



City of Plymouth
City Commission Regular Meeting Minutes
Monday, February 3, 2020 - 7:00 p.m.
Plymouth City Hall Commission Chambers

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, Mayor Pro Tem Nick Moroz, Commissioners Suzi Deal, Ed Krol, Kelly O' Donnell, Marques Thomey and Tony Sebastian

Absent: None

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

c. Congresswoman Haley Stevens

U.S. Representative Haley Stevens gave an update on recent and future projects.

d. Proclamation -100 Year Anniversary of the Passage of the 19th Amendment and Formation of the League of Women Voters

Mayor Wolcott read and presented the proclamation to representatives of the League of Women Voters.

2. CITIZENS COMMENTS

Wayne County Commissioner Melissa Daub provided an update on the sanitary sewer agreement approval.

Ed Good, 252 E. Ann Arbor Trail, asked whether the street compass would be renovated, whether there has been any progress on the Lumber Mart site project and what is the status of the property at 206 E. Ann Arbor Trail.

3. APPROVAL OF THE AGENDA

Mayor Pro Tem Moroz made a motion, seconded by Commissioner Krol, to approve the agenda for Monday, February 3, 2020

MOTION PASSED 7-0

4. ENACTMENT OF THE CONSENT AGENDA

a. Approval of January 20, 2020 Committee of the Whole Meeting Minutes

b. Approval of January 20, 2020 Regular Meeting Minutes

c. Special Event: Recreation Soccer and T-Ball

Mayor Pro Tem Moroz made a motion, seconded by Commissioner Sebastian, to approve the Consent Agenda for Monday February 3, 2020.

MOTION PASSED 7-0

5. COMMISSION COMMENTS

Commissioner Krol asked whether the City Police Department has had any difficulty with breathalyzers, noting that he heard there was a widespread problem with them. Public Safety Director Al Cox said the issue has been resolved. Sincok added that our partners at Huron Valley Ambulance are willing to do blood draws for blood alcohol levels to eliminate officers driving suspects to the hospital for the test. The Medical Control Director must determine whether it will be allowed.

Commissioner Sebastian reported the Know Your Neighbor LBGTO program was well attended and very enlightening.

Commissioner O'Donnell thanked all women in government and said she appreciated the proclamation at the beginning of the meeting.

Commissioner Thomey also recognized the importance of women in government and inclusiveness.

Mayor Wolcott responded to the citizen question about the compass and the Lumber Mart site. Sincok added that 206 E. Ann Arbor Trail has been sold and is slated for demolition. He also spoke about inclusiveness and the importance of the upcoming census.

6. PRESENTATION-NONE

7. OLD BUSINESS - NONE

8. NEW BUSINESS

a. Bond Authorizing Resolution 2020 Unlimited Tax General Obligation Bonds

Sincok introduced Bond Attorney Pat McGow of Miller Canfield who gave information about different kinds of bonds and next steps to complete the first part of the road bond sale. Commissioner Krol asked whether the Commission would have to authorize a second bond sale and McGow responded yes.

RES. #2020-11

The following resolution was offered by Mayor Pro Tem Moroz and seconded by Commissioner Thomey:

**RESOLUTION AUTHORIZING
2020 UNLIMITED TAX GENERAL OBLIGATION BONDS**

CITY OF PLYMOUTH
County of Wayne, State of Michigan

Minutes of a regular meeting of the City Commission of the City of Plymouth, County of Wayne, State of Michigan, held on February 3, 2020, at 7:00 p.m., prevailing Eastern Time.

PRESENT: Members: _____

ABSENT: Members: _____

The following preamble and resolution were offered by Member _____ and supported by Member _____:

WHEREAS, the qualified electors of the City of Plymouth, County of Wayne, State of Michigan (the "City"), at the election duly called and held on November 5, 2019, did by more than the required majority of those voting approve the following proposition (the "Bond Proposal"):

Street Improvements Bond Proposal

Shall the City of Plymouth, County of Wayne, Michigan, borrow the principal sum of not to exceed Twelve Million Two Hundred Eighty Thousand Dollars (\$12,280,000), and issue its unlimited tax general obligation bonds, in one or more series, payable in not to exceed ten (10) years from the date of issue of each series, to pay the cost of acquiring and constructing street improvements throughout the City, consisting of paving, repaving, resurfacing, reconstructing and improving streets, including curb, gutter, sidewalk, drainage, streetscape, traffic signalization, crosswalk and related improvements? If approved, the estimated millage to be levied in 2020 is 1.2721 mills (\$1.27 per \$1,000 of taxable value) and the estimated simple average annual millage rate required to retire the bonds is 2.1250 mills (\$2.13 per \$1,000 of taxable value).

WHEREAS, the City Commission now desires to authorize the issuance of a series of bonds pursuant to the Bond Proposal in the aggregate principal amount of not to exceed Six Million Two Hundred Sixty-Five Thousand Dollars (\$6,265,000), representing the first series of bonds issued pursuant to the Bond Proposal, to pay the cost of a portion of the improvements described in the Bond Proposal (the "Project"); and

WHEREAS, the aggregate principal amount of bonds to be issued and sold pursuant to this resolution shall not exceed Six Million Two Hundred Sixty-Five Thousand Dollars (\$6,265,000).

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds: Bond Terms. Bonds of the City designated 2020 UNLIMITED TAX GENERAL OBLIGATION BONDS (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Six Million Two Hundred Sixty-Five Thousand Dollars (\$6,265,000) for the purpose of paying the costs of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration, dated as of the date of delivery. The Bonds shall bear interest, mature and be payable at the times and in the manner set forth in Sections 6 and 7 hereof.

The Bonds shall be sold at public sale at a price not less than 98%.

The Bonds may be subject to redemption prior to maturity in the manner and at the times and prices set forth in Sections 6 and 7 hereof and if term bonds are selected by the original purchaser of the bonds, then the bonds will be subject to mandatory redemption in accordance with the foregoing maturity schedule at par.

Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. The principal of the Bonds shall be payable at a bank or trust company as a registrar and transfer agent for the Bonds (the "Transfer Agent"), to be selected by an Authorized Officer at the time of sale of the Bonds, provided that in the event that the Bonds are

purchased by a single institutional investor the City Treasurer may act as the Transfer Agent.

The Bonds may be issued in book-entry only form through The Depository Trust Company in New York, New York (“DTC”) and the City Manager, City Treasurer or City Clerk (each, an “Authorized Officer”) are each authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form and to make such changes in the Bond Form within the parameters of this resolution as may be required to accomplish the foregoing.

2. Execution of Bonds. The Bonds of this issue shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and City Clerk and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bond executed by facsimile signatures shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from an Authorized Officer upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner’s duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

4. Debt Retirement Fund; Unlimited Tax Pledge; Defeasance of Bonds. The City Treasurer is authorized and directed to open a depository account with a bank or trust company designated by the City Commission, to be designated 2020 UNLIMITED TAX GENERAL OBLIGATION BONDS DEBT RETIREMENT FUND (the “Debt Retirement Fund”), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. The City hereby pledges its unlimited tax full faith and credit for the prompt payment of the Bonds. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited into the Debt Retirement Fund as collected. Commencing with the year 2020, there shall be levied upon the tax rolls of the City for the purpose of the Debt Retirement Fund each year, in the manner required by the provisions of Act 34, Public Acts of Michigan, 2001, as amended, an amount sufficient so that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bonds becoming due prior to the next annual tax levy; provided,

however, that if at the time of making any such annual tax levy there shall be other funds available or surplus moneys on hand in the Debt Retirement Fund for the payment of principal of and interest on the Bonds, then credit therefor may be taken against such annual levy for the Debt Retirement Fund.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The City Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the City Commission, to be designated 2020 UNLIMITED TAX GENERAL OBLIGATION BONDS CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued interest, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds.

6. Bond Form. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF WAYNE

CITY OF PLYMOUTH

2020 UNLIMITED TAX GENERAL OBLIGATION BOND

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	April 1, ____	____, 2020	

Registered Owner:

Principal Amount: Dollars

The City of Plymouth, County of Wayne, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on October 1, 2020 and semiannually thereafter. Principal of this bond is payable at the corporate trust office of The Huntington National Bank, Grand Rapids, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are hereby irrevocably pledged.

This bond is one of a series of bonds aggregating the principal sum of \$_____, issued for the purpose of paying the cost of acquiring and constructing street improvements throughout the City and paying costs incidental to the issuance of the series of bonds in pursuance of a vote of the qualified electors of the City voting thereon at an election duly called and held on November 5, 2019.

Bonds of this issue shall not be subject to redemption prior to maturity.

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond is payable out of the City's Debt Retirement Fund for this issue and in order to make such payment, the City is required each year to levy taxes on all taxable property within the boundaries

of the City for such payment, without limitation as to either rate or amount.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond, does not exceed any constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City of Plymouth, by its City Commission, has caused this bond to be signed in the name of the City by the facsimile signatures of its Mayor and City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF PLYMOUTH
County of Wayne
State of Michigan

By: _____
Its Mayor

By: _____
Its City Clerk

(SEAL)

(Form of Transfer Agent's Certificate of Authentication)

DATE OF AUTHENTICATION:

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

_____, Michigan
Transfer Agent

By: _____
Authorized Signatory

[Bond printer to insert form of assignment]

7. Notice of Sale. The City Clerk is authorized to fix a date of sale for the Bonds and to arrange to publish a notice of sale of the Bonds in ***The Bond Buyer***, New York, New York, which notice of sale shall be in substantially the following form:

OFFICIAL NOTICE OF SALE

\$6,265,000*

CITY OF PLYMOUTH

COUNTY OF WAYNE, STATE OF MICHIGAN

2020 UNLIMITED TAX GENERAL OBLIGATION BONDS

**Subject to adjustment as provided in this Notice of Sale*

SEALED BIDS: Sealed bids for the purchase of the above bonds may be submitted at the office of the City Clerk located at 201 S. Main Street, Plymouth, Michigan 48170 on Tuesday, the 10th day of March, 2020 until 11:30 a.m., prevailing Eastern Time, at which time and place said bids will be publicly opened and read.

SEALED BIDS will also be received on the same date and until the same time at the offices of the Municipal Advisory Council of Michigan (the "MAC"), 26211 Central Park Boulevard, Suite 508, Southfield, Michigan 48076, when, simultaneously, the bids will be opened and read.

FAXED BIDS: Signed bids may be submitted by fax to the City Clerk at fax number (734) 459-5716 or to the MAC at fax number (313) 963-0943; provided that faxed bids must arrive before the time of sale and the bidder bears all risks of transmission failure.

ELECTRONIC BIDS: Electronic bids will also be received on the same date and until the same time by Bidcomp/Parity as agent of the undersigned. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Anthony Leyden or CLIENT SERVICES, 1359 Broadway, Second Floor, New York, New York 10010, (212) 849-5021. IF ANY PROVISION OF THIS NOTICE OF SALE SHALL CONFLICT WITH INFORMATION PROVIDED BY BIDCOMP/PARITY, AS THE APPROVED PROVIDER OF ELECTRONIC BIDDING SERVICES, THIS NOTICE SHALL CONTROL.

Bidders may choose any means or location to present bids but a bidder may not present a bid in more than one location or by more than one means.

BOND DETAILS: The bonds will be registered bonds of the denomination of \$5,000 or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, originally dated as of the date of initial delivery, numbered in order of registration, and will bear interest from their date payable on October 1, 2020, and semiannually thereafter.

The bonds will mature on the 1st day of April in each of the years, as follows:

2021	\$565,000
2022	575,000
2023	585,000
2024	595,000

2025	605,000
2026	615,000
2027	630,000
2028	645,000
2029	655,000
2030	670,000

*ADJUSTMENT OF TOTAL PAR AMOUNT OF BONDS AND PRINCIPAL MATURITIES: The City reserves the right to decrease the aggregate principal amount of the bonds after receipt of the bids and prior to final award, if necessary, so that the purchase price of the bonds will provide an amount determined by the City to be sufficient to construct the project and to pay costs of issuance of the bonds. The adjustments, if necessary, will be in increments of \$5,000. The purchase price will be adjusted proportionately to the increase or decrease in issue size, but the interest rates specified by the successful bidder for all maturities will not change. The successful bidder may not withdraw its bid as a result of any changes made within these limits.

*ADJUSTMENT TO PURCHASE PRICE: Should any adjustment to the aggregate principal amount of the bonds be made by the City, the purchase price of the bonds will be adjusted by the City proportionally to the adjustment in principal amount of the bonds. The adjusted purchase price will reflect changes in the dollar amount of the underwriter's discount and original issue discount/premium, if any, but will not change the per-bond underwriter's discount as calculated from the bid and initial reoffering prices.

NO OPTIONAL REDEMPTION OF BONDS: Bonds of this issue shall not be subject to optional redemption prior to maturity.

TERM BOND OPTION: The initial purchaser of the bonds may designate any one or more maturities from April 1, 2021 through the final maturity as term bonds and the consecutive maturities on or after the year 2021 which shall be aggregated in the term bonds. The amounts of the maturities which are aggregated in a designated term bond shall be subject to mandatory redemption on April 1 of the years and in the amounts set forth in the above maturity schedule at a redemption price of par, plus accrued interest to the date of mandatory redemption. Term bonds or portions thereof mandatorily redeemed shall be selected by lot. Any such designation must be made at the time bids are submitted and must be listed on the bid.

INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at rate or rates not exceeding five (5%) per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/100 of 1%, or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rates bid shall not exceed three percent (3%) per annum. No proposal for the purchase of less than all of the bonds or at a price less than 98% will be considered.

BOOK-ENTRY OPTION: Upon the request of the successful bidder, the bonds will be issued in book-entry only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the bonds. In the event of registration with DTC, the purchaser will not receive certificates representing their interest in bonds purchased. It will be the responsibility of the purchaser to obtain DTC eligibility. Failure of the purchaser to obtain DTC eligibility shall not constitute cause for a failure or refusal by the purchaser to accept delivery of and pay for the bonds. In the alternative, the successful bidder may request bond certificates to be delivered to the purchaser as one fully registered bond per maturity.

TRANSFER AGENT AND REGISTRATION: Principal shall be payable at the principal corporate trust office of The Huntington National Bank, Grand Rapids, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner of record not less than 60 days prior to an interest payment date. Interest shall be paid by check mailed to the registered owner of record as shown on the registration books of the City as of the 15th day prior to an interest payment date. The bonds will be transferred only upon the registration books of the City kept by the transfer agent.

PURPOSE AND SECURITY: The bonds were authorized at an election held on November 5, 2019 for the purpose of paying the cost of acquiring and constructing street improvements throughout the City. The bonds will pledge the full faith and credit of the City for payment of the principal and interest thereon and will be payable from *ad valorem* taxes which may be levied without limitation as to rate or amount. The rights or remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally now existing or hereafter enacted and by the application of general principles of equity including those relating to equitable subordination.

AWARD OF BONDS: The bonds will be awarded to the bidder whose bid produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on October 1, 2020 and semi-annually thereafter) necessary to discount the debt service payments from their respective payment date to _____, 2020, in an amount equal to the price bid, excluding accrued interest. Each bidder shall state in its bid the true interest cost to the City, computed in the manner specified above.

TAX MATTERS: In the opinion of Miller, Canfield, Paddock and Stone, P.L.C., bond counsel, under existing law, assuming compliance with certain covenants, interest on the bonds is excludable from gross income for federal income tax purposes as described in the opinion, and the bonds and interest thereon are exempt from all taxation by the State of Michigan or by any taxing authority within the State of Michigan except estate taxes and taxes on gains realized from the sale, payment or other disposition thereof.

ISSUE PRICE: The winning bidder shall assist the City in establishing the issue price of the bonds and shall execute and deliver to the City at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached either as Appendix G-1 or Appendix G-2 of the preliminary Official Statement, with such modifications as may be appropriate or necessary, in the reasonable judgment of the winning bidder, the City and Bond Counsel.

The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the bonds) will apply to the initial sale of the bonds (the "Competitive Sale Requirements") because:

- a. the City is disseminating this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
- b. all bidders shall have an equal opportunity to bid;
- c. the City anticipates receiving bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
- d. the City anticipates awarding the sale of the bonds to the bidder who submits a firm offer to

purchase the bonds at the lowest true interest cost, as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the bonds, as specified in the bid.

In the event that all of the Competitive Sale Requirements are not satisfied, the City shall so advise the winning bidder. At or before the time of the award of the bonds, the winning bidder, in consultation with the City, shall determine whether to treat the first price at which 10% of a maturity of the bonds (the "10% Test") is sold to the public as the issue price of that maturity and/or (ii) the initial offering price to the public as of the sale date of any maturity of the bonds as the issue price of that maturity (the "hold-the-offering-price rule"), in each case applied on a maturity-by-maturity basis. The winning bidder shall advise the City if any maturity of the bonds satisfies the 10% Test as of the date and time of the award of the bonds. The winning bidder shall promptly advise the City, at or before the time of the award of the bonds, which maturities of the bonds shall be subject to the 10% Test or shall be subject to the hold-the-offering-price rule.

The City will not require bidders to comply with the "hold-the-offering-price rule". Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that, for all of the maturities of the bonds, the winning bidder, in consultation with the City, may decide whether the 10% Test or the hold-the-offering-price rule in order to establish the issue price of the bonds.

By submitting a bid, the winning bidder shall (i) confirm that the underwriters have offered or will offer the bonds to the public on or before the date of the award at the offering price or prices (the "initial offering price"), or at the corresponding yield or yields, set forth in the bid submitted by the winning bidder, and (ii) if the hold-the-offering-price rule applies, agree, on behalf of the underwriters participating in the purchase of the bonds, that the underwriters will neither offer nor sell unsold bonds of any maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following:

- a. the close of the fifth (5th) business day after the sale date; or
- b. the date on which the underwriters have sold at least 10% of that maturity of the bonds to the public at a price that is no higher than the initial offering price to the public;

The winning bidder shall promptly advise the City when the underwriters have sold 10% of that maturity of the bonds to the public at a price that is no higher than the initial offering price to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.

The City acknowledges that, in making the representation set forth above, the winning bidder will rely on (i) the agreement of each underwriter to comply with the hold-the-offering-price rule, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the hold-the-offering-price rule, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that an underwriter is a party to a retail distribution agreement that was employed in connection with the initial sale of the bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the hold-the-offering-price rule, as set forth in the retail distribution agreement and the related pricing wires. The City further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the hold-the-offering-price rule and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a

member of a selling group, or of any broker-dealer that is a party to a retail distribution agreement to comply with its corresponding agreement regarding the hold-the-offering-price rule as applicable to the bonds.

If the Competitive Sale Requirements are not satisfied, and the 10% Test applies, then until the 10% Test has been satisfied as to each maturity of the bonds, the winning bidder agrees to promptly report to the City the prices at which the unsold bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing date has occurred, until the 10% Test has been satisfied as to the bonds of that maturity or until all Securities of that maturity have been sold.

By submitting a bid, each bidder confirms that:

- a. any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to report the prices at which it sells to the public the unsold bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% Test has been satisfied as to the bonds of that maturity or all bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder and as set forth in the related pricing wires; and
- b. any agreement among underwriters relating to the initial sale of the bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to report the prices at which it sells to the public the unsold bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% Test has been satisfied as to the bonds of that maturity or all bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires.

Sales of any bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

- a. “public” means any person other than an underwriter or a related party,
- b. “underwriter” means (A) any person that agrees pursuant to a written contract with the City (or with the lead Underwriter to form an underwriting syndicate) to participate in the initial sale of the bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the bonds to the public);
- c. a purchaser of any of the bonds is a “related party” to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the

value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other); and

- d. "sale date" means the date that the bonds are awarded by the City to the winning bidder.

"QUALIFIED TAX-EXEMPT OBLIGATIONS": The City has designated the bonds as "Qualified Tax-Exempt Obligations" for purposes of the deduction of interest expense by financial institutions pursuant to the Code.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, P.L.C., attorneys of Detroit, Michigan, a copy of which opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone, P.L.C. for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue its approving opinion as to validity of the above bonds, Miller, Canfield, Paddock and Stone, P.L.C. has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

DELIVERY OF BONDS: The City will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser through DTC in New York, New York, or such other place to be agreed upon. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, prevailing Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned. Payment for the bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery.

CUSIP NUMBERS: Upon the request of the successful bidder, CUSIP identification numbers will be printed on the bonds, but neither the failure to print such numbers on any bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the bonds shall be paid for by the Issuer; provided, however, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the purchaser.

OFFICIAL STATEMENT: A preliminary Official Statement that the City deems to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission, has been prepared and may be obtained from Robert W. Baird & Co., Incorporated, financial advisors to the City, at the address and telephone listed under REGISTERED MUNICIPAL ADVISORS below. Robert W. Baird & Co., Incorporated, will provide the winning bidder with a reasonable number of final Official Statements within 7 business days from the date of sale to permit the purchaser to comply with Securities and Exchange Commission Rule 15c2-12. Additional copies of the Official Statement will be supplied by Robert W. Baird & Co., Incorporated, upon request and agreement by the purchaser to Robert W. Baird & Co., Incorporated, within 24 hours of the time of sale.

BOND INSURANCE AT PURCHASER'S OPTION: If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the option and expense of the purchaser of the Bonds. Any and all increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser, except that if the City has requested and received a rating on the Bonds from a rating agency, the City shall pay the fee for the requested rating. Any other rating agency fees shall be the responsibility of the purchaser. FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE CITY.

CONTINUING DISCLOSURE: As described more fully in the Official Statement, the City has agreed to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, on or prior to the sixth month after the end of each fiscal year commencing with the fiscal year ended June 30, 2020, (i) certain annual financial information and operating data, including audited financial statements for the preceding fiscal year, generally consistent with the information contained or cross-referenced in the Official Statement relating to the bonds, (ii) timely notice of the occurrence of certain material events with respect to the bonds and (iii) timely notice of a failure by the City to provide the required annual financial information on or before the date specified in (i) above.

BIDDER CERTIFICATION: NOT "IRAN-LINKED BUSINESS". By submitting a bid, the bidder shall be deemed to have certified that it is not an "Iran-Linked Business" as defined in Act 517 Michigan Public Acts of 2012, being MCL 129.311 et. seq.

REGISTERED MUNICIPAL ADVISORS: Further information relating to the bonds may be obtained from the City's Registered Municipal Advisors, Robert W. Baird & Co., Incorporated, 1001 Bay Street, Traverse City, MI 49864, (telephone (800) 793-6379).

ENVELOPES containing the bids should be plainly marked "Proposal for Plymouth 2020 Unlimited Tax General Obligation Bonds."

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

Maureen Brodie
City Clerk
City of Plymouth

8. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than ten (10) years.

9. Tax Covenant: Qualified Tax-Exempt Obligations. The City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds. The City hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions pursuant to the Code.

10. Official Statement: Qualification for Insurance: Ratings. Each Authorized Officer is hereby authorized and directed to (a) approve the circulation of a preliminary official statement describing the Bonds and to deem the preliminary official statement "final" for purposes of Rule 15c2-12 of the SEC; (b) solicit bids for and approve the purchase of a municipal bond insurance policy for the Bonds, if deemed economically advantageous to the City; (c) apply for ratings on the Bonds; and, (d) do all other acts and take all other necessary procedures required to effectuate the sale, issuance and delivery of the Bonds.

11. Continuing Disclosure. The City agrees to enter into a continuing disclosure undertaking for the benefit of the holders and beneficial owners of the Bonds in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, and each Authorized Officer is hereby authorized to execute such undertaking prior to delivery of the Bonds.

12. Authorization of Other Actions. Each Authorized Officer is hereby authorized to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing are authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, Public Acts of Michigan, 2001, as amended, including but not limited to, determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters within the parameters described in this resolution. Each Authorized Officer is hereby authorized and directed to take all other actions necessary or advisable, and to make such other filings with any parties, including the Michigan Department of Treasury, to enable the sale and delivery of the Bonds as contemplated herein.

13. Award of Sale of Bonds. Each Authorized Officer is hereby authorized on behalf of the City to award the sale of the Bonds to the bidder whose bid meets the requirements of law and which produces the lowest true interest cost to the City computed in accordance with the terms of the Official Notice of Sale as published.

14. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members: _____

NAYS: Members: _____

RESOLUTION DECLARED ADOPTED.

Maureen Brodie, City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Plymouth, County of Wayne, State of Michigan, at a regular meeting held on February 3, 2020, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Maureen Brodie, City Clerk

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MOTION PASSED 7 – 0

b. Second Quarter Budget Amendments

RES. #2020-12

The following resolution was offered by Mayor Pro Tem Moroz and seconded by Commissioner Krol:

- WHEREAS Actual patterns of departmental expenditures occurred differently than originally projected in the 2019-2020 City Budget as adopted in June of 2019; and
- WHEREAS Overall revenue and expenditure forecasts require modifications to the original budgetary allocations as established in the adopted budget; and
- WHEREAS The City Budget amendments require the approval of the City Commission for changes between activity departments and between funds of the City;

NOW, THEREFORE BE IT RESOLVED, that the 2019-2020 City Budget is hereby amended as indicated in the 2nd quarter amendments column of the attached Budget Amendments Summary, which is made a part of this resolution.

BE IT FURTHER RESOLVED that the City Finance Director is authorized to change the budgetary appropriations as indicated in the Budget Amendments Summary effective February 3, 2020.

**BUDGET ADJUSTMENT SUMMARY
SECOND QUARTER - FY 19-20**

FUND DEPT./ACTIVITY	Approved Budget	1st Qtr. Amendments	2nd Qtr. Amendments	3rd Qtr. Amendments	4th Qtr. Amendments	Tot. All Amendments	Amended Budget
GENERAL FUND REVENUE:							
#101							
Property Taxes	6,148,270	-	-	-	-	-	6,148,270
Licenses & Permits	5,100	-	-	-	-	-	5,100
Federal/State Grants	30,560	-	-	-	-	-	30,560
State-Shared Revenues	1,079,380	-	-	-	-	-	1,079,380
Charges for Services	787,920	-	1,000	-	-	1,000	788,920
Cemetery Revenues	152,500	-	-	-	-	-	152,500
Parking Revenues	88,200	-	-	-	-	-	88,200
Other Operating Revenues	693,780	65,675	25,235	-	-	90,910	784,690
Appropriation of Surplus	-	-	-	-	-	-	-
Total Operating Revenue	8,985,710	65,675	26,235	-	-	91,910	9,077,620
Transfers In From Other Sources	-	-	-	-	-	-	-
Total Revenue All Classes	8,985,710	65,675	26,235	-	-	91,910	9,077,620
GENERAL FUND EXP:							
#101							
City Commission	109,610	-	4,700	-	-	4,700	114,310
City Manager	315,320	-	3,200	-	-	3,200	318,520
Legal Services	120,000	-	5,000	-	-	5,000	125,000
Finance Department	682,110	21,150	3,750	-	-	24,900	707,010
City Clerk	154,620	6,210	360	-	-	6,570	161,190
City Assessor	86,780	-	-	-	-	-	86,780
Management Information Services	269,895	-	-	-	-	-	269,895
Election Services	93,130	150	1,145	-	-	1,295	94,425
Cemetery	151,660	200	660	-	-	860	152,520
Police Department	3,841,410	-	650	-	-	650	3,842,060
Fire Department	1,029,150	(26,060)	1,340	-	-	(24,720)	1,004,430
MSD Administration	232,740	250	1,540	-	-	1,790	234,530
City Hall Maintenance	114,930	-	1,000	-	-	1,000	115,930
Perks & Public Property	176,950	250	580	-	-	830	177,780
MSD Yard Maintenance	72,880	55	7,500	-	-	7,555	80,435
Street Lighting	155,000	-	-	-	-	-	155,000
Miscellaneous MSD Services	3,360	-	100	-	-	100	3,460
Bathery Maintenance Expense	-	-	-	-	-	-	-
Special Events	174,300	2,350	5,500	-	-	7,850	182,150
Parking System	45,630	-	5,120	-	-	5,120	50,750
MSD Services - DDA	148,070	-	25,000	-	-	25,000	171,070
Other Functions	245,450	-	(32,000)	-	-	(32,000)	213,450
Capital Outlay	140,675	-	16,000	-	-	16,000	156,675
Debt Service	-	30,810	-	-	-	30,810	30,810
Tot. Gen'l Operating Expenditures	8,361,670	35,365	51,145	-	-	86,510	8,448,180
Transfers Out to Other Funds	395,935	-	(40,000)	-	-	(40,000)	355,935
Contingency	228,105	30,310	15,090	-	-	45,400	273,505
Total Expenditures	8,985,710	65,675	26,235	-	-	91,910	9,077,620

FUND DEPT./ACTIVITY	Approved Budget	1st Qtr. Amendments	2nd Qtr. Amendments	3rd Qtr. Amendments	4th Qtr. Amendments	Tot. All Amendments	Amended Budget
MAJOR ST FUND REV:							
#202							
Gas & Weight Taxes	602,260	-	-	-	-	-	602,260
Contrib & Other	10	2,990	7,000	-	-	9,990	10,000
Appropriation of Surplus	340,550	-	-	-	-	-	340,550
TOTAL REVENUE	942,820	2,990	7,000	-	-	9,990	952,810
MAJOR ST FUND EXP:							
#202							
Administration/Debt	10,840	2,740	1,560	-	-	4,300	15,140
Routine Maintenance	96,250	250	2,660	-	-	2,910	99,160
Stormwater System Maintenance	2,000	-	-	-	-	-	2,000
Traffic Signal Maintenance	85,860	-	100	-	-	100	85,960
Snow & Ice Control	94,240	-	10,480	-	-	10,480	104,720
Road Construction	332,500	-	(7,800)	-	-	(7,800)	324,700
Transfers Out to Other Funds	301,130	-	-	-	-	-	301,130
Contingency	20,000	-	-	-	-	-	20,000
TOTAL EXPENDITURES	942,820	2,990	7,000	-	-	9,990	952,810

BUDGET ADJUSTMENT SUMMARY
SECOND QUARTER - FY 19-20

FUND DEPT/ACTIVITY	Approved Budget	1st Qtr Amendments	2nd Qtr. Amendments	3rd Qtr. Amendments	4th Qtr. Amendments	Tot. All Amendments	Amended Budget
LOCAL ST FUND REV: #203							
Gas & Weight taxes	224,750	-	-	-	-	-	224,750
Contrib & Other	305,920	5,720	1,000	-	-	6,720	312,640
Appropriation of Surplus	11,110	-	133,680	-	-	133,680	144,790
TOTAL REVENUE	541,780	5,720	134,680	-	-	140,400	682,180
LOCAL ST FUND EXP: #203							
Administration/Debt	11,880	5,420	370	-	-	5,790	17,670
Routine Maintenance	117,280	300	4,090	-	-	4,390	121,670
Stormwater System Maintenance	1,000	-	-	-	-	-	1,000
Traffic Signal Maintenance	28,480	-	30	-	-	30	28,510
Snow & Ice Control	48,140	-	5,190	-	-	5,190	53,330
Road Construction	320,000	-	125,000	-	-	125,000	445,000
Contingency	15,000	-	-	-	-	-	15,000
TOTAL EXPENDITURES	541,780	5,720	134,680	-	-	140,400	682,180

FUND DEPT/ACTIVITY	Approved Budget	1st Qtr. Amendments	2nd Qtr. Amendments	3rd Qtr. Amendments	4th Qtr. Amendments	Tot. All Amendments	Amended Budget
RECREATION FUND REV: #208							
Cultural Center Revenues	570,000	2,000	4,000	-	-	6,000	576,000
Transfer from General Fund	200,000	-	15,000	-	-	15,000	215,000
Administrative Charges	50	8,400	500	-	-	8,900	8,950
Program Fees & Charges	351,100	-	(27,500)	-	-	(27,500)	323,600
Appropriation of Surplus	55,580	-	(11,600)	-	-	(11,600)	43,980
TOTAL REVENUE	1,176,730	10,400	(19,600)	-	-	(9,200)	1,167,530
RECREATION FUND EXP: #208							
Cultural Center & Administration	920,150	(10,000)	5,000	-	-	(5,000)	915,150
Basic Skills	8,200	-	1,800	-	-	1,800	10,000
Recreation Vending	1,000	-	-	-	-	-	1,000
Recreation Services	34,670	-	500	-	-	500	35,170
Adult Athletics	-	-	-	-	-	-	-
Youth Athletics	6,830	-	-	-	-	-	6,830
Miracle League	9,100	-	-	-	-	-	9,100
PCHA	10,420	19,200	-	-	-	19,200	29,620
PCHA - Mini Mites	7,250	-	100	-	-	100	7,350
MSD Services	9,460	1,200	-	-	-	1,200	10,660
Soccer	94,850	-	-	-	-	-	94,850
Liquor	4,520	-	-	-	-	-	4,520
Classes & Special Events	24,150	-	-	-	-	-	24,150
Therapeutic Program	1,000	-	-	-	-	-	1,000
Senior Programs-Classes	5,630	-	-	-	-	-	5,630
Plymouth-Canton Steelers	29,500	-	(27,000)	-	-	(27,000)	2,500
Capital Outlay	-	-	-	-	-	-	-
Contingency	10,000	-	-	-	-	-	10,000
TOTAL EXPENDITURES	1,176,730	10,400	(19,600)	-	-	(9,200)	1,167,530

FUND DEPT/ACTIVITY	Approved Budget	1st Qtr Amendments	2nd Qtr. Amendments	3rd Qtr. Amendments	4th Qtr. Amendments	Tot. All Amendments	Amended Budget
SOLID WASTE FUND REV: #226							
Property Taxes	1,007,410	20	-	-	-	20	1,007,430
Sales of Service	376,550	3,500	17,900	-	-	21,400	397,950
Transfer from General Fund	57,925	-	(55,000)	-	-	(55,000)	12,925
Appropriation of Surplus	-	-	-	-	-	-	-
TOTAL REVENUE	1,451,885	3,520	(37,100)	-	-	(33,580)	1,418,305
SOLID WASTE FUND EXP: #226							
Operating Expenses	1,426,885	2,150	(31,645)	-	-	(29,495)	1,397,390
Landfill Closure	-	-	-	-	-	-	-
Contingency	25,000	1,370	(5,455)	-	-	(4,085)	20,915
Transfers Out to Other Funds	-	-	-	-	-	-	-
TOTAL EXPENDITURES	1,451,885	3,520	(37,100)	-	-	(33,580)	1,418,305

**BUDGET ADJUSTMENT SUMMARY
SECOND QUARTER - FY 19-20**

FUND DEPT/ACTIVITY	Approved Budget	1st Qtr Amendments	2nd Qtr. Amendments	3rd Qtr. Amendments	4th Qtr. Amendments	Tot. All Amendments	Amended Budget
WATER & SEWER CAPITAL IMPROVEMENT FUND REV: #560							
Contrib. & Other	250,400	-	-	-	-	-	250,400
Appropriation of Surplus	164,600	-	-	-	-	-	164,600
TOTAL REVENUES	415,000	-	-	-	-	-	415,000
WATER & SEWER CAPITAL IMPROVEMENT FUND EXP: #560							
Street Construction	415,000	-	-	-	-	-	415,000
Contrib. & Other	-	-	-	-	-	-	-
Contingency	-	-	-	-	-	-	-
TOTAL EXPENDITURES	415,000	-	-	-	-	-	415,000

FUND DEPT/ACTIVITY	Approved Budget	1st Qtr Amendments	2nd Qtr. Amendments	3rd Qtr. Amendments	4th Qtr. Amendments	Tot. All Amendments	Amended Budget
WATER/SEWER OPER FUND REV: #592							
Sales & Service Charges	5,356,846	10,000	241,700	-	-	251,700	5,608,545
Sale of Bonds	-	-	-	-	-	-	-
Appropriation of Surplus	61,385	-	-	-	-	-	61,385
TOTAL REVENUES	5,418,230	10,000	241,700	-	-	251,700	5,669,930
WATER/SEWER OPER FUND EXP: #592							
Administration	4,654,260	(42,300)	51,660	-	-	9,360	4,663,610
Trunk & Lateral	166,270	48,560	1,540	-	-	50,100	216,370
Mains Maintenance	207,230	3,740	640	-	-	4,380	211,610
Meter Maintenance	140,970	-	5,860	-	-	5,860	146,830
Service Maintenance	62,700	-	30	-	-	30	52,730
Hydrant Maintenance	46,810	-	8,195	-	-	8,195	55,005
Capital Outlay	-	-	-	-	-	-	-
Contingency	160,000	-	173,775	-	-	173,775	323,775
TOTAL EXPENDITURES	5,418,230	10,000	241,700	-	-	251,700	5,669,930

FUND DEPT/ACTIVITY	Approved Budget	1st Qtr Amendments	2nd Qtr. Amendments	3rd Qtr. Amendments	4th Qtr. Amendments	Tot. All Amendments	Amended Budget
EQUIPMENT FUND REV: #661							
Miscellaneous	797,735	2,800	-	-	-	2,800	800,535
Appropriation of Surplus	-	-	-	-	-	-	-
TOTAL REVENUES	797,735	2,800	-	-	-	2,800	800,535
EQUIPMENT FUND EXP: #661							
Miscellaneous	747,910	-	-	-	-	-	747,910
Contingency	49,825	2,800	-	-	-	2,800	52,625
TOTAL EXPENDITURES	797,735	2,800	-	-	-	2,800	800,535

Mayor Wolcott gave an overview of the budget amendments. and Mayor Pro Tem Moroz had questions a 5% revenue decrease and what Headlee rollbacks the City can expect for next year. He also had questions about the local street fund. Commissioner Thomey asked when the Commission would be able to review the local street fund for next year's budget.

MOTION PASSED 7-0

c. Sign Ordinance First Reading

The Commission members were provided with the following recommended revisions to the Sign Ordinance before the meeting.

Sign Ordinance Rewrite

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.

Temporary sign 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 and insignia of any government;
- (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.

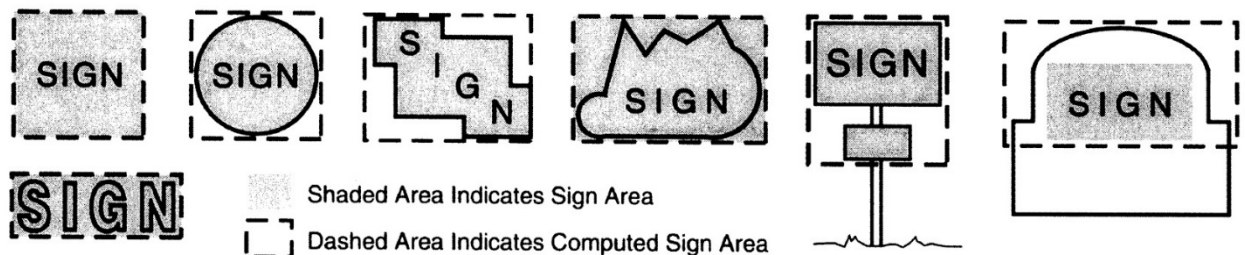
(b) Illumination:

- (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 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 zoning lot, 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 zoning lot meets the following standard:
In O-1, O-2, B-1, B-2, B-3, I-1, I-2, Non-Residential Permitted Uses in MU		

For all permitted and special land uses except multi-tenant business sites	One (1) per zoning lot	One (1) additional sign may be permitted if zoning lot 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.
In R-1, RT-1, RM-1, RM-2, Residential Uses in MU		
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.
In R-1, RT-2, RM-1, RM-2, Non-Residential Land Uses in MU		
For publicly owned libraries, parks, parkways and recreational facilities, arts councils, museums, and religious institutions and non-residential special land uses	One (1) per zoning lot 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.
In Planned Unit Developments (PUD)		
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
R-1	4	18	36
RT-1	4	18	36
RM-1	6	25	50
RM-2	6	25	50
MU	4	18	36

District	Max. Height (ft.)	Maximum Area (sq. ft.) Per Side	Total
(Residential uses)			
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. 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 device 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 zoning lot.
- (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
Residential (R-1, RT-1, RM-1, RM-2 and Residential Uses in MU)				
	18 s.f.	6 s.f.		4 feet
Non-Residential (O-1, O-2, B-1, B-2, B-3, I-1, I-2 and Non-Residential uses MU)				
	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 zoning lot.

- i. When all or a portion of a building or land area on a zoning lot 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 a city-designated 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) Community special event signs including municipal streetscape banners approved by the municipality.
 - (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 zoning lot 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.

Sincock explained that the City Planning Commission has recommended this ordinance to the City Commission for approval. The Commission will have a second reading at a future meeting before formally adopting it.

Vicky Nichols of 337 Joy St. urged the Commission to approve the ordinance.

Commissioner Krol requested language changes. Commissioner O'Donnell asked questions about wood signs, electronic signs and temporary signs.

RESOLUTION #2020-13

The following motion was offered by Mayor Pro Tem Moroz and seconded by Commissioner Sebastian.

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 Reading of the proposed language;

NOW BE IT RESOLVED that the Plymouth City Commission has reviewed and adopts the proposed 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.

BE IT FURTHER RESOLVED that the Plymouth City Commission will complete a second and final reading of the proposed amendments as presented at their February 17, 2020 regular City Commission meeting.

MOTION PASSED 7-0

9. REPORTS AND CORRESPONDENCE

a. Liaison Reports

Commissioner Deal requested that Pat O'Neill be appointed to the DDA board for a three-year term. The Commission approved the appointment 7-0

Commissioner Krol gave an update on the ZBA.

10. ADJOURNMENT

Hearing no further discussion, Mayor Wolcott asked for a motion to adjourn. A motion to adjourn was made by Commissioner Krol and seconded by Commissioner Thomey for adjournment of the meeting at 8:21 p.m.

MOTION PASSED 7 – 0

OLIVER WOLCOTT
MAYOR

MAUREEN A. BRODIE, CMC, CMMC
CITY CLERK