



City of Plymouth
City Commission Regular Meeting Minutes
Tuesday, September 8, 2020 - 7:00 p.m.
Zoom Meeting

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, Tony Sebastian

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

2) CITIZENS COMMENTS

There were no citizen comments.

3) APPROVAL OF THE AGENDA

Thomey offered a motion, seconded by Krol, to approve the agenda for Tuesday, September 8, 2020.

There was a roll call vote.

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

MOTION PASSED 7-0

4) ENACTMENT OF THE CONSENT AGENDA

- a. Approval of August 17, 2020 City Commission Regular Meeting Minutes
- b. Approval of July 2020 Bills

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

There was a roll call vote.

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

MOTION PASSED 7-0

5) COMMISSION COMMENTS

Thomey thanked the recreation department for its flexibility as the State of Michigan changes social distancing regulations. O'Donnell, the City Commission Board of Education liaison, said the start of the school year was successful. She would like to start meeting in person again. Wolcott said he would prefer to meet in person, however, limiting the number of people allowed in the room would violate the Open Meetings Act so he feels meeting electronically is more appropriate until regulations change. Deal asked about the turnout for the virtual concert on Friday and the date of "big trash day." It was confirmed that the large item trash collection would take place on October 3 and a shred day is scheduled for October 10.

6) PUBLIC HEARING

a. Barrio Add Space & Adjust Stockholders

Wolcott opened the public hearing at 7:23 p.m. Hearing no public comments, he closed the hearing at 7:24 p.m.

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

RESOLUTION # 2020-67

- WHEREAS The City of Plymouth has a Liquor Management Ordinance which requires licensed establishments to update their operations when they make changes; and
- WHEREAS Barrio Cocina has applied to the State of Michigan for a permanent additional space at their establishment; and
- WHEREAS The City Planning Commission has authorized the use of this additional space and they have applied for the various building permits for the addition; and
- WHEREAS The stockholders have requested to move stock between the current holders of stock; and
- WHEREAS The Local Liquor License Review Commission held a meeting to review this request.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby recommend that the City Commission accept the updated Operations Plan from Barrio Cocina to include additional space as outlined in their plan and for the transfer of stock between the current owners of the establishment.

There was a roll call vote.

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

MOTION PASSED 7-0

b. Penn Grill Outdoor Service Area & Change in Stockholders

Wolcott opened the public hearing at 7:27 p.m. Jennifer Kehoe, 418 Blunk St., asked whether the outdoor service request would go through the Planning Commission. Patrick Kehoe, 418 Blunk, asked about the need for additional parking due to expanded capacity with the outdoor service request.

Hearing no further public comment, Wolcott closed the public hearing at 7:31 p.m.

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

RESOLUTION # 2020-68

- WHEREAS The City of Plymouth has a Liquor Management Ordinance which requires licensed establishments to update their operation plans when they make changes; and
- WHEREAS The Penn Grill has applied to the State of Michigan for a permanent outdoor service area, to be located in the alley between the Penn Grill and what is currently, Kilwins; and

WHEREAS The ownership of the Penn Grill has requested a stock transfer between the current ownership, by deleting one stockholder and then dividing equally all stock between the remaining two owners; and

WHEREAS The Local Liquor License Review Board held a meeting to review this request and the City Commission did hold a public hearing to hear comments from the public.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby accept the updated Operations Plan from the Penn Grill to include additional Outdoor Service Area, to be located in the alley between the Penn Grill and what is currently known as Kilwins, as well as changes in the stockholders to delete one stockholder and make adjustments to divide equally the stock between the two remaining owners.

Deal said she voted against the additional seating in the alley at the LLRC meeting, citing a concern about over-filling the downtown with tables and chairs. Thomey and Sebastian, both members of the LLRC as well, said the felt accepting the request would be in keeping with doing everything possible to help downtown businesses survive. There was further discussion about safety in a dead-end alley and compliance with social distancing regulations.

Moroz asked for a friendly amendment to remove *“updated Operations plan form the Penn Grill to include additional outdoor service area, to be located in the alley between thePenn Grill and what is currently known as Kilwins, as well as.”* Moroz and Sebastian agreed to the amendment.

RESOLUTION # 2020-68 AMENDED

WHEREAS The City of Plymouth has a Liquor Management Ordinance which requires licensed establishments to update their operation plans when they make changes; and

WHEREAS The Penn Grill has applied to the State of Michigan for a permanent outdoor service area, to be located in the alley between the Penn Grill and what is currently, Kilwins; and

WHEREAS The ownership of the Penn Grill has requested a stock transfer between the current ownership, by deleting one stockholder and then dividing equally all stock between the remaining two owners; and

WHEREAS The Local Liquor License Review Board held a meeting to review this request and the City Commission did hold a public hearing to hear comments from the public.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby accept the ~~updated Operations Plan from the Penn Grill to include additional Outdoor Service Area, to be located in the alley between the Penn Grill and what is currently known as Kilwins, as well as~~ changes in the stockholders to delete one stockholder and make adjustments to divide equally the stock between the two remaining owners.

There was a roll call vote.

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

MOTION PASSED as amended 7-0

7) OLD BUSINESS

None

8) NEW BUSINESS

a. Rooftop Seating Ordinance Amendment – First Reading

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

RESOLUTION # 2020-69

WHEREAS The City administration through the normal course of business reviews ordinances for enforceability, applicability and adherence to current best practices; and

WHEREAS The City administration is recommending amendments to the Noise Ordinance Sec. 34-86 through Sec. 34-100; and

WHEREAS The ordinance amendments require two readings and a public hearing before being published and becoming effective.

NOW THEREFORE BE IT RESOLVED THAT The City of Plymouth City Commission approves the enclosed amended Zoning Ordinance amendments, at the conclusion of the First Reading, for Noise Ordinance Sec. 34-86 through 34-100, Definitions, and 78-102

NOW THEREFORE BE IT FURTHER RESOLVED THAT The City of Plymouth City Commission directs the administration to schedule a Public Hearing and Second and final reading of the proposed ordinance amendments for their next regularly scheduled meeting

Members of the Planning Commission described the rationale behind their decision to recommend these changes to the City Commission.

There was a roll call vote.

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

MOTION PASSED 7-0

b. Authorization to Hire – DMS

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

RESOLUTION # 2020-70

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

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

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

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

There was a roll call vote.

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

MOTION PASSED 7-0

c. Noise Ordinance – First Reading

The following residents commented:

Raymond Adamski, 365 Pacific

Adam Szymczak, 335 Sunset

Ricardo Lung, 751 Sunset

Jennifer Kehoe, 418 Blunk

Ellen Elliott, 444 Irvin

Karen Sisolak, 939 Penniman

Patrick Kehoe, 418 Blunk

Community Development Director John Buzuvis detailed the proposed changes in the ordinance. In response to citizen comments, Commission members discussed whether changes in the noise ordinance may be in violation of industrial zoning on the east side of the City. They also discussed problematic exceptions cited in the ordinance. Marzano reminded the group that ordinances are City wide, not zone specific. There was further discussion about the flexibility of the ordinance as it relates to police officers writing citations and the ability of citizens to file complaints for prosecution.

RESOLUTION # 2020-71

WHEREAS The City administration through the normal course of business reviews ordinances for enforceability, applicability and adherence to current best practices; and

WHEREAS The City administration is recommending amendments to the Noise Ordinance Sec. 34-86 through Sec. 34-100; and

WHEREAS The ordinance amendments require two readings and a public hearing before being published and becoming effective.

NOW THEREFORE BE IT RESOLVED THAT the City of Plymouth City Commission approves the enclosed amended oning Ordinance Amendments at the conclusion of the first reading for Noice Ordinance Sec. 34-86 through 34-100, Definitions, and 78-102.

NOW THEREFORE BE IT FURTHER RESOLVED THAT the City of Plymouth City Commission directs the administration to schedule a Public Hearing and second and final reading of the proposed ordinance amendments for their next regularly scheduled meeting.

The following motion was offered by Moroz.

MOTION FAILED due to lack of support.

d. PASER Road Rating Report Authorization

Thomey offered the following resolution, which was seconded by Deal

RESOLUTION # 2020-72

WHEREAS The City of Plymouth maintains a street system of major and local streets, and those assets need to be evaluated from time to time in order to determine the status and conditions of those streets; and

WHEREAS The evaluation system is known as a PASER Report and this report is used to make determinations on the next set of street repairs and renewals; and

WHEREAS The last time the city has a PASER report completed was in 2017 and the PASER report is used to make determinations for future road paving and improvement programs.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize City Engineer Wade Trim to complete the 2020 PASER Report in an amount of \$7,000 in accordance with their September 3, 2020 proposal. Funding for this project shall come from the Major and Local Street Funds and any possible grant funds for this project.

There was a roll call vote.

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

MOTION PASSED 7-0

9) REPORTS AND CORRESPONDENCE

a. Liaison Report

Thomey reported on a ribbon cutting he recently attended, and Wolcott reminded the group that there would be a DDA Board meeting on September 14.

b. Appointments

Wolcott made a motion to appoint Paul Sincock, Nancy Anderson, Colleen Pobur, John Buzuvis and Steve Anderson to the Municipal Building Authority board. The motion was seconded by Krol.

There was a roll call vote.

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

MOTION PASSED 7-0

10) ADJOURNMENT

Hearing no further discussion, Wolcott asked for a motion to adjourn at 9:46 p.m. A motion to adjourn was made by Thomey and seconded by Krol.

There was a roll call vote.

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

MOTION PASSED 7-0

OLIVER WOLCOTT
MAYOR

MAUREEN A. BRODIE, CMC, MiPMC
CITY CLERK