the park is a free event for all ages to showcase PCCSD FIRST Robotics programs (hosted by lightning Robotics) and STEM to the community. All activities are for all ages along with demonstrations of all the program levels robots.



1. **TYPE OF EVENT:** Based on Policy 12.2, this event is: *(Weddings Ceremonies – Please Review Section 12.2.f)*  
City Operated  Co-sponsored Event  Other Non-Profit  Other For-Profit  Political or Ballot Issue

2. **ANNUAL EVENT:** Is this event expected to occur next year? YES  NO   
If Yes, you can reserve a date for next year with this application (see Policy 12.15). To reserve dates for next year, please provide the following information:

Normal Event Schedule (e.g., third weekend in July):

3<sup>rd</sup> Sunday in August

Next year's specific dates:

\*\*\*See section 12.13 for license & insurance requirements for vendors\*\*\*

3. **FOOD VENDORS/ CONCESSIONS?** YES  NO  **OTHER VENDORS?** YES  NO

4. **DO YOU PLAN TO HAVE ALCOHOL SERVED AT THIS EVENT?** YES  NO

5. **WILL ALCOHOL BE SERVED ON PRIVATE PROPERTY AS PART OF THIS EVENT?** YES  NO

6. **WILL YOU NEED ELECTRICITY AND/OR WATER?** YES  NO

**CITY SERVICES REQUIRED?** If needed, please attach a letter indicating all requests for City Services.  
(see Attachment B)

7. **AN EVENT MAP IS**  **IS NOT**  attached. If your event will use streets and/or sidewalks (for a parade, run, etc.), or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also show any streets or parking lots that you are requesting to be blocked off.

8. **EVENT SIGNS:** Will this event include the use of signs? YES  NO   
If Yes, refer to Policy 12.8 for requirements, and describe the size and location of your proposed signs. **Please complete a sign illustration / description sheet and include with the application.**

Signs or banners approved by the City of Plymouth for Special Events shall be designed and made in an artistic and workman like manner. THE CITY MANAGER MUST APPROVE ALL SIGNS. SIGNS CANNOT BE ERECTED UNTIL APPROVAL IS GIVEN.

Signs and/or Banners may be used during the event only. Please refer to Special Event Policy for information related to the installation of banners on Downtown Street Light Poles in advance of event. NO SIGNS ARE ALLOWED IN THE PARK IN ADVANCE OF THE EVENT.

9. **UNLIMITED PARKING:** Are you requesting the removal of time limits on parking (see Policy 12.5)?  
YES  NO   
If Yes, list the lots or locations where/why this is requested:

- 10. CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that
- a. A Certificate of Insurance must be provided which names the City of Plymouth as an additional named insured party on the policy. (See Policy 12.10 for insurance requirements)
  - b. Event sponsors and participants will be required to sign Indemnification Agreement forms (refer to Policy 12.12).
  - c. All food vendors must be approved by the Wayne County Health Department, and each food and/or other vendor must provide the City with a Certificate of Insurance which names the City of Plymouth as an additional named insured party on the policy. (See Policy 12.13)
  - d. The approval of this Special Event may include additional requirements and/or limitations, based on the City's review of this application, in accordance with the City's Special Event Policy. The event will be operated in conformance with the Written Confirmation of Approval. (see Policy 12.11 and 12.16)
  - e. The sponsoring organization will provide a security deposit for the estimated fees as may be required by the City, and will promptly pay any billing for City services which may be rendered, pursuant to Policy 12.3 and 12.4.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with City's Special Event Policy, the terms of the Written Confirmation of Approval, and all other City requirements, ordinance and other laws which apply to this Special Event.

2-22-2020  
Date

  
Signature of Sponsoring Organization's Agent

**RETURN THIS APPLICATION at least twenty (21) days prior to the first day of the event to:**

**City Manager's Office  
City Hall  
201 S. Main Street  
Plymouth MI 48170**

**Phone: (734) 453-1234 ext. 203**

11. INDEMNIFICATION AGREEMENT

INDEMNIFICATION AGREEMENT

The Lightning Robotics (organization name) agree(s) to defend, indemnify, and hold harmless the City of Plymouth, Michigan, from any claim, demand, suit, loss, cost of expense, or any damage which may be asserted, claimed or recovered against or from the Robots in the Park (event name) by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss, cost of expense is caused in whole or in part by the negligence of the City of Plymouth or by third parties, or by the agents, servants, employees or factors of any of them.

Signature Jean Joymr

Date 2/22/2020

Witness Jay Dault

Date 2/22/2020

Deposit Paid \$350 March 2, 2020  
Check # 2006

## EVENT REVIEW FORM

EVENT NAME: \_\_\_\_\_ TOTAL ESTIMATED FEE: \_\_\_\_\_

*(Note: All fees are only initial estimates and can increase upon assessment of services after the close of the event).*

<b>MUNICIPAL SERVICES:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <b>CP</b>
1 FTE				
\$250 Bathroom Cleaning Fee Per Day of Event <input checked="" type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b>				
Labor Costs: \$	600	Equipment Costs: \$	125	Materials Costs \$ <input type="radio"/>
<b>POLICE:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <b>Jic</b>
No SERVICES NEEDED				
Labor Costs \$		Equipment Costs \$	<input type="radio"/>	Materials Costs \$
<b>FIRE:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <b>Jic</b>
No SERVICES Required				
Labor Costs \$		Equipment Costs \$		Materials Costs \$
<b>HVA:</b>	<input type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial
<b>DDA:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <b>TB</b>
Labor Costs \$	<input checked="" type="radio"/>	Equipment Costs \$		Materials Costs \$
<b>RISK MANAGEMENT:</b>	<input type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial
Class I – Low Hazard				
Class II – Moderate Hazard				
Class III – High Hazard				
Class IV – Severe Hazard				
SITE FEE APPLIED TO ALL EVENTS IS \$100 PER DAY. TOTAL EVENT SITE FEE \$ _____				
APPROVED _____ NOT APPROVED _____ DATE _____				

**City of Plymouth**  
**SPECIAL EVENT APPLICATION**

>> FEES WILL BE CHARGED FOR ALL SPECIAL EVENTS <<

Complete this application in accordance with the City of Plymouth Special Events Policy, and return it to the City Manager's Office at least 21 Calendar days prior to the starting date of the event.

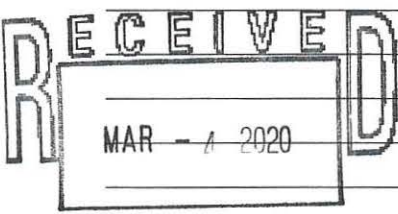
Sponsoring Organization's Legal Name Art In The Park Enterprises, LLC  
Ph# 734-454-1314 Fax# \_\_\_\_\_ Email info@artinthepark.com Website www.artinthepark.com  
Address 898 S. Main St. - Suite A City Plymouth State MI Zip 48170  
Sponsoring Organization's Agent's Name Raychel Rork Title President  
Ph# 734-454-1314 Fax# \_\_\_\_\_ Email raychela@artinthepark.com Cell# 734-612-4300  
Address 575 Irvin St. City Plymouth State MI Zip 48170

Event Name Art In The Park  
Event Purpose Art Fair  
Event Date(s) July 10 - 11 - 12, 2020 (set-up begins July 9)  
Event Times Friday 11:00am - 8:00pm Sat 10:00am - 7:00pm Sun 10:00 - 5:00pm  
Event Location Downtown Plymouth - see attached map  
What Kind Of Activities? Art booths - Musical Entertainment - Food  
What is the Highest Number of People You Expect in Attendance at Any One Time? 3,000

Coordinating With Another Event? YES  NO  If Yes, Event Name: \_\_\_\_\_

Event Details: (Provide a detailed description of all activities that will take place. Attach additional sheets if necessary.)

Art booths  
Food vendors  
Musical Entertainment  
Street chalk mural  
Children's Art activities



1. **TYPE OF EVENT:** Based on Policy 12.2, this event is: (Weddings Ceremonies – Please Review Section 12.2 f.)  
City Operated  Co-sponsored Event  Other Non-Profit  Other For-Profit  Political or Ballot Issue

2. **ANNUAL EVENT:** Is this event expected to occur next year? YES  NO

If Yes, you can reserve a date for next year with this application (see Policy 12.15). To reserve dates for next year, please provide the following information:

Normal Event Schedule (e.g., third weekend in July):

2nd weekend in July

Next year's specific dates:

July 9-10-11, 2021

\*\*\*See section 12.13 for license & insurance requirements for vendors\*\*\*

3. **FOOD VENDORS/ CONCESSIONS?** YES  NO  **OTHER VENDORS?** YES  NO
4. **DO YOU PLAN TO HAVE ALCOHOL SERVED AT THIS EVENT?** YES  NO
5. **WILL ALCOHOL BE SERVED ON PRIVATE PROPERTY AS PART OF THIS EVENT?** YES  NO
6. **WILL YOU NEED ELECTRICITY AND/OR WATER?** YES  NO

**CITY SERVICES REQUIRED?** If needed, please attach a letter indicating all requests for City Services.

(see Attachment B)

Please see the special event charges from 2019 event. The same services will be needed. We plan to have bathroom attendants again for the Gathering.

7. **AN EVENT MAP IS**  **IS NOT**  attached. If your event will use streets and/or sidewalks (for a parade, run, etc.), or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also show any streets or parking lots that you are requesting to be blocked off.

8. **EVENT SIGNS:** Will this event include the use of signs? YES  NO   
If Yes, refer to Policy 12.8 for requirements, and describe the size and location of your proposed signs: **Please complete a sign illustration / description sheet and include with the application.**

Signs or banners approved by the City of Plymouth for Special Events shall be designed and made in an artistic and workman like manner. THE CITY MANAGER MUST APPROVE ALL SIGNS. SIGNS CANNOT BE ERECTED UNTIL APPROVAL IS GIVEN.

Signs and/or Banners may be used during the event only. Please refer to Special Event Policy for information related to the installation of banners on Downtown Street Light Poles in advance of event. NO SIGNS ARE ALLOWED IN THE PARK IN ADVANCE OF THE EVENT.

9. **UNLIMITED PARKING:** Are you requesting the removal of time limits on parking (see Policy 12.5)?

YES  NO

If Yes, list the lots or locations where/why this is requested:

The City of Plymouth coordinates all Art In The Park parking lot activity.

10. **CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that
- a. A Certificate of Insurance must be provided which names the City of Plymouth as an additional named insured party on the policy. (See Policy 12.10 for insurance requirements)
  - b. Event sponsors and participants will be required to sign Indemnification Agreement forms (refer to Policy 12.12).
  - c. All food vendors must be approved by the Wayne County Health Department, and each food and/or other vendor must provide the City with a Certificate of Insurance which names the City of Plymouth as an additional named insured party on the policy. (See Policy 12.13)
  - d. The approval of this Special Event may include additional requirements and/or limitations, based on the City's review of this application, in accordance with the City's Special Event Policy. The event will be operated in conformance with the Written Confirmation of Approval. (see Policy 12.11 and 12.16)
  - e. The sponsoring organization will provide a security deposit for the estimated fees as may be required by the City, and will promptly pay any billing for City services which may be rendered, pursuant to Policy 12.3 and 12.4.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with City's Special Event Policy, the terms of the Written Confirmation of Approval, and all other City requirements, ordinance and other laws which apply to this Special Event.

3-4-2020  
Date

Rachael Rook  
Signature of Sponsoring Organization's Agent

**RETURN THIS APPLICATION at least twenty (21) days prior to the first day of the event to:**

**City Manager's Office  
City Hall  
201 S. Main Street  
Plymouth MI 48170**

**Phone: (734) 453-1234 ext. 203**

11. INDEMNIFICATION AGREEMENT

**INDEMNIFICATION AGREEMENT**

Art In The Park  
The Enterprises, LLC (organization name) agree(s) to defend, indemnify, and hold harmless the City of Plymouth, Michigan, from any claim, demand, suit, loss, cost of expense, or any damage which may be asserted, claimed or recovered against or from the Art In The Park (event name) by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss, cost of expense is caused in whole or in part by the negligence of the City of Plymouth or by third parties, or by the agents, servants, employees or factors of any of them.

Signature Rachel Rook

Date 3-4-2020

Witness Kristeen Dujra

Date 3/4/2020



Blue, Orange & Yellow  
ENTER HERE

Pink & Purple  
ENTER HERE

Artist Parking

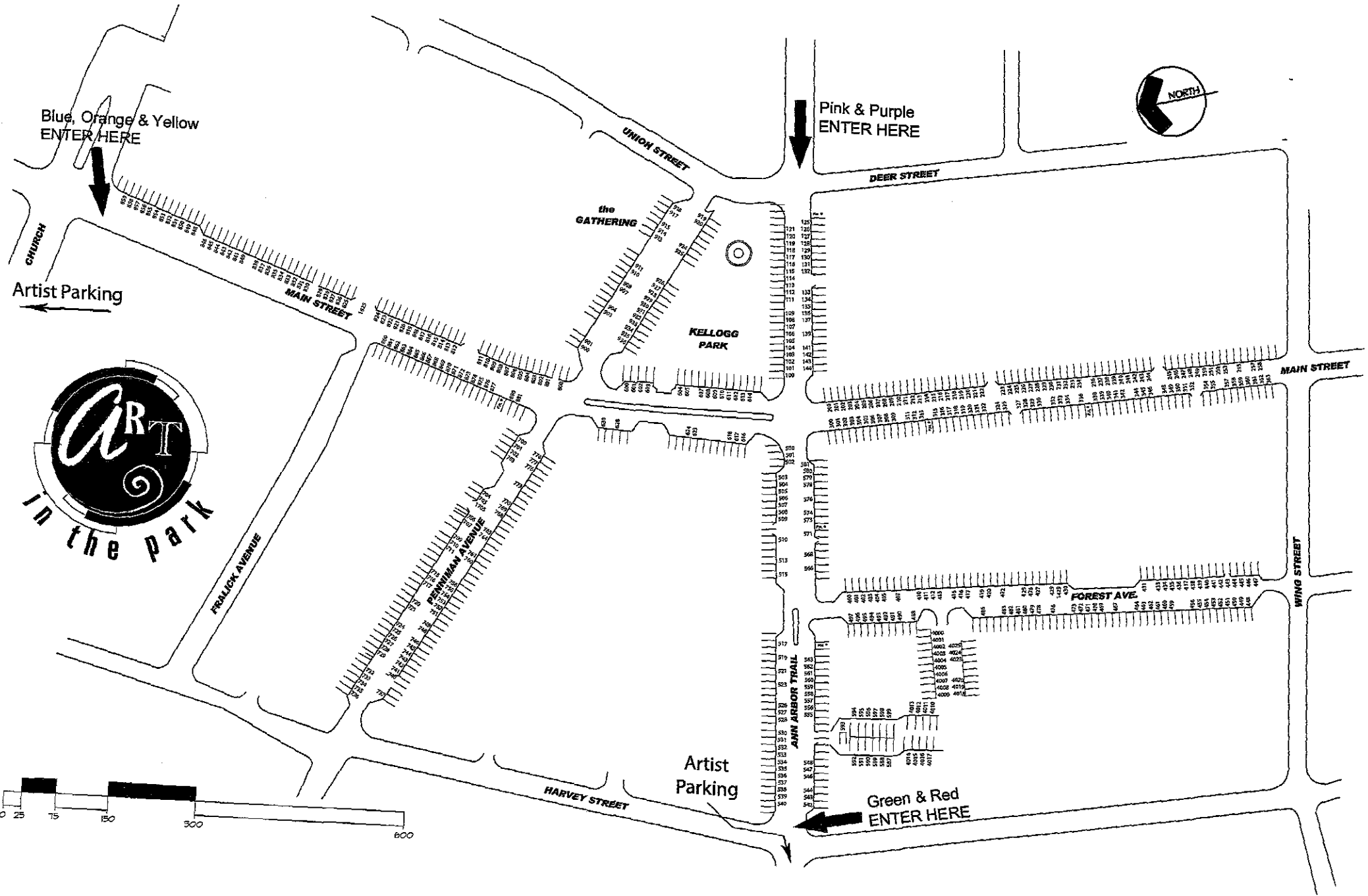
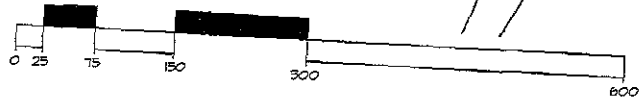


the  
GATHERING

KELLOGG  
PARK

Artist  
Parking

Green & Red  
ENTER HERE



### EVENT REVIEW FORM

EVENT NAME: \_\_\_\_\_ TOTAL ESTIMATED FEE: \_\_\_\_\_

*(Note: All fees are only initial estimates and can increase upon assessment of services after the close of the event).*

<b>MUNICIPAL SERVICES:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <b>CP</b>
PORT - A - JOINTS				
LANDFILL				
FENCING				
\$250 Bathroom Cleaning Fee Per Day of Event? <input checked="" type="checkbox"/> <b>YES</b> <input type="checkbox"/> <b>NO</b> <b>3 DAYS</b>				
Labor Costs:	\$ <b>18K</b>	Equipment Costs:	\$ <b>5K</b>	Materials Costs      \$ <b>6K</b>
<b>POLICE:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <b>JLC</b>
1 - SUPERVISOR @ 25 HRS - \$ 2150				
2 - OFFICERS @ 25 HRS - \$ 3800				
6 - NAICS PERSONNEL @ 25 HRS - \$ 3300				
Labor Costs \$		Equipment Costs \$	<b>9250-</b>	Materials Costs \$
<b>FIRE:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <b>JFO</b>
6 Firefighters Each Day				
Labor Costs \$	<b>4,800.00</b>	Equipment Costs \$		Materials Costs \$
<b>HVA:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial
<b>DDA:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial
Labor Costs \$		Equipment Costs \$		Materials Costs \$
<b>RISK MANAGEMENT:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <b>MS</b>
Class I - Low Hazard				
Class II - Moderate Hazard <b>NEEDS CERT. OF INSURANCE Naming City of Plymouth</b>				
Class III - High Hazard <b>ADDITIONAL INSURED in Description Area. Excludes CG2026</b>				
Class IV - Severe Hazard <b>FOR FOOD VENDORS &amp; other higher risk vendors (also rides etc.)</b>				
SITE FEE APPLIED TO ALL EVENTS IS \$100 PER DAY. TOTAL EVENT SITE FEE \$ _____				
APPROVED _____ NOT APPROVED _____ DATE _____				



# Special Event Application

City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

www.plymouthmi.gov  
Phone 734-453-1234  
Fax 734-455-1892

Complete this application in accordance with the City of Plymouth Special Events Policy, and return it to the City Manager's Office at least 21 calendar days prior to the starting date of the event.

**FEES WILL BE CHARGED FOR ALL SPECIAL EVENTS. SEE ATTACHMENT B.**

Sponsoring Organization's Legal Name Plymouth Community Band

Ph# \_\_\_\_\_ Fax# \_\_\_\_\_ Email \_\_\_\_\_ Website \_\_\_\_\_

Address PO Box 700745 City Plymouth State MI Zip 48170

Sponsoring Organization's Agent's Name Carl Battishill Title Director

Ph# 734-635-9846 Fax# \_\_\_\_\_ Email battishill@AOL.com Cell# \_\_\_\_\_

Address 525 Blunk City Plymouth State MI Zip 48170

Event Name Concerts in the Park

Event Purpose \_\_\_\_\_

Event Date(s) May 28, June 4, 11, 18, 25 July 2, 16, 23, 30

Event Times 7:30 pm

Event Location Kellogg Park

What Kind Of Activities? Band Concert

What is the Highest Number of People You Expect in Attendance at Any One Time? 2000

Coordinating With Another Event? YES  NO  If Yes, Event Name: \_\_\_\_\_

Event Details: (Provide a detailed description of all activities that will take place. Attach additional sheets if necessary.)

Set up on mobile stage at 6:30pm. Need lighting and sound.  
Concert begins at 7:30. Ends at 9:00pm.  
Cleaned out by 9:30pm

FEB 17 2020

7 2020

1. **TYPE OF EVENT:** Based on Policy 12.2, this event is: (Weddings Ceremonies – Please Review Section 12.2 f.)  
City Operated  Co-sponsored Event  Other Non-Profit  Other For-Profit  Political or Ballot Issue

2. **ANNUAL EVENT:** Is this event expected to occur next year? YES  NO

If Yes, you can reserve a date for next year with this application (see Policy 12.15). To reserve dates for next year, please provide the following information:

Normal Event Schedule (e.g., third weekend in July):

Next year's specific dates:

June 3, 10, 17, 24 July 1, 5, 22, 29 2021

\*\*\*See section 12.13 for license & insurance requirements for vendors\*\*\*

3. **FOOD VENDORS/ CONCESSIONS?** YES  NO  **OTHER VENDORS?** YES  NO

4. **DO YOU PLAN TO HAVE ALCOHOL SERVED AT THIS EVENT?** YES  NO

5. **WILL ALCOHOL BE SERVED ON PRIVATE PROPERTY AS PART OF THIS EVENT?** YES  NO

6. **WILL YOU NEED ELECTRICITY AND/OR WATER?** YES  NO

**CITY SERVICES REQUIRED?** If needed, please attach a letter indicating all requests for City Services. (see Attachment B)

Mobile stage set up with lights and sound. Bathrooms open and clean  
Clean up after the concert.

7. **AN EVENT MAP IS**  **IS NOT**  attached. If your event will use streets and/or sidewalks (for a parade, run, etc.), or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also show any streets or parking lots that you are requesting to be blocked off.

8. **EVENT SIGNS:** Will this event include the use of signs? YES  NO   
If Yes, refer to Policy 12.8 for requirements, and describe the size and location of your proposed signs. **Please complete a sign illustration / description sheet and include with the application.**

Signs or banners approved by the City of Plymouth for Special Events shall be designed and made in an artistic and workman like manner. THE CITY MANAGER MUST APPROVE ALL SIGNS. SIGNS CANNOT BE ERECTED UNTIL APPROVAL IS GIVEN.

Signs and/or Banners may be used during the event only. Please refer to Special Event Policy for information related to the installation of banners on Downtown Street Light Poles in advance of event. NO SIGNS ARE ALLOWED IN THE PARK IN ADVANCE OF THE EVENT.

9. **UNLIMITED PARKING:** Are you requesting the removal of time limits on parking (see Policy 12.5)?

YES  NO

If Yes, list the lots or locations where/why this is requested:

Parking on Peanman near the stage reserved after 5 for  
our equipment vehicles

10. **CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that
- a. a Certificate of Insurance must be provided which names the City of Plymouth as an additional named insured party on the policy. (See Policy 12.10 for insurance requirements)
  - b. Event sponsors and participants will be required to sign Indemnification Agreement forms (refer to Policy 12.12).
  - c. All food vendors must be approved by the Wayne County Health Department, and each food and/or other vendor must provide the City with a Certificate of Insurance which names the City of Plymouth as an additional named insured party on the policy. (See Policy 12.13)
  - d. The approval of this Special Event may include additional requirements and/or limitations, based on the City's review of this application, in accordance with the City's Special Event Policy. The event will be operated in conformance with the Written Confirmation of Approval. (see Policy 12.11 and 12.16)
  - e. The sponsoring organization will provide a security deposit for the estimated fees as may be required by the City, and will promptly pay any billing for City services which may be rendered, pursuant to Policy 12.3 and 12.4.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with City's Special Event Policy, the terms of the Written Confirmation of Approval, and all other City requirements, ordinance and other laws which apply to this Special Event.

2/26/2020  
Date

Carl C. Bottel  
Signature of Sponsoring Organization's Agent

**RETURN THIS APPLICATION at least twenty (21) days prior to the first day of the event to: City**

Manager's Office  
City Hall  
201 S. Main Street  
Plymouth MI 48170

Phone: (734) 453-1234 ext. 203

11. INDEMNIFICATION AGREEMENT

INDEMNIFICATION AGREEMENT

The Plymouth Community Bands (organization name) agree(s) to defend, indemnify, and hold harmless the City of Plymouth, Michigan, from any claim, demand, suit, loss, cost of expense, or any damage which may be asserted, claimed or recovered against or from the Concerts in the Park (event name) by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss, cost of expense is caused in whole or in part by the negligence of the City of Plymouth or by third parties, or by the agents, servants, employees or factors of any of them.

Signature Carl C. Zetterlund

Date 2/26/2020

Witness \_\_\_\_\_

Date \_\_\_\_\_

### EVENT REVIEW FORM

EVENT NAME: \_\_\_\_\_ TOTAL ESTIMATED FEE: \_\_\_\_\_

*(Note: All fees are only initial estimates and can increase upon assessment of services after the close of the event)*

<b>MUNICIPAL SERVICES:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <b>CP</b>
<i>1 FTE APPROX 4 HR / EA</i>				
<i>PA SYSTEM</i>				
\$250 Bathroom Cleaning Fee Per Day of Event? <input checked="" type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b>				
Labor Costs: \$	250	Equipment Costs: \$	50	Materials Costs \$
				100
<b>POLICE:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <b>guc</b>
<i>1 OFFICER @ 2 HR 5 FOR 9 DATES</i>				
Labor Costs \$		Equipment Costs \$	1368-	Materials Costs \$
<b>FIRE:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <b>JO</b>
<i>NO SERVICE REQUIRED</i>				
Labor Costs \$		Equipment Costs \$		Materials Costs \$
<b>HVA:</b>	<input type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial
<b>DDA:</b>	<input type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial
Labor Costs \$		Equipment Costs \$		Materials Costs \$
<b>RISK MANAGEMENT:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <b>MD</b>
Class I - Low Hazard	<i>Include Cert. of Insurance Minimum</i>			
Class II - Moderate Hazard	<i>City of Plymouth as Additional Insured</i>			
Class III - High Hazard	<i>in Description area</i>			
Class IV - Severe Hazard				
SITE FEE APPLIED TO ALL EVENTS IS \$100 PER DAY. TOTAL EVENT SITE FEE \$ _____				
APPROVED _____ NOT APPROVED _____ DATE _____				



## Administrative Recommendation

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City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

www.plymouthmi.gov  
Phone 734-453-1234  
Fax 734-455-1892

To: Mayor & City Commission  
From: Paul J. Sincock, City Manager  
CC: *S:\Manager\Sincock Files\Memorandum - Annual Liquor License Review and Number of Establishments - City Comm 03-16-20.docx*  
Date: March 12, 2020  
RE: Annual Renewal Liquor Licenses & Establish Number of Establishments

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### Background

The members of the Local Liquor License Review (LLRC) Committee met prior to the City Commission meeting to make a recommendation to the City Commission related to the required review of the annual report related to Liquor Licenses related to the renewal, revocation and non-renewal of Licenses in the City. In addition, the LLRC must make a recommendation related to the number of licenses allowed by Zoning classification.

The City Administration has previously posted a Public Hearing for the Annual Review of Liquor License Renewals for the City Commission on March 16, 2020. This is a normal part of our liquor workload during this time of year. We are required to review all our records related to each establishment. Often, we find that a few establishments owe the City either past due taxes, utility bills or other invoices and the notice serves a reminder of payments due to the City. The Notice of Public Hearing for Recommending Renewal, Revocation and non-renewal of Liquor Licenses usually inspires all of those with outstanding issues to contact the City Treasurer or other Departments to either make immediate payment or to make arrangements for payments. We have attached the updated notice for your reference.

During our agenda preparations as of Thursday, March 12, 2020 we have found a tax issue with what is commonly known as the Liberty Street Brewing. Also, Ironwood Grill owes a small outstanding invoice for patio cleaning this past summer.

The LLRC met and discussed these matters and made a formal recommendation related to the renewals. The City Commission is aware that the MLCC has changed their view of the law and they may or may not act on the City's requests for non-renewal or revocation.

Related to the Liquor License Cap, there have not been any significant issues with licensed establishments for a few years, so this is really a "political question," but the Administration has no objections if the LLRC/City Commission expands the numbers. We would express our usual caution if you expanded the numbers to please do so slowly, to allow us to adjust our operations.

**RECOMMENDATION:**

The City Administration has recommended to the LLRC that the City Commission the renew all of licenses, EXCEPT for Liberty Street Brewing/Norton X Brewing, LTD at 149 W. Liberty and Ironwood Grill on Ann Arbor Trail. There really have been no significant issues during the past year and any issue that did come up was immediately reacted to by the ownership of the establishment and corrections were immediate. We fully expect that the issue with Ironwood Grill is a simple oversight and they will make payment.

In order to assist the LLRC with their renewal/non-renewal recommendations we have prepared TWO separate Resolutions/Action Items for the renewals and then a second Resolution for establishment being recommended for non-renewal. We have also attached a third Resolution for the LLRC related to the cap on Liquor Licenses and calling for no increase this year.

Should the City Commission wish to expand the number of available licenses in the various Zoning Districts, we would ask for some direction on that issue. That will allow us to prepare the necessary Ordinance Amendments for a future meeting.

Should you have any questions in advance of the meeting please feel free to contact either Chief Al Cox or myself.

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**2020 REPORT OF ALCOHOL RELATED POLICE INCIDENTS**

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**TO:** PAUL SINCOCK, CITY MANAGER  
**FROM:** A.L. COX, DIRECTOR OF PUBLIC SAFETY *A.L. Cox*  
**SUBJECT:** ALCOHOL RELATED INCIDENTS FOR PERIOD 1/1/2019-12/31/2019  
**DATE:** 2/17/2020

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**Current MLCC Licenses in the City of Plymouth**

Alcohol by the Glass: 26 Active (1 for every 351 residents)  
Packaged Liquor: 9 Active and 1 In Escrow (1 for every 913 residents)  
Small Distiller: 1 Active

**Total MLCC inspections by Officers to every MLCC regulated establishment**

- Officers are required to perform MLCC inspections of all MLCC regulated establishments. This occurs weekly for several alcohol by the glass establishments and monthly for others, including our packaged beer, wine, and liquor stores. Inspections consist of an Officer's walk-thru/observation of the establishment's employees, patrons, and service practices. A written checklist/report may also be completed.

MLCC Police Officer Inspections	2019	2018
Total	447	812

**Total alcohol related Disorderly Conduct Calls For Service (CFS)**

- The following table displays all alcohol related Disorderly Conduct CFS for the referenced time period. Total CFS of this type are listed first, followed by those dispatched directly to the address of any licensed establishment. The last category is all other alcohol related Disorderly Conduct CFS around town.

Alcohol Related Disorderly Conduct CFS	2019	2018
<b>Total</b>	<b>32</b>	<b>30</b>
Local Establishments	9	8
Other Areas Around Town	23	22

**Total alcohol related driving/motor vehicle CFS**

- All drunken driving incidents, including OWI 1st Offense, Repeat Offenders (OWI II & OWI III), Super Drunk, and Child Endangerment cases.

Alcohol/Motor Vehicle related CFS	2019	2018
Total	36	35

- In an effort to give you a better understanding of our total number, the following table breaks down the specifics regarding the types of drunks we encounter and in some cases an idea of their condition (Blood Alcohol Content over .17).

Year	OWI 1st Offense MISDEMEANOR	OWI 2nd Offense MISDEMEANOR	OWI 3rd Offense FELONY	Super Drunk .17 BAC or higher MISDEMEANOR	Total OWI Arrests	OWI Crashes
2019	20 (56%)	2 (6%)	3 (8%)	11 (30%)	36	3
2018	13 (37%)	3 (9%)	5 (14%)	14 (40%)	35	1

**Total other alcohol related incidents**

- Includes such incidents as Minor in Possession, Open Intoxicants, Trespassing and other CFS involving alcohol not otherwise captured.

Other alcohol related incidents	2019	2018
Total	5	11

**Total alcohol related Malicious Destruction of Property (MDOP) CFS**

- Incidents involving MDOP in which the suspect is intoxicated or had been drinking.

Alcohol related MDOP CFS	2019	2018
Total	2	1

**Total Violation Reports Involving City MLCC Licensed Establishments**

<b>MLCC Violation Reports</b>	<b>2019</b>	<b>2018</b>
Total	1	1

- **7/12/2019- Bigalora Plymouth, LLC: Waived the right to a Hearing (reviewed by Commissioner Clemente)**
  1. Permitted or allowed out-of-doors service without the prior written approval of the Commission, contrary to Rule 436.1419(1).- **Plea of Acknowledgment; \$100 fine.**

**CONTINUE TO NEXT PAGE→**

**Total Police Notifications to MLCC regulated establishments**

- These notifications were telephone calls, emails or face to face meetings with bar owners or management anytime Officers responded to an incident involving a subject(s) that consumed in their establishment (i.e. a visibly intoxicated subject that was arrested for drunk driving after having been served at a local bar).
- It is important to note that the information as to where a subject(s) was drinking is generally provided by an intoxicated person that, in the same breath, will tell us he/she had “two beers” when it is obvious they had much more.

<b>Establishment</b>	<b>2019</b>	<b>2018</b>
Aqua	0	0
Barrio Cocina Y Tequileria	0	0
Bigalora	0	0
Compari's/Fiama/Sardine Room	0	0
Cultural Center	0	0
E.G. Nicks	0	0
Greek Islands	0	0
Herman's Olde Town Grille	0	0
Ironwood	0	0
Liberty Street Brewing Co.	0	0
Mayflower Meeting House	0	0
Nico & Vali	0	0
Pakwaan Restaurant	0	0
Park Place Gastro Pub	0	0
Penn Grille	0	0
Pizza E Vino	0	0
Plymouth Knights of Columbus	0	0
Plymouth ROC	0	0
Sean O'Callaghan's	0	0
Stella's Trackside & Stella's Black Dog Tavern	0	0
Stella's Black Dog Tavern (Fral	0	0
The Honey Hole	0	0
The Post Local Bistro	3	4
VFW	0	0
Westborn Market	0	0
<b>Total</b>	<b>3</b>	<b>4</b>

**NOTICE OF ANNUAL  
PUBLIC HEARING FOR RECOMMENDING  
RENEWAL, REVOCATION AND NON-RENEWAL  
OF LIQUOR LICENSES IN ACCORDANCE WITH  
The City of Plymouth Liquor Management Ordinance**

Plymouth City Commission  
Commission Chambers  
201 S. Main  
Plymouth, MI 48170  
March 16, 2020 - 7:00 p.m.

*As of 03/05/2020*

***ADMINISTRATIVE RECOMMENDATIONS ARE UPDATED and CURRENT AS OF 03-05-2020 AND ARE SUBJECT TO CHANGE PENDING ADDITIONAL INFORMATION OR CORRECTIONS OR CONFIRMATION OF TAXES BEING PAID. This notice may be added to, changed or amended.***

Open Public Hearing – As a part of the Regular City Commission Agenda

- 1) License Holder – Buon Vino Winery, LLC, 849 Penniman – Administrative Recommendation for Renewal.
- 2) License Holder – Park Place Gastro Pub – Administrative Recommendation for Renewal.
- 3) License Holder – Compari’s on the Park/Fiamma/Sardine 350 S. Main - Administrative Recommendation to approve renewal. (3 locations on one license)
- 4) License Holder – City of Plymouth Parks and Recreation – Administrative Recommendation to approve renewal
- 5) License Holder – D.B.A. - Barrio’s Forest Ave. – Administrative Recommendation for Renewal.
- 6) License Holder – Hermanns Olde Towne Grill, 195 W. Liberty - Administrative Recommendation for Renewal.
- 7) License Holder – Ironwood Grill, 840 W. Ann Arbor Trail – Administrative Recommendation for Non-Renewal. Past Due City Invoice 4421. Administrative Recommendation for non-renewal for violation of City Liquor Management Ordinance and hearing before the Local Liquor License Review Committee in accordance with Section 9 of the City of Plymouth Liquor Management

Ordinance. LLRC Hearing Scheduled for 6:00 p.m. on March 16, 2020, Plymouth City Hall, 201 S. Main Street, Plymouth, MI

- 8) License Holder – Mayflower Meeting House, Exclusive Catering, Inc. 499 S. Main - Administrative Recommendation to approve renewal.
- 9) License Holder – Mayflower – Lt. Gamble Post 6995 of the Veterans of Foreign Wars of the United States, 1426 S. Mill Street - Administrative Recommendation to approve renewal.
- 10) License Holder – Nico & Vali – Italian Eatery, 744 Wing Street - Administrative Recommendation to approve renewal.
- 11) License Holder – Plymouth Knights of Columbus Building Council #3292, 150 Fair Street - Administrative Recommendation to approve renewal.
- 12) Bigalore/Arbor Brewing –777 W. Ann Arbor Trail - Administrative Recommendation for Renewal.
- 13) License Holder – The Penn Grill, 820 Penniman – Administrative Recommendation for approval.
- 14) & 15) License Holder – Liberty Street Brewing – Norton X Brewing LTD, 149 W. Liberty – Past Due Tax Bill, Past Due Water Bills. Administrative Recommendation for non-renewal for violation of City Liquor Management Ordinance and hearing before the Local Liquor License Review Committee in accordance with Section 9 of the City of Plymouth Liquor Management Ordinance. LLRC Hearing Scheduled for 6:00 p.m. on March 16, 2020, Plymouth City Hall, 201 S. Main Street, Plymouth, MI
- 16) License Holder – DBA/ Aqua - JJA, Inc. – Starkweather & Main Street - Administrative Recommendation for approval.
- 17) License Holder – Pakwaan – 447 Forest Ave., - Administrative Recommendation to approve renewal.
- 18) License Holder – DBA/Plymouth ROC – 1020 W. Ann Arbor Road - Administrative Recommendation to approve renewal.
- 19) License Holder – E.G. Nicks T. Belli & Assoc. Inc. – 500 Forest Ave. – Administrative Recommendation to approve renewal.
- 20) License Holder – Post Bistro – 844 Penniman Ave. - Administrative Recommendation to approve renewal.

- 21) License Holder – Sean O’Callaghan’s Public House – 821 Penniman Ave. - Administrative Recommendation to approve renewal.
- 22) License Holder – Stella’s Trackside - 885 Starkweather – Recommendation to approve renewal.
- 23) License Holder – Stella Dog Tavern, 860 Fralick - Administrative Recommendation for Renewal.
- 24) Honey Hole Starkweather Ave. – 584 Starkweather - Administrative Recommendation for Renewal
- 25) Westborn Market – 860 Penniman - Administrative Recommendation for Renewal
- 26) Greek Islands – 306 S. Main - Administrative Recommendation for Renewal

*\* License holders with payments due or past payments due should check their records to confirm if the payment has already been made and notify the City Treasurer (734-453-1234 ext. 209.) Contact with the City Treasurer and payment can result in the Administrative Recommendation being changed in advance of the Public Hearing. Past due tax payments to Wayne County must have a receipt showing payment.*

The City of Plymouth may provide correspondence, reports and/or public comment from the City Manager, Police Chief, City Clerk, Community Development Director, Fire Chief or Inspector, City Treasurer and/or other members of the City of Plymouth Staff.

**LOCAL LIQUOR LICENSE REVIEW COMMITTEE WILL MEET AT 6:00 p.m. ON MONDAY, March 16, 2020 AT THE PLYMOUTH CITY HALL TO MAKE A FINAL RECOMMENDATION TO CITY COMMISSION ON RENEWAL, REVOCATION AND NON-RENEWAL OF LIQUOR LICENSES.**

**Licensees are required to notify the City’s Attorney’s Office at least three (3) days prior to the hearing date if they intend to contest the proposed action, and to provide the names of witnesses known at the time who will testify on their behalf. (Section 8, B6) Contact City Attorney’s Office at – Plunkett & Cooney, Robert Marzano, City Attorney - 248-594-6357.**

## City Commission RESOLUTION #1

### Renewal

The following Resolution was offered by Member \_\_\_\_\_ and seconded by Member \_\_\_\_\_.

WHEREAS The City of Plymouth has a Liquor Management Ordinance related to the operation of All Class C Type Liquor Licenses in the City, and

WHEREAS On March 16, 2020, the City Administration presented the Liquor License Review Committee and the City Commission with information about the various Liquor licensed establishments in the City, and

WHEREAS The Local Liquor License Review Committee is required to make a Recommendation to the City Commission related to the renewal, revocation and non-renewal of all Liquor Licenses in the City.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby recommend to the State Liquor Control Commission that the following licenses be renewed:

- Buon Vino Winery, LLC
- Compari's/Fiamma/Sardine Room (3 locations one license)
- City of Plymouth Recreation
- Hermanns Olde Town Grill
- Mayflower Meeting House  
VFW
- Nico & Vali
- Bigalora/Arbor Brewing
- Plymouth ROC – 1020 W. Ann Arbor Road
- Sean O'Callaghan's
- E.G. Nicks
- Aqua
- Greek Islands
- Pizza E Vino
- \* Park Place Gastro Pub
- \* Barrio – 555 Forest
- \* Mayflower – Lt. Gamble Post 6695
- \* Plymouth Knights of Columbus
- \* Penn Grill
- \* Stella's Trackside (Starkweather)
- \* Post Local Bistro
- \* Stella Dog Brewery (Fralick)
- \* Westborn Market
- \* Pakwaan Restaurant
- \* The Honey Hole

## City Commission RESOLUTION #2

### Non-Renewal

The following Resolution was offered by Comm. \_\_\_\_\_ and seconded by Comm. \_\_\_\_\_.

WHEREAS The City of Plymouth has a Liquor Management Ordinance related to the operation All Class C Type Liquor Licenses in the City, and

WHEREAS On March 16, 2020 the City Administration presented the Liquor License Review Committee and the City Commission with information about the various Liquor licensed establishments in the City, and

WHEREAS The Local Liquor License Review Committee is required to make a Recommendation to the City Commission related to the renewal, revocation and non-renewal of all Liquor Licenses in the City.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth recommends to the State Liquor Control Commission that the following license NOT BE RENEWED due to violations of the City's Liquor Management Ordinance Section 6-39 (4) & (7)

- Norton X Brewing, LTD
- Liberty Street Brewing
- Ironwood Grill



## Administrative Recommendation

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City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

www.plymouthmi.gov  
Phone 734-453-1234  
Fax 734-455-1892

To: Mayor and City Commission  
From: Paul J. Sincock, City Manager  
CC: *S:\Manager\Sincock Files\Memorandum - Add Stockholder Stellas Black Door Tavern City Comm 03-16-20.docx*  
Date: March 12, 2020  
RE: PUBLIC HEARING - Add Stockholder Stella's Black Dog Tavern

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### Background

The City Commission will need to open a Public Hearing to Transfer Stock Interest for Stella's Black Dog Tavern. Don Soenen is being added as a stock holder as outlined in the attached memorandum from the MLCC.

Our Liquor Management Ordinance requires that we "officially" adopt the change in stockholders, even though the State of Michigan does not require local City Commission action. The addition of the stockholder is already being processed by the State. This matter was reviewed prior to the City Commission Meeting by the Local Liquor License Review Committee.

There is no change in the operations plan for the establishment and there are no issues with the operations of the establishment.

### Recommendation

The City Administration recommends that the City Commission approve of the change in stockholders for Stella's Black Dog Tavern. There are no changes to the operations plan.



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

February 7, 2020

TBD Advisors, Inc.  
c/o Attorney Jessica Hallmark  
(email: [jhallmark@anafirm.com](mailto:jhallmark@anafirm.com))

**RID #2002-02737**

**Reference/Transaction:** Transfer stock interest by dropping existing stockholder James Sullivan; and as a result, new stockholder Donald Soenen will hold 9,000 shares of stock, in conjunction with 2019 Class C and SDM licensed corporation with Sunday Sales Permit (AM), Sunday Sales Permit (PM), Entertainment Permit, Outdoor Service (2 Areas) and 2 Bars located at 860 Fralick St., Plymouth, MI. 48170, Wayne County.

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

**Applicant/Licensee:** TBD Advisors, Inc.

**Business address and phone number:** 860 Fralick St., Plymouth, MI. 48170, Wayne County  
(B) 734-207-9656

**Home address and phone number of partner(s)/subordinates:** Donald Soenen, 46040 W. Ann Arbor Trail, Plymouth, MI. 48170 (C) 734-516-4053

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

**Southfield District Office (313) 456-1170**

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor.

Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION  
Retail Licensing Division  
(866) 813-0011

jmm

cc: Plymouth City Council

City Commission Resolution

The following Resolution was offered by Comm. \_\_\_\_\_ and seconded by Comm.

\_\_\_\_\_

WHEREAS The City of Plymouth has a Liquor Management Ordinance which requires that changes in the ownership be approved locally, and

WHEREAS The ownership of TBD Advisors, Inc. – Stella’s Black Dog Tavern are changing the Stockholders.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby accept the transfer of stock interest for TBD Advisors, Inc. – Stella’s Black Dog Tavern as indicated by the Michigan Liquor Control Commission.



## Administrative Recommendation

---

City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

www.plymouthmi.gov  
Phone 734-453-1234  
Fax 734-455-1892

To: Local Liquor License Review Committee  
From: Paul J. Sincock, City Manager  
CC: *S:\Manager\Sincock Files\Memorandum - Add Stockholder Stellas Trackside City Comm 03-16-20.docx*  
Date: March 12, 2020  
RE: PUBLIC HEARING - Add Stockholder Stella's Trackside

---

### Background

The City Commission will need to open a Public Hearing to Transfer Stock Interest for Stella's Trackside, in Old Village. Don Soenen is being added as a stock holder as outlined in the attached memorandum from the MLCC.

Our Liquor Management Ordinance requires that we "officially" adopt the change in stockholders, even though the State of Michigan does not require local City Commission action. The addition of the stockholder is already being processed by the State. This matter was reviewed prior to the City Commission Meeting by the Local Liquor License Review Committee.

There is no change in the operations plan for the establishment and there are no issues with the operations of the establishment.

### Recommendation

The City Administration recommends that the City Commission approve of the change in stockholders for Stella's Trackside, at 885 Starkweather. There are no changes to the operations plan.



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

February 18, 2020

Stella's Trakside, Inc.  
c/o Attorney Jessica Hallmark  
(email: jhallmark@anafirm.com)

**RID #2002-03092**

**Reference/Transaction:** Transfer stock interest by adding new stockholder Donald Soenen through transfer of 150 shares of stock from the corporation; and as a result, existing stockholder Robert Ostendorf, Jr. will hold 850 shares of stock and new stockholder Donald Soenen will hold 150 share of stock, in conjunction with 2019 Class C and SDM licensed corporation with Sunday Sales Permit (AM), Sunday Sales Permit (PM), Outdoor Service (1 area), Dance Permit and 2 Bars located at 885 Starkweather St., Plymouth, MI. 48170, Wayne County.

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

**Applicant/Licensee:** Stella's Trakside, Inc.

**Business address and phone number:** 885 Starkweather St., Plymouth, MI. 48170, Wayne County (B) 248-540-7400

**Home address and phone number of partner(s)/subordinates:** Donald Soenen, 46040 W. Ann Arbor Trail, Plymouth, MI. 48170 (C) 734-516-4053

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

**Southfield District Office (313) 456-1170**

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required

MICHIGAN LIQUOR CONTROL COMMISSION  
PAT GAGLIARDI, CHAIRMAN  
525 W. Allegan St. • P.O. BOX 30005 • LANSING, MICHIGAN 48909  
www.michigan.gov/lcc • 866-813-0011

state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION  
Retail Licensing Division  
(866) 813-0011

jmm

cc: Plymouth City Council

City Commission Resolution

The following Resolution was offered by Comm. \_\_\_\_\_ and seconded by Comm.

\_\_\_\_\_

WHEREAS The City of Plymouth has a Liquor Management Ordinance which requires that changes  
In the ownership be approved locally, and

WHEREAS The ownership of Stella's Trackside are changing the Stockholders.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby  
accept the transfer of stock interest for Stella's Trackside at 885 Starkweather as indicated by the  
Michigan Liquor Control Commission.

City Commission Resolution

The following Resolution was offered by Comm. \_\_\_\_\_ and seconded by Comm.  
\_\_\_\_\_

WHEREAS The City of Plymouth has a Liquor Management Ordinance which requires that changes in the ownership be approved locally, and

WHEREAS The ownership of Stella's Trackside is changing the stockholders.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby accept the transfer of stock interest for Stella's Trackside at 885 Starkweather as indicated by the Michigan Liquor Control Commission.



## Administrative Recommendation

---

City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

[www.plymouthmi.gov](http://www.plymouthmi.gov)  
Phone 734-453-1234  
Fax 734-455-1892

To: Mayor & City Commission  
From: Paul J. Sincock, City Manager  
CC: S:\Manager\Sincock Files\Memorandum - Authorization to Hire DMS 03-16-20.docx  
Date: March 11, 2020  
RE: Authorization to Hire - DMS

---

### Background

The City has received a notice from a full time DMS employee who has indicated that he is going to be retiring. We have reviewed our staffing with Chris Porman based on our delivery of a multitude of services and we feel that this is a critical part of our staffing levels. You will recall that the City Commission adopted the Employment Ordinance on August 7, 2000 and it requires that the City Manager seek advance and express approval prior to filling any full time position.

Having full time staff on board to respond on a 24/7 basis to all types emergency and routine call outs is critical. The Municipal Services staff are truly First Responders, who must work in concert with our Public Safety Operations to allow everyone to do their job efficiently. Our Municipal Services Union has been extremely accommodating in allowing us to supplement our limited road crew with part time staff where it makes economic sense to use lower paid, lower skilled workers. However, the part timers are not trained or qualified to operate a significant portion of our equipment which is needed for the day to day and emergency operations. In addition, we need to work around school schedules for our part time staff and they are not available on a 24/7 hour call in basis. Each position we have provides critical service delivery levels and any shortage of a position, either full time or part time results in difficulty in our ability to provide routine services.

It should be noted that in 2003 we had 16 Full Time Road Crew at DMS, today we have 6 positions.

**RECOMMENDATION:**

The City Administration recommends that the City Commission provide advance and express approval of the hiring of one full time Department of Municipal Employee. This recommendation is based on our review of staffing and our service delivery mission.

We have attached a proposed Resolution for the City Commission to consider regarding this matter.

Should you have any questions in advance of the meeting please feel free to contact either Chris Porman or myself.

RESOLUTION

The following Resolution was offered by Comm. \_\_\_\_\_ and seconded by Comm. \_\_\_\_\_.

WHEREAS The City Commission did enact an Employment Ordinance on August 7, 2000, which Requires that the City Administration seek prior and express approval of any Hiring of a full-time position in the City, and

WHEREAS There is a budgeted full time opening in the Department of Municipal Services and the critical needs of the Department require a replacement for this position, and

WHEREAS The City Administration has requested prior and express approval of a hiring of a Department of Municipal Services employee.

NOW THEREFORE BE IT RESOLVED THAT the City Commission does hereby authorize the prior and express approval of the hiring of one full time Maintenance employee for the Department of Municipal Services to replace a position that is currently being vacated.



## Administrative Recommendation

---

City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

www.plymouthmi.gov  
Phone 734-453-1234  
Fax 734-455-1892

To: Mayor & City Commission  
From: Paul J. Sincock, City Manager  
CC: *S:\Manager\Sincock Files\Memorandum - Annual Review of MRTMA 03-16-20.docx*  
Date: March 13, 2020  
RE: Annual Review MRTMA

---

### Background

Prior to last year's Alcohol License Review the City Commission directed that City Administration that starting in 2020 we should include a review of the status of the MRTMA with our annual liquor license review. The MRTMA is the Michigan Regulations and Taxation of Marihuana Act, which decriminalizes, at the state level the use and possession (with limits) of "recreational" marihuana by adults.

The State of Michigan has been operating under Emergency Rules since July of 2019 and there does not seem to be a set of final rules on the horizon anytime in the near future. There are several conflicts between the Emergency Rules and the legislation, which will have to be worked out. Should the City "opt-in" and limit the number of establishments to say five, then there must be a competitive process that is run at the local level, without guidance from the State. The City Commission would have to choose "winners and losers." Michigan Municipal League General Counsel advises that "the competitive invites litigation."

We have attached an extensive memorandum from Director of Public Safety Al Cox and Community Development Director John Buzuvis.

### Recommendation:

At this time, the City Administration recommends no action be taken by the City Commission. The State has not finalized the rules for operations yet. There are a number of potential legal "land mines" that frankly, we just do not have time to take on at this point. From a financial standpoint, there is no solid evidence that this has been a "financial windfall" for the few municipalities that have opted in.

Should the City Commission direct the City Administration to proceed to implementation there are a number of local Ordinances, including zoning and planning issues that will need to be addressed prior to the City being able to "opt-into" this program.

If you have any questions in advance of the meeting please feel free to contact either myself, Al Cox or John Buzuvis.

## **ADMINISTRATIVE RECOMMENDATION**

**To:** Paul J. Sincok, City Manager  
**From:** Al Cox, Director of Public Safety   
John Buzuvis, Community Development Director   
**CC:** S:\Community Development\John\John\City Manager Stuff\Recreational Marihuana 2018  
**Date:** 3/12/2020  
**Re:** Recreational Marihuana Annual Review

---

### **BACKGROUND:**

As you are aware in December 2018 the City Commission enacted an Emergency Ordinance to opt-out of allowing “recreational marihuana” businesses in the City in advance of the Michigan Regulation and Taxation of Marihuana Act (MRTMA) taking effect on December 6, 2018. MRTMA decriminalizes the use and possession (with limits) of “recreational” marihuana by adults over the age of 21. Additionally, the Act provides for the licensing of recreational marihuana businesses by the State. A recreational marihuana business, such as a marihuana retailer, may operate, by right, in any municipality in Michigan unless the municipality opts-out by ordinance. This statute does not replace the Medical Marihuana legislation enacted in 2016 and has many similarities and some key differences. One of the critical differences between the two laws is that communities had to “opt-in” to allow medical marihuana businesses in their communities whereas the new recreational marihuana legislation requires communities to “opt-out” by ordinance to prohibit recreational marihuana businesses in their communities.

As of the effective date of the act adults over 21 years of age can possess up to 2.5 ounces of marihuana on their person, grow up to 12 plants, and have up to 10 ounces of marihuana “secured” at home. It is important to note that communities cannot opt-out of allowing this to take place in their communities. However, communities do have local control over deciding to prohibit recreational marihuana businesses from locating within their municipality.

The State of Michigan Marijuana Regulatory Agency (MRA) promulgated Adult-Use Marihuana Establishment Emergency Rules in July 2019. On December 18, 2019 Gov. Whitmer signed a six-month extension of the Emergency Rules through July 3, 2020. The Administration has contacted the MRA and they do not have a timeframe to expect the rules to be finalized and therefore the rules are expected to remain as “emergency” for the foreseeable future. It is important to note that the rules differ from the legislation in several ways. For example, the Emergency Rules provide for additional license types not listed in the statute like designated consumption establishment, marijuana event organizer license, temporary marijuana event license, and excess marijuana grower license.

Because the rules are different from the statute in some key ways its likely that the rules may continue to change in ways that the administration or others are not able to predict at this time. In addition, we expect case-law to significantly inform the final rules as promulgated as was the case with Medical Marijuana rules and policies.

At this time 1,427 municipalities, in the state, have opted out of MRTMA. The ordinances reviewed by the administration for municipalities that have opted-in all chose to limit the number of marijuana businesses allowed in their community as authorized in the MRTMA legislation. The legislation indicates that should a municipality limit the number of licenses and the state receives more applications than provided for by the local municipality “ the municipality shall decide among competing applications by a competitive process intended to select applicants who are best suited to operate in compliance with this act within the municipality.” Because of this the ordinances we reviewed included merit-based application selection criteria that is expected to be challenged. Berkley, one of the communities that has opted-in, Mayor Dan Terrack recently said “My biggest concern with the language was making sure that the city was in a strong position...One thing we’ve at least heard is that there are challenges that are going to come from folks who’ve maybe applied and don’t get a license...” In a Michigan Municipal League podcast, related to recreational marijuana, Chris Johnson the league’s General Counsel said “...the competitive process invites litigation.”

MRTMA legislation authorizes an excise tax on all licensed recreational marijuana establishments. The law further dictates how those tax revenues will be distributed in the following order:

- Costs (the state incurs) for the implementation, administration and enforcement of the act
- Until 2022 (or at least 2 years) \$20 million annually to clinical trials approved by the FDA
- 15% to municipalities in which marijuana establishments are located (proportionate to the number of local licensed retail establishments)
- 15% to counties in which marijuana establishments are located
- 35% to the School Aid Fund
- 35% to the Michigan Transportation Fund

In addition, the law allows municipalities to charge a local application fee of not more than \$5,000 per establishment. At this time no data is available regarding anticipated revenues to the state or those entities listed above. Data from the Rocky Mountain High Intensity Drug Trafficking Area Task Force (HIDTA) report from 2019 indicates that the tax revenue from recreational marijuana, in Colorado, represented only .9% of the statewide budget revenues.

From an ordinance, regulation, zoning and planning perspective, if the City Commission chose to opt-in, the administration and various departments, commissions and boards would have to develop and adopt a regulatory ordinance including the number and type of businesses permitted, an application process, rules and procedures, review criteria including merit-based selection criteria. In addition, from a zoning standpoint most, if not all, the City’s zoning districts would need to be amended. This would include, but not be limited to, amending permitted and special uses within each zoning district and all associated ordinances and regulations to clearly define where the businesses could be located. For years the City has had an ordinance that requires all businesses to abide by local, state and federal law. The City of Westland, which has opted in, has a section in their ordinance that reads as follows: “As of the effective date of the ordinance codified in this chapter, marijuana is classified as a Schedule 1 controlled substance under federal law which

makes it unlawful to manufacture, distribute, cultivate, provide, possess, dispense or transport marijuana. Nothing in this chapter is intended to grant immunity from any criminal prosecution under federal law.”

**RECOMMENDATION:**

The Administration recommends that the City continue its position of opting out of the MRTMA for at least the next year to wait and see what the final promulgated rules will be, how other communities that have opted in have fared and what if any revenue is generated from the excise tax. The administration believes that opting in at this time would require significant staff and consultant resource and would be fiscally demanding and would not have an identified and readily accessible funding source.

Should you have any questions in advance of the meeting please feel free to contact either one of us.

Enclosed:

Upper Peninsula Town buys device in attempt to crack down on marijuana odor-  
Associated Press- January 9, 2020

Marijuana is disproportionately expensive in Michigan dispensaries, study finds  
Marijuana News- January 29, 2020

Berkley Approves zoning, licensing marijuana ordinances  
Candgnews.com- March 2020

New marijuana rules could translate into higher prices, short supplies of legal weed  
Detroit Free Press March 3, 2020

# Upper Peninsula town buys device in attempt to crack down on marijuana odor

Associated Press Published 1:12 p.m. ET Jan. 9, 2020 | Updated 2:45 p.m. ET Jan. 9, 2020

CLOSE

Metro Detroit marijuana shops give advice to first time recreational marijuana buyers. Detroit Free Press

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BESSEMER, Mich. — Is that a skunk? No, it's marijuana.

A small town in Michigan's western Upper Peninsula is buying an odor-detection device and drafting an ordinance to crack down on the unpleasant smell of blooming marijuana plants.

Bessemer City Manager Charly Loper said [the Nasal Ranger](#) could be used to check a variety of bad-air complaints, but she acknowledged that marijuana appears to be the key target.

"The city of Bessemer stinks," council member Linda Nelson said Monday as the council voted to buy the device, which will cost \$3,400 with training. "You can smell marijuana everywhere. We've got people who can't sit in their backyard because the smell from their neighbor is so bad."

*[Want more news about Michigan's marijuana industry? [Sign up for our free email newsletter, Joint Venture](#)]*

Medical marijuana has been around since 2008. But Michigan's 2018 law, which cleared the way for homegrown pot for recreational use, has brought challenges to communities.

The odor problem in Bessemer, population 1,905, occurs when marijuana plants are in bloom, especially during warmer months, Loper told The Associated Press.

"The bloom period lasts six to eight weeks," Loper said Thursday. "A lot of people describe it as a skunk-like odor. It can be strong."

"We're treading very softly in this area," she said. "People have a right to grow marijuana in their house, but everyone needs to be considerate of their neighbors so the odor isn't affecting their enjoyment of the outdoors."

**More:** [Where to buy recreational marijuana in Michigan](#)

**More:** [Ohioans are crossing border for Michigan marijuana, but police keeping an eye on state line](#)

Bessemer is 6 miles from the Wisconsin border. The Michigan law has attracted people from Wisconsin and Minnesota who are buying houses and growing marijuana indoors, Loper said.

It's possible that some Bessemer residents might require an air-filtration system in their homes, she said.

"Somebody's got to take a stand. This is a piece of equipment we need," council member Terry Kryshak said of the Nasal Ranger.

The council voted 4-1 in favor of the device, [the Daily Globe reported](#).

# Marijuana is disproportionately expensive at Michigan dispensaries, study finds

By Steve Neavling



Listen to an Audio Version of the Article

02:12



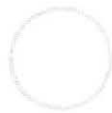
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Steve Neavling

Cannabis dispensaries are convenient because they're legal and offer a wide selection, but they're often more expensive than your illicit drug dealer.

A **new study by LeafLink**, a wholesale marketplace for the cannabis industry, sheds some light on the costs of marijuana at legal dispensaries. Of the 10 states in the Wholesale Cannabis Pricing Guide, Michigan had some of the highest wholesale prices in 2019 for marijuana products, including flower, cartridges, and edibles.



## New Study Finds Vacationing Is Good For Your Heart Health

Wholesale prices are what dispensaries pay for their products. On average, the pot shops set retail prices 64% higher to make a profit, according to LeafLink.

Prices are lowest in states with the most mature markets and product over-saturation, such as Oregon and Washington.

### Pricing Rank: Most to Least Expensive by State

Category	← More Expensive					Less Expensive →				
	1	2	3	4	5	6	7	8	9	10
Cartridges	AK	MD	AZ	NV	CO	OK	MI	CA	OR	WA
Concentrates	AK	MI	MD	OK	CA	NV	AZ	CO	OR	WA
Edibles & Ingestibles	MI	AK	OR	WA	CO	NV	CA	OK	AZ	N/A
Flower	MD	AK	MI	OK	NV	CA	AZ	CO	WA	OR
Pre-Rolls	MD	AK	CA	NV	CO	AZ	OK	OR	WA	N/A

LeafLink

Michigan's wholesale price for edibles — \$0.79 for a milligram — was higher than the other nine states in the study: Alaska, Arizona, California, Colorado, Maryland, Nevada, Oklahoma, Oregon, and Washington. Edibles also provided the lowest profit margins for Michigan dispensaries, LeafLink concluded.

On average, Michigan's 160 dispensaries paid \$2,917 for a pound of flower in 2019, compared to \$1,304 for the average pound across the 10 states. Oregon had the lowest wholesale prices at \$700 a pound. The highest wholesale prices were in Maryland at \$3,260 a pound.

Concentrates in Michigan also were disproportionately expensive at \$34.70 a gram. Only Alaska had a higher wholesale price for concentrates at \$39.40. The average cost of a gram of concentrates across the 10 states was

\$18.80.

The **LeafLink** study found that cartridges were very popular in Michigan and provided the highest profit margin for dispensaries. The wholesale price for a one-gram cartridge in Michigan was \$28.90, compared to \$33.40 across the 10 states. Only California, Washington, and Oregon had lower wholesale prices for cartridges.

The wholesale prices in Michigan were primarily from medical cannabis, but recreational marijuana sales didn't become legal until December 2019.

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[Jump to comments](#)

Tags: Marijuana News, Marijuana, dispensaries, Michigan, Oregon, Washington, concentrates, cartridges, flower, edibles



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Mar 11, 2020

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# Berkley approves zoning, licensing marijuana ordinances

## *Merit point system for business applications being drafted*

By: Mike Koury (/reporterbio/mike-koury) | **Woodward Talk**  
(<https://www.candgnews.com/newspaper/woodwardtalk>) | Published December 27, 2019

BERKLEY — The Berkley City Council has approved all necessary ordinances for marijuana businesses to begin applying to open in the city in 2020.

At its Dec. 16 meeting, the council approved two sets of ordinance amendments relating to marijuana businesses in its city code — one that deals with the zoning requirements and the second that centers on the licensing regulations and operational standards for businesses.

Berkley had been working on its ordinances for the better part of a year after Michigan residents voted to allow recreational marijuana in 2018. Mayor Dan Terbrack told the Woodward Talk that he's happy with the language that was passed by council.



(<https://www.candgnews.com/admin/articles/temp-image/2f74c606a988ba0cd9af87e52b1c0e79.jpeg>)

"My biggest concern with the language was making sure that the city was in a strong position," he said. "One thing we've at least heard is that there are challenges that are going to come from folks who've maybe applied and don't get a license. So our goal was to just make sure that (the language) we had not only was defensible in court, but protecting the city to make sure that we have the type of businesses that we are trying to (bring in). If we're going to allow them in Berkley, we want to make sure it's the right type of business that fits in with Berkley and fits our ideals of the community."

With the two ordinances in the rear view, the council and city now will focus on crafting a merit point system to score the applications submitted by marijuana businesses.

Daniel Hill, the administrative assistant to the city manager, presented an overview of the merit system's latest draft to the council at the meeting.

As of now, businesses can receive up to 304 points for an application, though only ones that have obtained 213 points will be considered further by Berkley.

The general requirements for an application to be considered by the city are that the application must be complete; the proposed location has to be more than 1,000 feet from a school; the cannabis business complies with existing zoning; the cannabis business meets off-street parking requirements; the cannabis business has an odor-control system; and all stakeholders are clear of detrimental acts on their record.

The draft contains 19 merits that businesses can be judged on. They include 25 points for applications that propose the redevelopment of a vacant or underused building or property, which Hill referred to as something that was important to City Council.

Other merits include 23 points for a business if it's located on 11 Mile Road, Woodward Avenue or 12 Mile Road between Coolidge and Woodward, as the goal is to incentivize investment in commercial property outside of the Downtown Development Authority district; seven points if the proposed development does not immediately abut a residential property to encourage developments to have some distance from nearby homes; and 20 points if a proposed development demonstrates and provides physical improvements to the property or other areas contiguous to the property.

Advertisement  
(<https://www.olivesbloombox.com>)

The physical improvements merit scoring includes sub scores, with five points administered each for a proposal with noninvasive trees, public art, green space and public areas such as alleyways, parking areas and sidewalks.

Councilman Steve Baker expressed concern about the number of points going to a business if it's located on 11 Mile Road, Woodward Avenue or 12 Mile Road between Coolidge and Woodward, as he felt it punishes businesses that want to be in the centralized downtown.

"I think that it is an important criteria, but I wouldn't want to penalize somebody for trying to go into the downtown area in a well-established building," he said. "A lot of those points wouldn't appear, so I'm encouraging to see that number come down a bit."

Baker also felt that seven points for a business that does not immediately abut a residential property was too low and almost makes it look like an afterthought.

"If we're trying to work all the angles here to find a spot that's away from residents, (it) should be a bit more encouraged," he said. "I'm glad that it's on the list, but ... what optics is that, that it's the very last item on our list?"

Terbrack said at the meeting that the city gets a few opportunities to help spur development in areas that otherwise wouldn't be the first place most people go in Berkley. His opinion is that this endeavor could be used as a development tool for those areas that need development but don't have as many built-in advantages as some other areas in the city.

"I do not want to see that drop down to the bottom of the list and then we may find ourselves with three dispensaries in a couple blocks ... in our downtown area," he said. "I don't think that's going to have the lasting impact, or at least potential, on our community that we could have here."

According to the city, the merit system is being reworked for another council discussion session. For residents interested in reviewing the materials themselves, they can be found on the city's website at [www.berkleymich.org](http://www.berkleymich.org) (<http://www.berkleymich.org>).

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# New marijuana rules could translate into higher prices, short supplies of legal weed

[Kathleen Gray](#), Detroit Free Press Published 6:30 a.m. ET March 3, 2020 | Updated 11:51 a.m. ET March 3, 2020

CLOSE

Michigan logged its first day of recreational marijuana sales Sunday, attracting long lines to three shops in Ann Arbor. Detroit Free Press

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Michigan's marijuana market just got a little bit tighter at a time when the legal weed supply is already struggling to keep up with demand.

In an effort to ensure that all marijuana produced and sold in Michigan comes from licensed growers, processors and retailers, the Marijuana Regulatory Agency began Sunday to phase out products grown and processed by caregivers, who have been cultivating weed since Michigan voters approved marijuana for medical use in 2008.

And that's going to put a crucial crimp in Michigan's supply of weed. Currently, the cannabis grown by caregivers — the people registered by the state who can grow up to 72 plants for up to six medical marijuana cardholders — makes up 60% of the marijuana flower in the marketplace. Under previous rules, the caregivers have been able to supply marijuana flower and infused products to state licensed growers and processors to supplement the medical and recreational marketplace

The new rules went into effect Sunday and until May 31, caregivers can only supply marijuana flower to state licensed growers and processors, who can, in turn, have the product tested and either turned into other pot-infused products or sold to legal weed shops. They can no longer supply the marijuana oil, also known as distillate or concentrate, to the legal medical or recreational marketplace.

From June 1 to Sept. 30, licensed marijuana growers and processors will be limited in the amount of flower they can get from caregivers. And by Sept. 30, no caregiver products — flower, oils or infused products will be allowed in the licensed marijuana marketplace.

The caregiver-produced infused products, including vapes and edibles, already on the shelves of medical and recreational pot shops can be sold until the product is gone, said David Harns, spokesman for the Marijuana Regulatory Agency.

“Whatever they have on their shelves, they can sell,” he said. “And by the time caregiver flower is phased out, licensed growers should be able to fill the difference.”

The first impact is going to be on price, said Dennis Zoma, one of the owners of Liv medical marijuana dispensary in Ferndale. The caregiver product has been much cheaper because it isn’t subject to state mandated regulatory fees and assessments that licensed facilities are required to pay and they don’t have the same overhead costs.

“It’s going to drive up pricing on the distillate oil, which is going to affect the price of vape carts to edibles to everything else,” he said. “And when the caregiver flower is phased out, that’s going to really hurt.”

At shops like The Reef, a medical marijuana dispensary in Detroit that doesn’t have a grow operation attached to the shop yet, the problem gets even tougher.

“Most of the wholesalers are vertically integrated, and they’re only going to supply their own shops. So there is definitely a big concern about product availability,” said Rush Hasan, head of operations at The Reef. “And once the Marijuana Regulatory Agency shuts down the caregiver market entirely, then we’re at the mercy of any of the suppliers out there.”

**More:** [Where to buy recreational marijuana in Michigan](#)

**More:** [Michigan vets can't legally talk about marijuana for pets. Lansing wants to change that.](#)

The wholesale price for marijuana in Michigan is running \$4,000 to \$4,500 a pound, one of the highest prices in the nation. Those prices are then getting passed on to customers. And many of those customers are reverting back to the much lower black market prices.

“We’re seeing less of our loyal customers coming in,” Hasan said. “We’re assuming that they’re going to places closer to them or the illicit black market.”

At Arbors Wellness in Ann Arbor, which sells both medical and recreational marijuana and is vertically integrated with a grow operation, processing plant and retail shop, supply has been steady, but phasing out caregiver flower and infused products will make business challenging.

“It will kick licensed producers into high gear, which is a good thing,” said James Daly, president of Arbors. “And I think the state is looking for more aggressive action and production from licensees.”

"But there are a lot of good caregivers in the state who do a great job and the market is absolutely dependent on their product. I think we're going to see a lot of market volatility this year."

That uncertainty comes at a time when the state is adding more and more recreational business licenses in the state to accommodate a growing desire for legal weed in the state. Since Dec. 1 when recreational marijuana sales began, \$31.9 million in marijuana products have been sold. That amount has generated \$5.3 million in tax revenue from the state's 10% excise tax and 6% sales tax.

There are 61 licensed marijuana retailers, but only roughly 35 of those are actually selling recreational pot. And there are 26 licensed recreational pot growers and 11 processors in the state.

Contact Kathleen Gray: 313-223-4430, [kgray99@freepress.com](mailto:kgray99@freepress.com) or on Twitter [@michpoligal](https://twitter.com/michpoligal).



## Administrative Recommendation

---

City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

www.plymouthmi.gov  
Phone 734-453-1234  
Fax 734-455-1892

To: Mayor & City Commission  
From: Paul J. Sincock, City Manager  
CC: S:\Manager\Sincock Files\Memorandum - Dewey Street Paving Authorization 03-16-20.docx  
Date: March 13, 2020  
RE: Authorization for Dewey Street Improvement & Update on 2020 Road Designs

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### Background

The City Commission is aware that the Dewey Street Road Project was delayed again this last season as a result of a lack of funding for the project. With the new Road Millage Bonds, we now have funding for this project on Dewey from Byron to Ross Streets. We have already accepted bids for this project, and we would like to move this forward at this time. This will allow us to get this project on the contractor's schedule early in the season.

The City Engineer has provided an overview of the project and has proposed the Dewey Construction phase to be \$588,099, which includes a \$50,000 contingency. The Engineer is seeking approval to move forward on this project. The attached letter from Shawn Keough outlines the project and the project costs.

In addition, the City Engineer has provided an update to the 2020 Infrastructure Program and some recommended changes in the program. Our investigations on the scheduled paving areas has resulted in some issues that would require repair/replacement prior to paving and we also need time to engineer the additional needed repairs prior to bidding. As a result, we are recommending changing a couple of things around in order for us to release the projects out for bidding this spring.

### RECOMMENDATION:

The City Administration recommends that the City Commission authorize a Change Order on the 2019 Infrastructure Program in the amount of \$495,599 to Pro-Line Asphalt for the Dewey Street construction project. Further, that a contingency of \$50,000 be authorized, along with a \$42,500 Engineering allowance.

Attached is a proposed Resolution for the City Commission to consider regarding this matter. Should you have any questions in advance of the meeting please feel free to contact me.



Wade Trim Associates, Inc.  
 25251 Northline Road • Taylor, MI 48180  
 734.947.9700 • www.wadetrim.com

March 13, 2020

City of Plymouth  
 201 South Main Street  
 Plymouth, MI 48170

Attention: Mr. Chris Porman, Director of Municipal Services

Re: City of Plymouth - 2019 Infrastructure Improvement Project  
 Dewey Street Construction Phase and Update on 2020 Road Design Progress

Dear Mr. Porman:

As requested, we have prepared this letter to provide an update on two phases of the City's Infrastructure Improvement Program. The first portion of the letter requests City Commission action to authorize the construction phase on Dewey Street to begin in early Spring 2020. The second portion of the letter is an update on the design phase of the 2020 Infrastructure Program project areas.

**Dewey Street Construction Phase**

On May 6, 2019, the City Commission awarded the 2019 Infrastructure Improvement Program to Pro-line Asphalt. The award was based on bids received on April 18, 2019 and included the reconstruction of Ross Street, from Evergreen to McKinley, as well as concrete panel and joint replacement on Junction. This work was substantially completed during the 2019 construction season for a construction cost of \$988,706, which was \$182,744 less than the contract amount approved by the City Commission last May.

As the City Commission may recall, public bids for Dewey Street, from Byron to Ross, were also received last year at that same time, however, Dewey Street was not awarded due to a lack of available street funding. The initial purpose of this letter is to request that the City Commission authorize the Dewey Street construction phase so that work can begin as soon as the weather allows for construction activities.

We have prepared an anticipated project cost summary for the Dewey Street improvements using the April 18, 2019 bid received from Pro-line Asphalt. We have attempted to show how this year's program on Dewey affects the City's Local Street Fund and Water & Sewer Fund, including construction engineering and a construction contingency, for your consideration and approval:

Construction Bid (local streets - Items #1-8, 30-39 & 46-50)	\$ 279,384.00
Construction Bid (water and sewer - Items #9-29)	\$ 184,215.00
Inspection Bid (Item #51 - 40 days at \$800/day)	<u>\$ 32,000.00</u>
<b>Revised Construction Bid (Dewey)</b>	<b>\$ 495,599.00</b>
Allowance for Construction Administration (+/- 7%)	\$ 35,000.00
Allowance for QA/QC & Materials Testing (+/- 1.5%)	<u>\$ 7,500.00</u>
<b>Engineering Allowance</b>	<b>\$ 42,500.00</b>
<b>Recommended Construction Contingency</b>	<b><u>\$ 50,000.00</u></b>
<b>Proposed Dewey Construction Phase – Total</b>	<b>\$ 588,099.00</b>

Based on the above information, we recommend the City authorize a Change Order to the 2019 Infrastructure Program in the amount of \$495,599 to Pro-Line Asphalt. This Change Order would authorize the Dewey Street work to be added to the existing contract with Pro-line Asphalt and allow the work to begin as weather allows. The actual contract amount will be based on the actual amount of work completed at the unit prices received in the bid documents. In addition, we recommend the City review their overall street improvement and water/sewer system budgets and approve the total estimated construction cost of \$588,099, including construction engineering and construction contingencies, for the Dewey Street construction phase improvements.

Following the Commission award, the City will notify the residents within the project area of the project and will schedule a public information meeting for the residents in the affected areas. As previously mentioned, we envision work starting in the Spring months as soon as weather permits an efficient construction approach. We intend to share a preliminary schedule with the City and the residents at the public information meeting as soon as it is developed.

Wade Trim will provide contract administration, construction engineering, staking and layout (if required), and quality control and materials testing (using SME as our subconsultant) during the 2019 Infrastructure Improvement Program. The proposed bid includes a total of 40 inspection days (8-hour days) to complete the work on Dewey.

As always, our team's actual effort will be billed monthly in accordance with the actual hours worked and our current 2020 Rate Schedule. If extra work is required beyond the scope of this proposal, we will notify the Director of Municipal Services and City Manager immediately and provide an estimate for any additional work at that time.

We will work with the Contractor and City staff to ensure that the planned schedule allows adequate time to complete Dewey Street in a quality manner, yet we do not want the City torn up for any longer than necessary. We will ask the Contractor for a work plan that is well coordinated. This project on Dewey will complete the infrastructure repairs that the City initiated in 2016 in the southeast section of the City. The City Commission will recall that the construction work on Byron and Ross was completed in 2017 and Simpson was completed in 2018.

### **Proposed 2020 Infrastructure Program Update**

On November 18, 2019, the City Commission authorized Wade Trim to begin design engineering services on the 2020 Infrastructure Improvement Program. At that time, the 2020 Program consisted of three local street project areas and four major street project areas. Over the past three months, Wade Trim has advanced the design and evaluation of these project areas. Our team has completed updates to the existing topography and reviewed video of the City's existing storm sewers and sanitary sewers within each of the project areas. This portion of this letter is intended to provide an update on the design status of each area, based on those evaluations, as well as identify our next steps going forward:

#### **Local Street Projects**

1. Dewey Street Reconstruction with new water main between Ross and Byron – As described above, the design for this project was completed in 2019 and we are recommending a construction phase award via Change Order so that this work can be completed early in the 2020 construction season.
2. Ann Street Resurfacing from Farmer to Junction – When the storm sewer video was reviewed for this section of Ann Street, we discovered that the existing 8-inch storm sewer has many defects. These defects were identified on the video as cracks and multiple fractures in the pipe. These fractures and cracks may have been there for some time, however, construction activity above the pipe may cause these defects to become worse.

After discussing this information with the City DMS staff, we are recommending that this resurfacing project be postponed one fiscal year to allow for additional planning of this project. The existing storm sewer is undersized when compared to standards, but currently not causing any drainage problems. We believe the appropriate repair would consist of full replacement and upsizing of the storm sewer; however, underground repairs of this nature would require substantially more investment to reconstruct the pavement above it. If the full street gets affected by the storm sewer repairs, it is only prudent to install new water main at the same time. With all this new information, the current goal is to complete this section of Ann Street for the 2021 or 2022 Program.

As a result of this change, Evergreen, between Farmer and Blanche, will be resurfaced in 2020 in place of the Ann Street section. This section of Evergreen is showing signs of pavement distress and can be improved as part of the work in 2020. New water main was installed along this street in 1999. This street was scheduled to be in the 2022-2023 construction year; moving this street up in the schedule will allow for the efficient completion of the work due to the close proximity of the other project areas scheduled for this year.

3. Crack sealing of various local street projects – This work will be bid in the near future as part of the upcoming infrastructure projects.

#### Major Street Projects

1. Farmer Street Reconstruction with new water main between Blunk and the railroad tracks – The design for this section of pavement reconstruction and water main replacement is on track. The video inspection of the City storm sewers and sanitary sewers has identified a few areas that need repairs; those will be incorporated into the upcoming bid documents. We will be submitting our permit application to the State of Michigan for new water system construction in the next week or so.
2. Main Street Resurfacing from Church to Wing – The design for this section of resurfacing started with an evaluation of the “road diet” concept that was introduced at the November 2019 DDA meeting as part of their Master Planning project. Following the City Commission authorization in November 2019, Wade Trim obtained traffic counts in early December 2019 along Main Street, from Ann Arbor Trail to Ann Arbor Road, including turning movement counts at Ann Arbor Trail, Wing Street and Ann Arbor Road. We also obtained pedestrian crossing counts during the morning and afternoon school time hours at the intersection of Main Street and Hartsough. All this data was collected on a regular school day. We also obtained the signal timing data for the three traffic signals.

Wade Trim used all this data to create a traffic simulation model of Main Street, from Ann Arbor Trail to Ann Arbor Road. The model was used to analyze the level of service at each of the major intersections for the existing four-lane cross-section versus the proposed “road diet” cross section of three lanes (one in each direction with a left center turn lane). The model confirms that the road diet will work along Main Street, from Ann Arbor Road to Ann Arbor Trail. We are currently finishing up our formal written report of these findings and will share it soon with the City and DDA. A decision on whether to move forward with the road diet concept will need to be made soon so as to incorporate the decision into the plan.

As part of the road diet evaluation, the idea of upgrading the crosswalks to include push buttons and, potentially, a leading pedestrian interval were discussed. These ideas are being discussed for inclusion in the 2020 Program.

3. Main Street/Hartsough Evaluation for an Enhanced Crosswalk – The pedestrian counts obtained in early December were very low during the morning and evening peak hours when you would expect school-aged children to be using this crosswalk. Although the data was

only collected for one day, this is standard practice understanding that this was a regular school day. The City staff contacted the Plymouth Canton Community School District and learned that Main/Hartsough crossing is not staffed with a crossing guard as a designated school crossing by the PCCS District. The data collected does not currently support the addition of an enhanced crosswalk with pedestrian activated device due to the low crossing counts. This location could revert back to being a school crossing in the future. While the City can still choose to install one at this location, we are recommending that the money budgeted in 2020 for the enhanced crosswalk be shifted to help pay for recommended improvements to the crosswalk signal improvements (push buttons) at Ann Arbor Trail and Main Street (as described above).

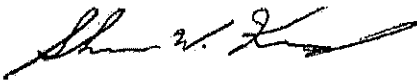
4. Junction Street Pavement Rehabilitation – The design for pavement rehabilitation from Blunk to Karmada is on track and will be included in the upcoming bid documents. The focus of improvements in this area will be similar to the last couple of years. The project will involve joint repair and/or replacement and crack sealing.

Our goal is to finish up the design phase for each of these project areas by early to mid-April and get the project out for bids from the construction community. If we are able to receive bids in early May 2020, we would expect the City Commission to be able to review the bids with potential consideration of awarding the projects prior to Memorial Day. Construction could then start in June 2020 and be completed during a typical summer construction season.

We hope this update is helpful to the City Administration and City Commission. If anyone has any questions, please do not hesitate to call me on my cell at 313.363.1434 at any time. I would be happy to discuss any portion of this letter or the proposed program. We appreciate the opportunity to help the City with their infrastructure improvement program again this year and look forward to working with your team on this project.

Very truly yours,

Wade Trim Associates, Inc.



Shawn W. Keough, PE

SWK:ka  
PLY 2117-01T  
2020 Update and Recommend 3-13-20.docx  
Enclosure

cc: Mr. Paul Sincock, City Manager  
Mr. John Scanlon, Finance Director  
Mr. Adam Gerlach, Department of Municipal Services

RESOLUTION

The following Resolution was offered by Comm. \_\_\_\_\_ and was seconded by Comm. \_\_\_\_\_

WHEREAS The City of Plymouth has an infrastructure improvement plan for our local roads, and

WHEREAS Dewey Street between Byron and Ross Streets was scheduled for 2019, but the project was  
Delayed until 2020, and

WHEREAS The City Engineer has received bids for this project and has recommended that the  
City Commission authorize the work in the spring of 2020.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize a change order in the amount of \$495,599.00 for Pro-Line Asphalt to their 2019 Contract for work on Dewey Street this year. Further, that the City Commission authorizes \$42,500.00 for an Engineering Allowance on this project.

BE IT STILL FURTHER RESOLVED THAT The City Commission does hereby authorize a Construction Contingency for the Dewey Street Project in the amount of \$50,000.000.

BE IT STILL FURTHER RESOLVED THAT all work will be completed in accordance with the City Engineer's plans for the project.



# CITY OF PLYMOUTH

201 S. Main  
Plymouth, Michigan 48170-1637

## ITEM 9.a

[www.plymouthmi.gov](http://www.plymouthmi.gov)

Phone 734-453-1234  
Fax 734-455-1892

### MEMORANDUM

Date: March 11, 2020  
To: Paul Sincock, City Manager  
From: John Scanlon, Finance Director  
Subject: Public Act 33 of 2020 – Pay As You Stay

**Issue:** Pay As You Stay (PAYS) Bill

**Analysis:** On March 2, 2020, Governor Gretchen Whitmer signed into law Public Act 33 of 2020. The Pay As You Stay (PAYS) bill allows resident, who have applied and received the poverty tax exemption, relief on any delinquent property taxes. As part of the law, each county is required to give notice to their local taxing jurisdictions of whether they intend to offer this program. We have received notice from the Wayne County Treasurer's office of that intent. Per the law, the City of Plymouth is now automatically enrolled in the PAYS program, unless additional action is taken.

In summary, the legislation allows a homeowner who has the poverty tax exemption relief on delinquent property taxes. If that resident's delinquent property taxes are greater than 10% of their homes taxable value, then you can have your delinquent taxes reduced to the 10% amount. If your delinquent tax is less than 10% of your homes taxable value, you are eligible to have interest, penalties and fees waived.

The intent of the law is to provide residents with the poverty exemption the ability to get caught up in back taxes and stay in their home. The City of Plymouth is largely unaffected by the legislation. The average property tax exemption over the past ten years has been approximately one a year. We are not requesting any additional action. There is additional information on the law provided in the attachments.

**Requested Action:** No action is required.

**Attachment(s):** The Taxpayer's Guide to PAYS and additional information from the Wayne County Treasurer's Office

THE CITY OF HOMES

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[facebook.com/CityofPlymouthMI](https://facebook.com/CityofPlymouthMI)



# Taxpayer's Guide to PAYS (Pay As You Stay)

Homeowners who are Owner-Occupants must go to their Local Assessor's Office to *Fill Out and Submit* the Poverty Tax Exemption (PTE) application for approval. <sup>1</sup>

Once your local Assessor notifies the Wayne County Treasurer's Office (WCTO) of your Approval and our records show you have Delinquent Property Taxes:

- you are eligible for PAYS, and
- you will receive a Notification Letter from WCTO (after April 1, 2020) that will show the Reduced Amount Due and the Specific Dates to come into the WCTO to make payment arrangements.

If Denied, you are not eligible for PAYS but you may be eligible to enter into an IRSPA or DOOE payment plan to avoid foreclosure.<sup>2</sup>

## How the Reduced Amount Due is determined

- If the Base Tax amount due on your WCTO statement is greater than 10% of your home's Taxable Value (TV) = You will owe 10% of the TV.
- If the Base Tax amount due on your WCTO statement is less than 10% of your home's TV = You are eligible to have interest, penalties & fees cancelled.

## Payment Options

1. A Lump Sum payment will give you an additional 10% reduction of the Reduced Amount Due.
2. A PAYS Payment Agreement will be available for the Reduced Amount Due at Zero interest over a 3 year period or less.<sup>3</sup>

- 1 For Help with the PTE application form (known as the HPTAP in Detroit): (a) Contact the United Community Housing Coalition (UCHC) at 313-963-3310, or Wayne Metro at 313-388-9799; (b) Go to a Quicken Loan Community Fund Workshop ([PTeworkshops@QuickenLoans.com](mailto:PTeworkshops@QuickenLoans.com)) or; (c) Call 211 or text HELP to 85274.
- 2 IRSPA and DOOE are short for Interest Reduction Stipulated Payment Agreement and Distressed Owner Occupant Extension.
- 3 Do not default on any payment plan. Default of PAYS Payment Agreement will subject the Homeowner to additional penalties, fees, and interest, and will increase the balance due for delinquent taxes. The property will be subject to foreclosure.

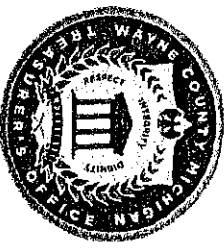
# Pay As You Stay (PAYS)

## General Information

**Eric R. Sabree**

Wayne County Treasurer

rev. 3/10/20



# Pay As You Stay (PAYS)

## Content

### Introduction

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# Pay As You Stay (PAYS)

## Introduction

Pay As You Stay (PAYS) may reduce the amount of delinquent taxes owed for lower income Homeowners who qualify for their city's, township's, or village's Poverty Tax Exemption (PTE).

## Pay As You Stay (PAYS)

# Who can Benefit from PAYS?

**PAYS can benefit those Homeowners who:**

- 1) are owner-occupants with a Principal Residence Exemption (PRE),**
- 2) are approved for a Poverty Tax Exemption (PTE),**
- 3) have delinquent taxes, and**
- 4) are located in a city, township, or village that has not opted out of the PAYS Program.\***

\*The City of Detroit has not opted out and is participating. Their PTE is known as HPTAP (Homeowner's Property Tax Assistance Program).

## Pay As You Stay (PAYS)

# Taxpayers' First Steps

Homeowners who are Owner-Occupants should visit their local Assessor's office to:

- a. Confirm that they have the Principal Residence Exemption (PRE) for their home.
- b. Fill out and Submit the Poverty Tax Exemption (PTE) application to their local Board of Review for approval.\*

\* For Help with the PTE application:

- (a) Contact United Community Housing Coalition (UCHC) at 313-963-3310 or Wayne Metro at 313-388-9799;
- (b) Go to a Quicken Loan Community Fund Workshop ([PTeworkshops@QuickenLoans.com](mailto:PTeworkshops@QuickenLoans.com)); or
- (c) Call the United Way at 211 or text HELP to 85274.

## Pay As You Stay (PAYS)

# Treasurer's Office Notification

- A. Beginning April 1, 2020, the Wayne County Treasurer's Office (WCTO) will send Letters to Eligible Homeowners. The letters will reflect the Reduced Amount Due and Specific Dates to come in.
  
- B. During their assigned dates starting after April 15 , Homeowners will come into the WCTO and either:
  - (a) pay the Reduced Amount Due in a single Lump Sum payment, or
  - (b) enter into and sign a PAYS payment plan, agreeing to make monthly payments over a 3 year period (or less in some cases).

## Pay As You Stay (PAYS)

### **PAYS Eligibility**

- A. Homeowners who have received a 2019 PTE and who have delinquent property taxes will be eligible for the PAYS Program.**
  
- B. Homeowners who have applied for and are awaiting a 2020 PTE approval must get into either an Interest Reduction Stipulated Payment Agreement (IRSPA) or a Distressed Owner Occupant Extension (DOOE) payment plan to avoid foreclosure.**

## Pay As You Stay (PAYS)

### Reduced Amount Due

- A. If an eligible Homeowner's Delinquent Taxes\* are greater than 10% of the home's Taxable Value (TV) = They will owe 10% of the TV.
- B. If an eligible Homeowner's Delinquent Taxes are less than 10% of the home's TV = They are eligible to have interest, penalties & fees cancelled.
- C. Any payments made during the calendar year on the homeowner's IRSPA or DOOE payment plan will be credited to the Reduced Amount Due, up to \$0 balance.

\* "Delinquent Taxes" refers to the Base Taxes owed on the WCTO property tax statement.

## Pay As You Stay (PAYS)

### Lump Sum Payment Option

- A. Homeowners get a 10% deduction of the Reduced Amount Due and must pay the entire 90% balance in one Lump Sum payment. The payment must be made within 45 calendar days of the date on their PAYS letter of notification.
- B. Homeowners must provide valid State of Michigan ID and pay the full amount due with certified funds (cash, credit and debit cards, money orders, and cashiers checks).

## Pay As You Stay (PAYS)

### **PAYS Payment Plan Option**

- A. Homeowner must enter into and sign the PAYS agreement along with the WCTO representative.**
- B. Homeowner must provide a valid State of Michigan ID and pay 3% of the Reduced Amount Due or \$25, whichever is greater.**
- C. If the Homeowner defaults on the PAYS agreement, they will be liable for all delinquent taxes, interest, penalties, and fees from the date of the original delinquencies and are subject to foreclosure.**

# Pay As You Stay (PAYS)

Base Tax due on WCTO Statement is  
**MORE than 10% of Taxable Value**

Date: 02/26/2020

Mailing      **Smith, John**  
 address:    12345 Anywhere St.  
                  Detroit, MI 48226

Parcel ID: 22222200000.

Tax	Base	Total Amt
Year	Tax	Due
2014	\$1,422	\$2,071
2015	\$1,789	\$2,519
2016	\$1,556	\$2,124
2017	\$969	\$1,349
2018	\$1,812	\$2,017
<b>Total:</b>	<b>\$7,548</b>	<b>\$10,080</b>

## Calculation of Reduced Amount Due

2018 Taxable Value:	\$20,500
10% of 2018 Taxable Value:	\$2,050
- 2019 Calendar year payments:	\$620
<b>Reduced Amount Due:</b>	<b>\$1,430</b>

## Payment Plan

Reduced Amount Due	\$1,430
- Initial Payment (3% of \$1,430):	\$43
<b>Remaining balance (\$1,430 - \$43):</b>	<b>\$1,387</b>

Monthly Payment (\$1,387 / 35): \$40 / month

## LUMP SUM Payment

- 10% is deducted from the Reduced Amount Due  
 LUMP SUM Payment: \$1,430 x 90% = \$1,287

\* WCTO Base Tax reflects the Delinquent Taxes turned over to the WCTO for collection from municipalities.

# Pay As You Stay (PAYS)

## Base Tax due on WCTO Statement is LESS than 10% of Taxable Value

Date: 02/26/2020

Mailing address: **Williams, Mary**  
6789 Somewhere St.  
Detroit, MI 48228

Parcel ID: 333221109999.

Tax Year	Base Tax	Total Amt Due
2017	\$969	\$1,349
2018	\$1,812	\$2,017
<b>Total:</b>	<b>\$2,781</b>	<b>\$3,366</b>

### Reduced Amount Due becomes Base Tax

(interest, penalties, and fees are eliminated)

2018 Taxable Value: \$40,000  
10% of 2018 Taxable Value: \$4,000

Reduced amount is Base Tax Due: \$2,781  
- 2019 Calendar year payments: \$150  
Reduced Amount Due: \$2,631

### Payment Plan

Reduced Amount Due \$2,631  
- Initial Payment (3% of \$2,631): \$79  
Remaining Balance (\$2,631 - \$79): \$2,552

Monthly Payment (\$2,552 / 35): \$73 / month

### LUMP SUM Payment

- 10% is deducted from the Reduced Amount Due  
LUMP SUM Payment: \$2,631 x 90% = \$2,368

\* WCTO Base Tax reflects the Delinquent Taxes turned over to the WCTO for collection from municipalities.

Pay As You Stay (PAYS)

Thank you!



**Eric R. Sabree**

**Wayne County Treasurer**