



City of Plymouth

City Commission Special Meeting Minutes

Monday, November 30 2020 - 2:00 p.m.

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

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Phone 734-453-1234
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Meeting was held online at Zoom.us – Meeting ID 899 3258 5710

Statement on the reason the public body is meeting electronically:

On March 10, 2020 the Governor of the State of Michigan declared a state of emergency across the State of Michigan under section 1 of Article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401 – 421, and the Emergency Powers of the Governor Act of 1945, 1945 PA302, as amended, MCL 10.31 – 33. These sections provide the Governor with broad powers and duties to cope with dangers to this state or to the people of the state.

As a part of the response to the emergency, the Governor has deemed it reasonable and necessary to temporarily suspend rules and procedures relating to physical presence at meetings and hearings of public bodies and other governmental entities in Michigan. These public bodies and entities must continue to conduct public business during this emergency. Due to the emergency situation and the request of the Governor to not gather in groups of 10 or more it is necessary for some public boards to meet electronically.

1. CALL TO ORDER

a. Mayor Wolcott called the meeting to order at 2:00 p.m.

b. Roll call

Present: Mayor Oliver Wolcott, Mayor Pro Tem Nick Moroz, Commissioners Suzi Deal, Kelly O'Donnell, Marques Thomey, Tony Sebastian

Excused: Commissioner Ed Krol

Also present: City Manager Paul SIncock, Attorney Robert Marzano, and various department heads

2. NEW BUSINESS

a. Authorization of temporary rules and regulations related to the use of patio space due to Covid-19 emergency

The following resolution was offered by Thomey and seconded by Moroz.

RESOLUTION # 2020-92

WHEREAS The entire State of Michigan has been under a State of Emergency for several months and this emergency situation has caused the state to issue several emergency orders; and

WHEREAS The City Commission is desirous to take emergency action to allow restaurants to use private or public property for the enhancement of their business within the scope of the various emergency rules and orders.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby provide an emergency authorization as a result of the Covid-19 State of Emergency and current State Orders to authorize the City Administration make changes in the city's various rules and regulations for private or public space available for the use by restaurants, within the scope of the rules and regulations of the State of Michigan.

BE IT FURTHER RESOLVED THAT the City Administration is authorized to make rules and regulations related to the use of outdoor patios, with no temporary structures or coverings on public property for restaurants through December 31, 2020. Under this special temporary authorization order

the regulations shall clearly state and require that the restaurants be responsible for snow/ice removal in the patio area and shall be responsible for ice removal outside of the patio on the public walkway areas and that the City shall be named held harmless, indemnified and, listed as an additional insured on the establishment's insurance policy.

BE IT STILL FURTHER RESOLVED THAT the City Commission authorized temporary emergency approval outdoor patio use for restaurants on private property through March 31, 2021. If there is anticipated continued use of the private property outdoor use past March 31, 2021 the ownership would have to seek Special Land Use Permit in accordance with the city's ordinances for expansion of liquor serving establishments. The City Administration shall notify all temporary permit holders for private property patio use of the requirement for a Special Land Use Permit in order to comply with local Ordinances and continue to use that space past March 31, 2021.

BE IT STILL FURTHER RESOLVED THAT these are temporary emergency authorizations, unless revoked in accordance with the rules and regulations established by the City or prohibited by the State of Michigan. Further, the emergency rules and use of the private or public space under the terms of this Resolution shall NOT be renewable unless there is further action by the City Commission.

The following members of the public spoke in favor of the emergency authorization:
Dan Johnson, Ellen Elliott, Dean Rovenelli, Ryan Yaquinto, Patrick O'Neill, Wes Graff.

Several of them also requested that the Commission consider revisiting the idea of allowing temporary structures such as canopies.

Commission members expressed support for the emergency authorization, noting that residents and visitors are continuing to use outdoor spaces regardless of colder temperatures. The group agreed that other options, such as temporary structures, could be discussed at a later date, while keeping in mind the administration's recommendations.

There was a roll call vote.

Yes: Deal, Moroz, O'Donnell, Thomey, Sebastian, Wolcott

MOTION PASSED 6-0

3. ADJOURNMENT

Hearing no further discussion, Wolcott asked for a motion to adjourn at 2:41 p.m. A motion to adjourn was offered by Sebastian and seconded by Moroz.

There was a roll call vote.

Yes: Deal, Moroz, O'Donnell, Thomey, Sebastian, Wolcott

MOTION PASSED 6-0

OLIVER WOLCOTT
MAYOR

MAUREEN A. BRODIE, CMC, MiPMC
CITY CLERK