



City of Plymouth  
City Commission Regular Meeting Minutes  
Monday, January 18, 2021 - 7:00 p.m.  
In-Person at 525 Farmer and Online Webinar

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

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Phone 734-453-1234  
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**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, Kelly O'Donnell, Marques Thomey, and Tony Sebastian

Excused: Commissioner Ed Krol

Also present: City Manager Paul Sincock, Attorney Robert Marzano, and various members of the City administration

**2) CITIZENS COMMENTS**

Dave Rucinski, 1392 Maple, asked for an update on the Kellogg Park Fountain project.

Brock Minton, 1202 Junction, said he appreciated Public Safety Director Al Cox attending a recent Conference of Western Wayne meeting.

**3) APPROVAL OF THE AGENDA**

Thomey offered a motion, seconded by Sebastian, to approve the agenda for Monday, January 18, 2021.

There was a roll call vote.

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

MOTION PASSED 6-0

**4) ENACTMENT OF THE CONSENT AGENDA**

- a. Approval of December 2020 Bills
- b. Approval of January 4, 2021 City Commission Regular Meeting Minutes
- c. Special Event: Plymouth Ice Festival, February 12, 13, 14, 2021
- d. Special Event: Plymouth Community Band Concerts in the Park, Thursday Evenings June/July 2021

Moroz offered a motion, seconded by Thomey, to approve the consent agenda.

There was a roll call vote.

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

MOTION PASSED 6-0

**5) COMMISSION COMMENTS**

Moroz encouraged membership in a service club as a way of marking Dr. Martin Luther King, Jr. Day. Thomey said he appreciated being notified of employee anniversaries and wished to thank Chief Cox for 23 years of service and Officer Scott Hockenberry for four years. Wolcott also

encouraged service to honor Dr. King. He asked Marzano to explain the progress of the fountain project. Marzano said his office is still working on the multiple contracts that the project requires, and that he expects their approval request to be on the next City Commission agenda.

**6) OLD BUSINESS**

There was no old business.

**7) NEW BUSINESS**

a. Community Development Block Grant Cooperation Agreement with Wayne County

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

RESOLUTION 2021-05

WHEREAS The City Commission of the City of Plymouth has been a sub-recipient of the Wayne County Community Development Block Grant funding for several decades; and

WHEREAS The Department of Housing and Urban Development (HUD) requires the City and the County to renew cooperation agreements and subrecipient agreements from time to time; and

WHEREAS The City of Plymouth wishes to continue their relationship as a subrecipient of Wayne County Community Development Block Grant funding; and

WHEREAS The Department of Housing and Urban Development is requiring Wayne County to renew the Urban County Cooperative Agreement for the Federal Community Development Block Grant Program with each subrecipient community to remain in compliance.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby approve the enclosed Urban County Cooperative Agreement for the Federal Community Development Block Grant Program and authorizes the mayor to sign the agreement on behalf of the City of Plymouth.

There was a roll call vote.

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

MOTION PASSED 6-0

b. 2021 Annual Wayne County Right of Way Maintenance Permits

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

RESOLUTION 2021-06

**WHEREAS**, the \_\_\_\_\_ (hereinafter the "Community") periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") for permits to conduct emergency repairs, annual maintenance work, and for other purposes on local and County roads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel;

**WHEREAS**, pursuant to Act 51 of 1951, being MCL 247.651 *et seq.*, the County permits and regulates such activities noted above and related temporary road closures;

**NOW THEREFORE, BE IT RESOLVED**, in consideration of the County granting such permit (hereinafter the "Permit"), the Community agrees and resolves that:

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor's behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The incorporation by the County of this Resolution as part of a permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

This Resolution stipulates that the requesting Community shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary

signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

This Resolution stipulates that the requesting Community shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This Resolution shall continue in force from the date of execution until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

The Community stipulates that it agrees to the terms of the County of Wayne permit at the time a permit is signed by the Community's authorized representative.

**BE IT FURTHER RESOLVED**, that the following individual(s) is/are authorized in their official capacity as the Community's authorized representative to sign and so bind the Community to the provisions of any and all permits applied for to the County of Wayne, Department of Public Services Engineering Division Permit Office for necessary permits from time to time to work within County road right-of-way or local roads on behalf of the Community.

Name	Chris Poman	Municipal Services Director	or
	Chris Hellinski	Municipal Services	or
	Adam Gerlach	Municipal Services	or
	Steve Faiman	Municipal Services	or
	Mike Brindley	Municipal Services	or
	Al Cox	Director of Public Safety	or
	Paul Sincock	City Manager	

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the [Board of Trustees/City Council] of the \_\_\_\_\_ (name of Community), County of Wayne, Michigan, on \_\_\_\_\_.

There was a roll call vote.  
Yes: Deal, Moroz, O'Donnell, Thomey, Sebastian, Wolcott

c. 2021 MDOT Annual Permit

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

RESOLUTION 2021-07

Michigan Department  
Of Transportation  
2207B (12/16)

**PERFORMANCE RESOLUTION  
FOR GOVERNMENTAL AGENCIES**

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*This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Highway Right of Way", or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".*

RESOLVED WHEREAS, the City of Plymouth  
(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employees, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.
4. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

- 5. The GOVERNMENTAL AGENCY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
- 6. With respect to any activities authorized by a PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
- 7. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 8. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

Title and/or Name: \_\_\_\_\_

Chris Porman, Director - Department of Municipal Services \_\_\_\_\_

Chris Hellinski, Assistant Director - Operations - Department of Municipal Services \_\_\_\_\_

Adam Gerlach, Assistant Director - Public Utilities - Department of Municipal Services \_\_\_\_\_

Al Cox, Director of Public Safety \_\_\_\_\_

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the \_\_\_\_\_  
(Name of Board, etc)

of the \_\_\_\_\_ of \_\_\_\_\_  
(Name of GOVERNMENTAL AGENCY) (County)

at a \_\_\_\_\_ meeting held on the \_\_\_\_\_ day

of \_\_\_\_\_ A.D. \_\_\_\_\_.

Signed \_\_\_\_\_ Title \_\_\_\_\_

There was a roll call vote.

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

MOTION PASSED 6-0

## 9) REPORTS AND CORRESPONDENCE

### a. Liaison Reports

O'Donnell said the Planning Commission confirmed strategic goals for this year and that the goals include a focus education for their members. Sebastian said the Zoning Board of Appeals heard three requests this month. Two were approved and one was denied pending a review by the Planning Commission. Thomey said he recently attended a ribbon cutting at Downtown Plymouth Nutrition and that the Northville Plymouth Fire Advisory board would be meeting Tuesday, January 19.

### b. Planning Commission Annual Report

The City Commission received the report.

## 10) ADJOURNMENT

Hearing no further discussion, Wolcott asked for a motion to adjourn at 7:32 p.m. A motion to adjourn was offered by Sebastian and seconded by Thomey.

There was a roll call vote.

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

MOTION PASSED 6-0

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OLIVER WOLCOTT  
MAYOR

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MAUREEN A. BRODIE, CMC, MiPMC  
CITY CLERK