



# Plymouth City Commission

## Regular Meeting Agenda

MONDAY, August 7, 2023 - 7:00 p.m.  
CASTER PARK – Caster & N. Holbrook

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

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

1. **CALL TO ORDER**
  - a. Pledge of Allegiance
  - b. Roll Call
2. **APPROVAL OF MINUTES**
  - a. July 17, 2023 City Commission Regular Meeting Minutes
3. **APPROVAL OF THE AGENDA**
4. **ENACTMENT OF THE CONSENT AGENDA**
  - a. Special Event: Downtown Day in Plymouth-Saturday, September 23, 2023
  - b. Special Event: Plymouth Ghosts Cemetery Walk-Saturday, October 28, 2023
  - c. Special Event: Pumpkin Palooza-Sunday, October 22, 2023
  - d. Special Event: Ski & Snowboard Swap, (Fri-Sun) November 3-5 & (Fri-Sun) December 1-3, 2023
5. **CITIZEN COMMENTS**
6. **COMMISSION COMMENTS**
7. **PUBLIC HEARING**
  - a. Fence Ordinance Amendment – Second Reading
8. **OLD BUSINESS**
  - a. Outdoor Dining Area Policy
9. **NEW BUSINESS**
  - a. MML Annual Meeting
  - b. Louise Markham Park Naming Acknowledgement Proposal
  - c. Adult Sports Policy
  - d. Emergency Repairs to Chipper
10. **REPORTS AND CORRESPONDENCE**
  - a. Liaison Reports
  - b. Appointments
11. **ADJOURNMENT**

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

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

## City of Plymouth Strategic Plan 2022-2026

### GOAL AREA ONE - SUSTAINABLE INFRASTRUCTURE

#### OBJECTIVES

1. Identify and establish sustainable financial model(s) for major capital projects, Old Village business district, 35<sup>th</sup> District Court, recreation department, and public safety
2. Incorporate eco-friendly, sustainable practices into city assets, services, and policies; including more environmentally friendly surfaces, reduced impervious surfaces, expanded recycling and composting services, prioritizing native and pollinator-friendly plants, encouraging rain gardens, and growing a mature tree canopy
3. Partner with or become members of additional environmentally aware organizations
4. Increase technology infrastructure into city assets, services, and policies
5. Continue sustainable infrastructure improvement for utilities, facilities, and fleet
6. Address changing vehicular habits, including paid parking system /parking deck replacement plan, electric vehicle (EV) charging stations, and one-way street options

### GOAL AREA TWO – STAFF DEVELOPMENT, TRAINING, AND SUCCESSION

#### OBJECTIVES

1. Create a 5-year staffing projection
2. Review current recruitment strategies and identify additional resources
3. Identify/establish flex scheduling positions and procedures
4. Develop a plan for an internship program
5. Review potential department collaborations
6. Hire an additional recreation professional
7. Review current diversity, equity, and inclusion training opportunities
8. Seek out training opportunities for serving diverse communities

### GOAL AREA THREE - COMMUNITY CONNECTIVITY

#### OBJECTIVES

1. Engage in partnerships with public, private and non-profit entities
2. Increase residential/business education programs for active citizen engagement
3. Robust diversity, equity, and inclusion programs
4. Actively participate with multi-governmental lobbies (Michigan Municipal League, Conference of Western Wayne, etc.)

### GOAL AREA FOUR - ATTRACTIVE, LIVABLE COMMUNITY

#### OBJECTIVES

1. Create vibrant commercial districts by seeking appropriate mixed-use development, marketing transitional properties, and implementing Redevelopment Ready Communities (RRC) practices
2. Improve existing and pursue additional recreational and public green space opportunities and facilities for all ages
3. Develop multi-modal transportation plan which prioritizes pedestrian and biker safety
4. Improve link between Hines Park, Old Village, Downtown Plymouth, Plymouth Township, and other regional destinations
5. Maintain safe, well-lit neighborhoods with diverse housing stock that maximizes resident livability and satisfaction
6. Modernize and update zoning ordinance to reflect community vision
7. Implement Kellogg Park master plan



City of Plymouth  
City Commission Regular Meeting Minutes  
Monday, July 17, 2023, 7:00 p.m.  
Rotary Park – Herald & Wing

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

[www.plymouthmi.gov](http://www.plymouthmi.gov)  
Phone 734-453-1234  
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**1. CALL TO ORDER**

a. Mayor Moroz called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

b. Roll Call

Present: Mayor Moroz, Mayor Pro Tem Suzi Deal, Commissioners Linda Filipczak, Jennifer Kehoe, Alanna Maguire, Kelly O'Donnell and Marques Thomey

Also present: Assistant City Manager Chris Porman, Attorney Bob Marzano and various members of the City administration

**2. APPROVAL OF MINUTES**

Filipczak offered a motion, seconded by Deal, to approve the minutes of the July 3, 2023, City Commission meeting as amended.

There was a voice vote.

MOTION PASSED

**3. APPROVAL OF THE AGENDA**

Maguire offered a motion, seconded by O'Donnell, to approve the agenda for the July 17, 2023, meeting.

There was a voice vote.

MOTION PASSED

**4. ENACTMENT OF THE CONSENT AGENDA**

a. Special Event: Plymouth Community Fall Festival – September 8-10, 2023

b. Approval of June 2023 Bills

There was a voice vote.

MOTION PASSED

**5. CITIZEN COMMENTS**

Martha Walton of 1465 Palmer thanked Municipal Services for their recent cleanup work in the City.

State Representative Matt Koleszar provided an update on the budget (City receiving funds for new bandshell and a police cruiser), Distracted Driving Law in effect on June 30, 2023, and Proposal II.

**6. COMMISSION COMMENTS**

Deal, Kehoe and Moroz recognized and thanked everyone involved for their work related to recent events in the City.

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**7. OLD BUSINESS**

There was no old business.

**8. NEW BUSINESS**

**a. Outdoor Dining Area Policy**

The following resolution was offered by O'Donnell and seconded by Kehoe for Resolution #1.

RESOLUTION 2023-69

WHEREAS The current Outdoor Dining Policy was adopted in 2013 and the platform dining policy was adopted as a response to COVID; and

WHEREAS The City Commission has indicated to the administration that they want to combine the sidewalk café policy and platform dining policy into a single Outdoor Dining Area policy; and

WHEREAS City Administration has collaborated closely with members of the City Commission and incorporated their feedback into the enclosed draft; and

WHEREAS The City Commission, at the request of restaurant owners, is interested in committing to a multi-year policy with allowance for amendments as necessary; and

WHEREAS The DDA Board have reviewed the draft policy and requested the commission consider their input on this matter as part of the approval process.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth adopt the enclosed Outdoor Dining Area policy with a commitment to the policy for six-years.

Kerri Collins of 730 Penniman spoke about her ideas regarding pedestrian access, meeting the needs of residents and conforming with the national standards for urban street design.

Frank Yaquinto of Compari's, Fiamma and Sardine Room spoke about the distance to the dining area.

Ryan Yaquinto of Compari's, Fiamma and Sardine Room spoke about patio spacing, walkability, the cost, and comparisons with thriving downtowns.

Wes Graff from Plymouth Chamber spoke about walkability.

Commission members spoke about policy and configuration and the needs of residents and business owners, walkability, cost, fees, and the six-year commitment. It was agreed that more dialog was needed before adoption of the policy.

A motion was made by Moroz and seconded by Thomey to table this item for further discussion and will remain on agenda as Old Business until resolved.

There was a voice vote.

**MOTION PASSED**

**b. Recreation Millage Question**

A motion was offered by Member Moroz and supported by Member Thomey to allow Member Maguire to recuse herself from discussion and voting due to her outside relationships being in conflict with other parties relevant to this matter.

There was a voice vote.

**MOTION PASSED**

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1. Proposed Amendment; Existing Provision. The City Commission by a three-fifths vote of its members-elect, pursuant to the authority granted by Act 279, proposes that Section 8.5 of the City Charter of the City shall be amended, to read as follows:

**Section 8.5. - Adoption of Budget Tax Limit.**

No later than the second regular meeting of the Commission in the month of June, the Commission shall, by resolution, adopt the budget for the next fiscal year and shall in such resolution make an appropriation of the money needed for municipal purposes during the ensuing fiscal year of the city and provide for a levy of the amount necessary to be raised by taxes upon real and personal property for Municipal Purposes, which levy shall not exceed one and one-half percent (15 mills) of the taxable valuation of all real and personal property in the city: Provided, that such levy may be increased from time to time for one-year periods by a majority of the electors of the city voting at the election at which the proposition to do so shall be so submitted, but such increase shall be limited to an amount which will not cause the total levy under authority of this section to exceed two percent of the assessed value of the real and personal property in the city for the year in which such increase shall be authorized, subject to the provisions of state law relative to the assessment and levy of taxes for the payment of the principal of, or the interest on, bonds or other evidence of indebtedness issued by the city. In addition, the city may levy an amount not to exceed one and three-quarter thousandths (1.75 mills) of the taxable value of all real and personal property in the city, for 12 years, beginning in 2024 and through 2035,] to acquire, construct, improve, furnish, operate and maintain parks and recreation facilities.

The existing Section 8.5 of the City Charter of the City of Plymouth to be altered by such proposal, if adopted, now reads as follows:

**Section 8.5. - Adoption of Budget Tax Limit.**

No later than the second regular meeting of the Commission in the month of June, the Commission shall, by resolution, adopt the budget for the next fiscal year and shall in such resolution make an appropriation of the money needed for municipal purposes during the ensuing fiscal year of the city and provide for a levy of the amount necessary to be raised by taxes upon real and personal property for Municipal Purposes, which levy shall not exceed one and one-half percent (15 mills) of the taxable valuation of all real and personal property in the city: Provided, that such levy may be increased from time to time for one-year periods by a majority of the electors of the city voting at the election at which the proposition to do so shall be so submitted, but such increase shall be limited to an amount which will not cause the total levy under authority of this section to exceed two percent of the assessed value of the real and personal property in the city for the year in which such increase shall be authorized, subject to the provisions of state law relative to the assessment and levy of taxes for the payment of the principal of, or the interest on, bonds or other evidence of indebtedness issued by the city.

2. Form of Ballot Proposal. The proposed amendment to Section 8.5 shall be submitted to the electors in the following form:

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PLYMOUTH CITY CHARTER AMENDMENT  
FOR PARKS AND RECREATION MILLAGE

Shall Section 8.5 of the Charter of the City of Plymouth, Wayne County, Michigan, be amended to permit the levy by the City of a new additional ad valorem property tax in an amount not to exceed one and three-quarters (1.75) mills, for 12 years, from 2024 through 2035, to provide funds to the City to acquire, construct, improve, furnish, operate and maintain parks and recreation facilities? It is estimated that 1.75 mills would raise approximately \$1,275,955 when first levied in 2024.

YES

NO

3. Submission to the Governor and Attorney General. The City Clerk shall transmit copies of the proposed amendment of Section 8.5 of the City Charter to the Governor of the State of Michigan for approval and transmit a copy of the foregoing statement of purpose of the proposed amendment of Section 8.5 of the City Charter to the Attorney General of the State of Michigan for approval, as required by law.

4. Submission at the General Election. The proposed charter amendment of Section 8.5 shall be, and the same is hereby ordered to be, submitted to the qualified electors of this City at a City election to be held on November 7, 2023, and the City Clerk is hereby directed to give notice of the election and notice of registration thereof in the manner prescribed by law and to do all things and to provide all supplies necessary to submit the charter amendment to the vote of the electors as required by law.

5. Publication. The proposed amendment of Section 8.5 shall be published in full together with the existing charter provision altered or abrogated thereby as part of the notice of election.

6. Canvass. The canvass and determination of votes of said question shall be made in accordance with the laws of the State of Michigan and the City Charter of the City of Plymouth.

Moroz spoke about recreation being the single most important issue in citizen surveys.

Thomey spoke about the City losing inventory for recreation purposes and the opportunity to purchase additional space.

There was a voice vote.

MOTION PASSED

c. Fence Ordinance Amendment

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

RESOLUTION 2023-71

WHEREAS The City Commission has adopted a key objective to modernize and update zoning ordinance to reflect community vision; and

WHEREAS The proposed fence ordinance language aligns with the goals of the City's Master Plan and City Planning Commission; and

WHEREAS The Planning Commission held a public hearing to hear comments on the fence ordinance amendments; and

WHEREAS The Planning Commission approved the amendments to Section 78-208 on November 9, 2022.

NOW THEREFORE BE IT RESOLVED THAT the City Commission does hereby approve the first reading of the amendments to the fence ordinances and schedule a second reading and public hearing for the next regular City Commission meeting.

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## ARTICLE X. FENCES

### Sec. 18-371. Purpose, intent.

It is the intent and purpose of this article to assure to occupants of all properties adequate light and air adjacent to structures and in yard areas, effective and desirable sight distance from the front of all structures in all directions, the right to provide for their own privacy within their properties, to protect plantings from damage by trespass, and to prevent such construction related thereto as would be hazardous.

(Ord. No. 82-11, § 1(8.21), 8-16-82)

### Sec. 18-372. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Border* means a planting area composed of shrubs, trees, etc., which is utilized as a part of the landscaping of a lot.

*Decorative fence* means a permanent barrier not used for enclosure. Any such fence shall be a part of the overall landscape plan and shall be composed of natural materials such as wood (i.e., split rail fence, picket, etc.) or a decorative metal construction (i.e., aluminum, wrought iron, etc.).

*Fence* means a permanent barrier enclosing a plot of land or portion thereof composed of manmade or processed materials erected on posts, for the purpose of preventing or controlling entrance or to confine within or to mark a boundary.

*Gutter grade* means the lowest point of integral curb and gutter down which water flows, or, when no curb or gutter exists, is the lowest point between the street and sidewalk down which water will flow or drain.

*Picket fence* means a permanent barrier enclosing a plot of land or portion thereof composed of manmade or processed materials erected on posts, for the purpose of preventing or controlling entrance or to confine within or to mark a boundary. A picket fence shall have spaced uprights connected by two or more horizontal rails. The uprights shall not exceed 4 inches in width. The space between uprights shall be a minimum of 2.5 inches and must not exceed 4 inches.

*Sidewalk line* means the edge of the constructed public sidewalk that is adjacent or closest to the lot line.

*Wall* means a barrier constructed of masonry or other solid materials on a continuous concrete footing for the purpose of controlling entrance, sound and/or view.

(Ord. No. 82-11, § 1(8.22), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11)

Cross reference(s)—Definitions generally, § 1-2.

### Sec. 18-373. Prevention of hazards.

- (a) No fence, border or wall shall have exposed beneath a height of eight (8) feet any sharp protrusions which would be likely to cause physical or material damage to persons or clothing passing by the fence, border or wall.
- (b) Any wall shall be capped with a peaked coping of sufficient pitch to discourage walking.

(Ord. No. 82-11, § 1(8.26), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11)

### Sec. 18-374. Line fences and walls.

All fences and walls must be located entirely on the private property of the person constructing the same; provided, however, that if adjoining property owners jointly apply for and sign a permit to erect a fence upon their common property line, such fence may be so erected. No temporary type of barrier or temporary fence of any type shall be permitted in the front yard areas.

(Ord. No. 82-11, § 1(8.27), 8-16-82)

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**Sec. 18-375. Electric fences.**

It shall be unlawful for any person to construct or maintain, or to allow to be constructed or maintained upon property owned or occupied by such person, any fence charged or connected with an electrical current in such manner as to transmit such current in the form of shock to persons or animals which might come in contact with such charged fence. This shall exclude underground electric pet containment fences.

(Ord. No. 82-11, § 1(8.28), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11)

**Sec. 18-376. Appeals.**

If there is believed to be a conflict between the stated intent and any specific provisions of this article, the zoning board of appeals may, in accordance with established procedures, permit modification of such specific provision, while retaining the intent, in such appealed instance.

(Ord. No. 82-11, § 1(8.29), 8-16-82)

**Sec. 18-377. Permits.**

- (a) It shall be unlawful for any person to construct, or cause to be constructed, any fence or wall upon any property within the city without first having obtained a permit therefor.
- (b) Any person desiring to construct, or cause to be constructed a fence or wall upon property in the city shall first apply to the building department of the city for a permit, for which there shall be a fee, the amount of which shall be set by resolution of the city commission. Such permit shall be issued by the building inspector upon a written application, and shall contain such information as may be required by the inspector in order to determine that such fence or wall will not violate any provision of the city Code or state law.

(Ord. No. 82-11, § 1(8.23), 8-16-82)

**Sec. 18-378. Establishing lot lines.**

The building inspector may require the owner of property upon which a fence is to be constructed to establish lot lines upon such property, through the placing of permanent stakes located by a licensed surveyor. Such lot line shall be established before such fence shall be erected, and the building inspector may withhold the issuance of the required permit until the lot lines are established and permanent stakes are placed.

(Ord. No. 82-11, § 1(8.30), 8-16-82)

**Sec. 18-379. Borders.**

Borders may be planted in any yard area subject to the following provisions:

- (1) Borders shall not be located nearer than two feet to any drive or walkway. Borders are also subject to additional restrictions as specified in this section.
- (2) No border shall obscure visibility within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between the right-of-way lines at a distance along each line of 25 feet from their point of intersection. Shrubs or hedges or other plantings (excluding trees) in this area shall not exceed 30 inches in height above the average gutter grade adjacent to this area. Trees planted within this same area shall not have branches lower than eight feet above the average gutter grade. Sight visibility shall be in accordance with Section 78-207 of the Zoning Ordinance.
- (3) Similar restrictions as above shall be required in a 15-foot corner triangle formed at the intersection of any driveway and alley or any driveway and street right-of-way line.

(Ord. No. 82-11, § 1(8.24), 8-16-82; Ord. No. 2011-02, 1-17-11)

**Sec. 18-380. Fences and walls.**

- (a) All posts thereof shall be of materials designed to withstand rusting, rotting and other weather-related deterioration for a period of not less than ten years.
- (b) Fences shall be setback a minimum of 1-foot away from the sidewalk line.
- (c) Solid masonry walls shall be erected on continuous foundations at least 42 inches below grade.
- (d) Fences or walls within a required front yard area shall be decorative style only consisting of wrought iron, metal, or pickets and masonry or stone walls. Decorative fences or walls placed within a front yard shall not exceed 30 inches in height. A decorative fence or wall shall contribute to the identification and beauty of the principal building. Chain link fences are not allowed within a required front yard area.
- (e) Fences on all lots of record in all residential districts which enclose property and/or are within a required side or rear yard shall not exceed six and one-half feet in height, measured from the surface of the ground, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard setback, whichever is greater (see Figure 1). In the case of a rear yard abutting a side yard, the side yard abutting a street shall be a continuation of the required front setback on the lot to the rear, and a 48-inch-tall picket fence may project into this area but shall not extend toward the front of the lot nearer than the front of the house (see Figure 2).

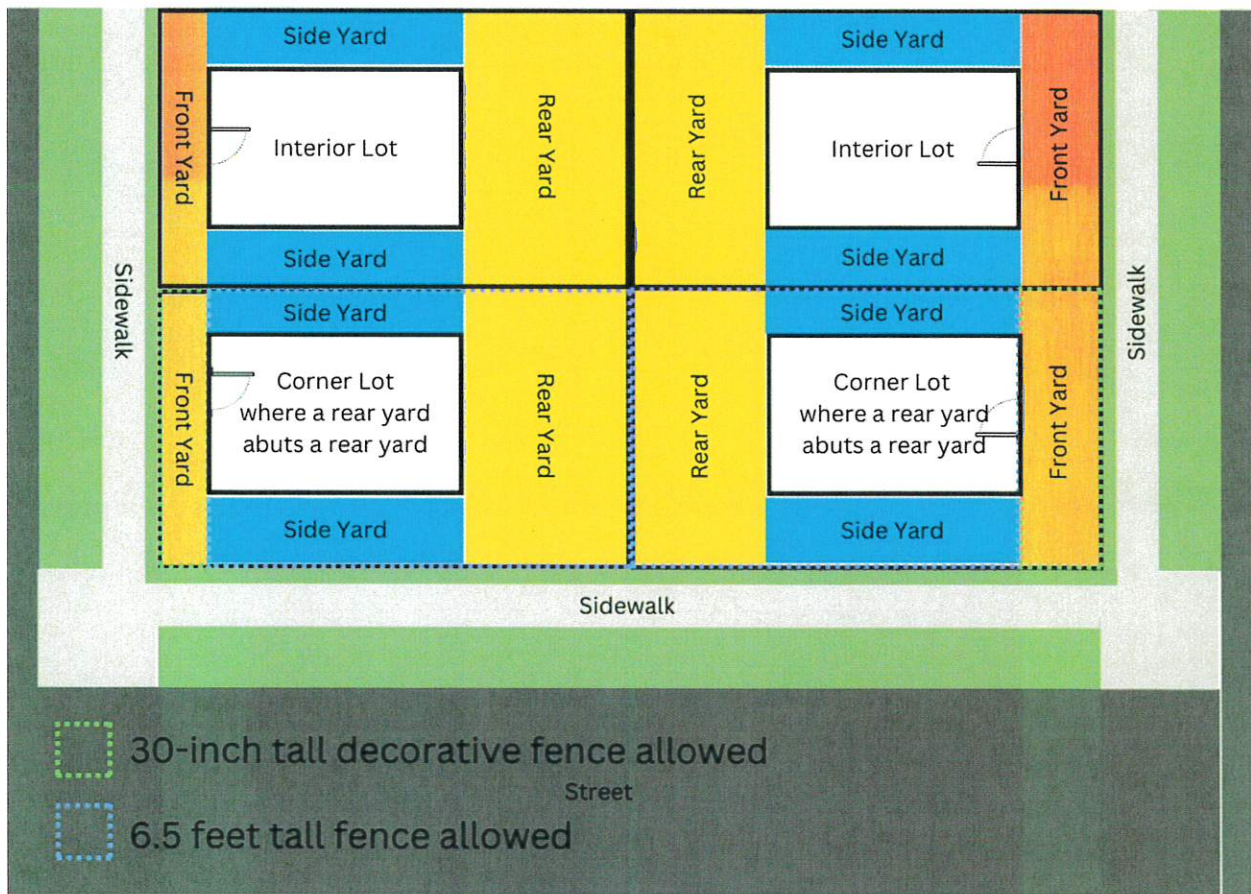


Figure 1.

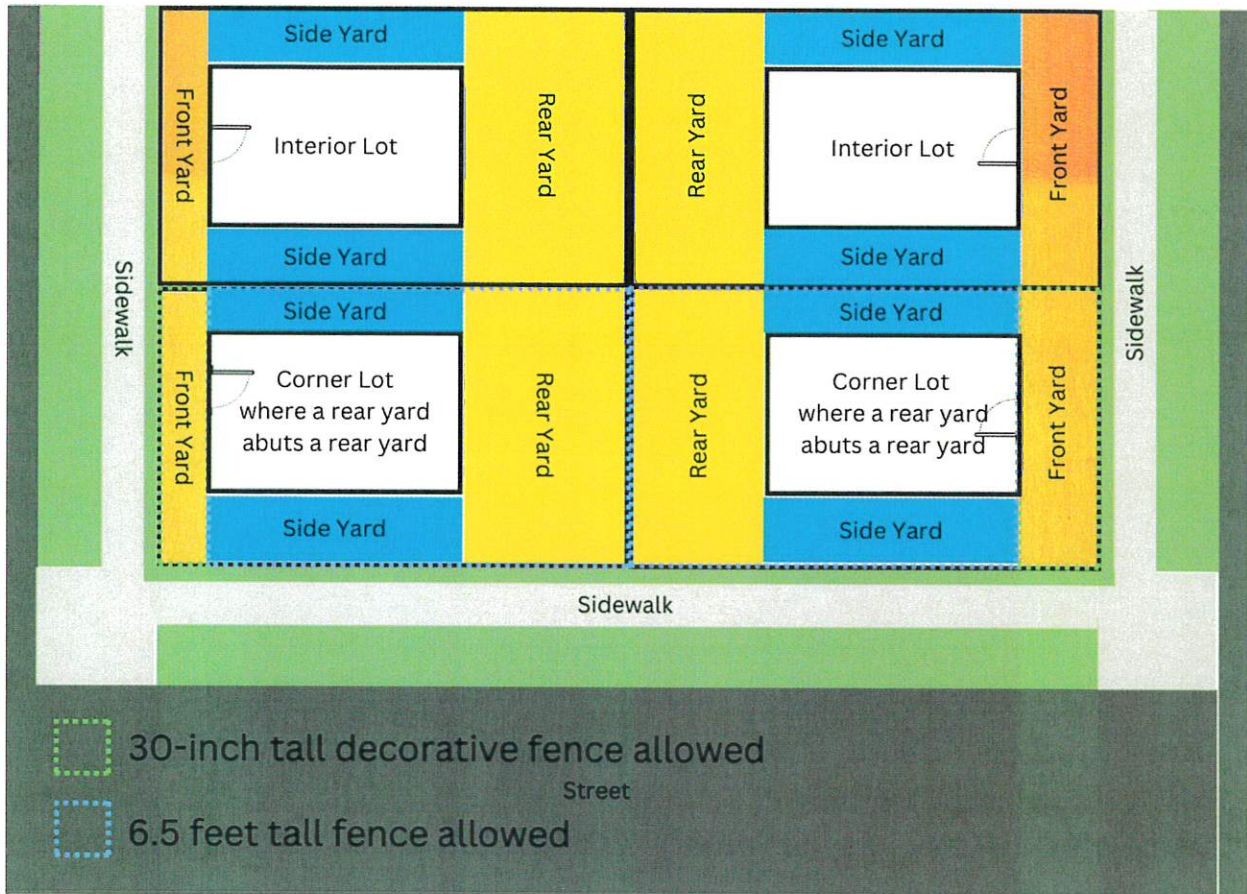


Figure 2.

- (f) In business zoned areas, fences and walls should not exceed a height above ground level of more than six and one-half feet. On corner lots, no fence, wall, shrubbery or other obstruction to vision above a height 30 inches from the established street gutter grades shall be permitted within the triangular area forward at the intersection of any street right-of-way lines by a straight line drawn between such right-of-way lines for a distance along each line of 25 feet from their point of intersection.
  - (g) In industrial zoned areas, fences and walls may be constructed up to eight feet in height. On corner lots, no fence, wall, shrubbery or other obstruction to vision above a height of 30 inches from the established street gutter grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between such right-of-way lines for a distance along each line of 25 feet from their point of intersection. Barbed wire may be installed on the top of such fences on arms or supports over the private property of the owner of the fence at least eight feet above the adjacent grade level.
- (Ord. No. 82-11, § 1(8.25), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11)

**Secs. 18-381—18-400. Reserved.**

**Sec. 78-208. Residential fences.**

Fences or walls are permitted, subject to the paramount provisions of the City of Plymouth Fence Ordinance (Chapter 18, Building Regulations Article X, Fences 18-371—18-380) and subject to the further provisions of this section. If any of the provisions of this section should conflict with the City of Plymouth Fence Ordinance, the stricter provision shall prevail. It is the intent, however, that the following provisions be construed harmoniously with the fence ordinance where possible.

- (1) Fences on all lots of record in all residential districts which enclose property and/or are within a required side or rear yard shall not exceed six and one-half feet in height, measured from the surface of the ground, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard, whichever is greater (see Figure 1). In the case of a rear yard abutting a side yard, the side yard abutting a street shall be a continuation of the required front setback on the lot to the rear, and a 48-inch-tall picket fence may project into this area but shall not extend toward the front of the lot nearer than the front of the house (see Figure 2).

Figure 1.

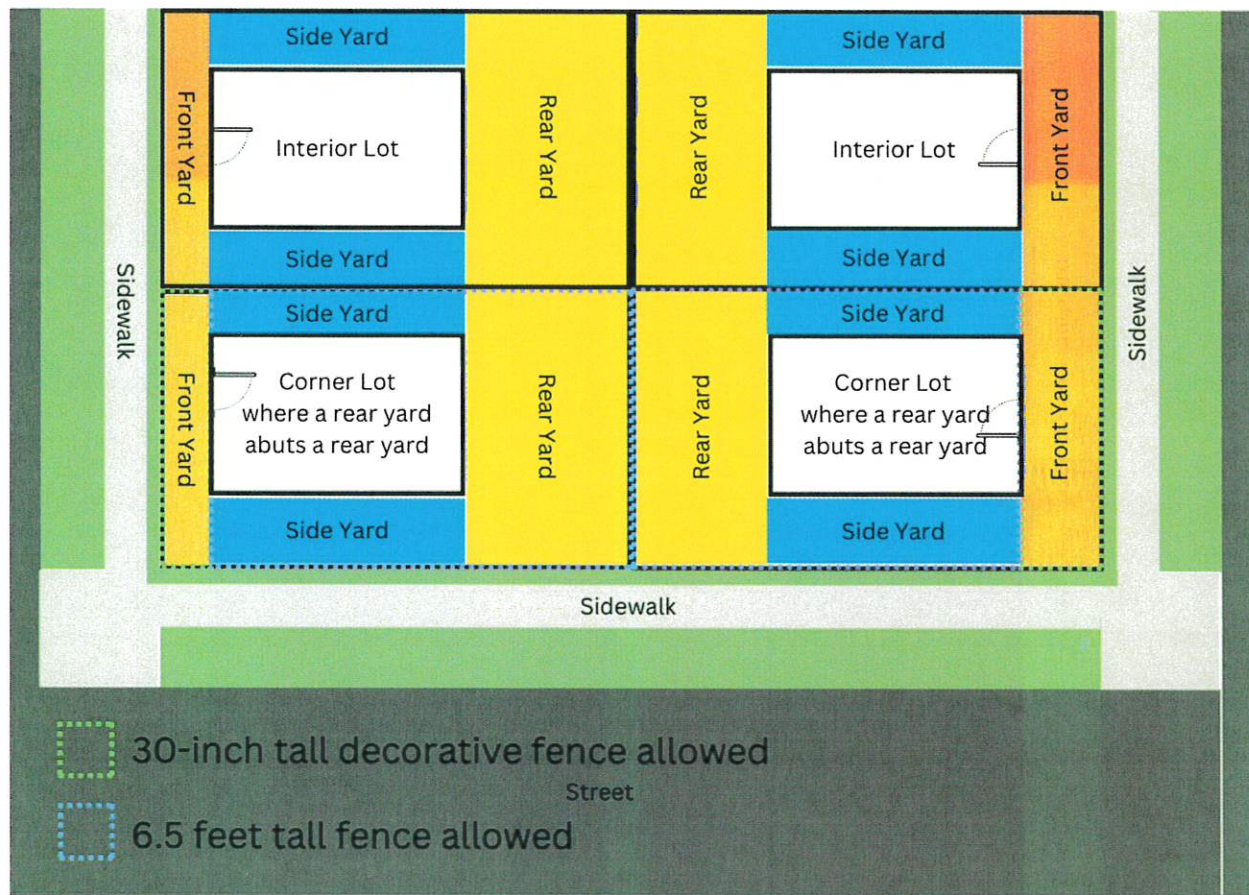
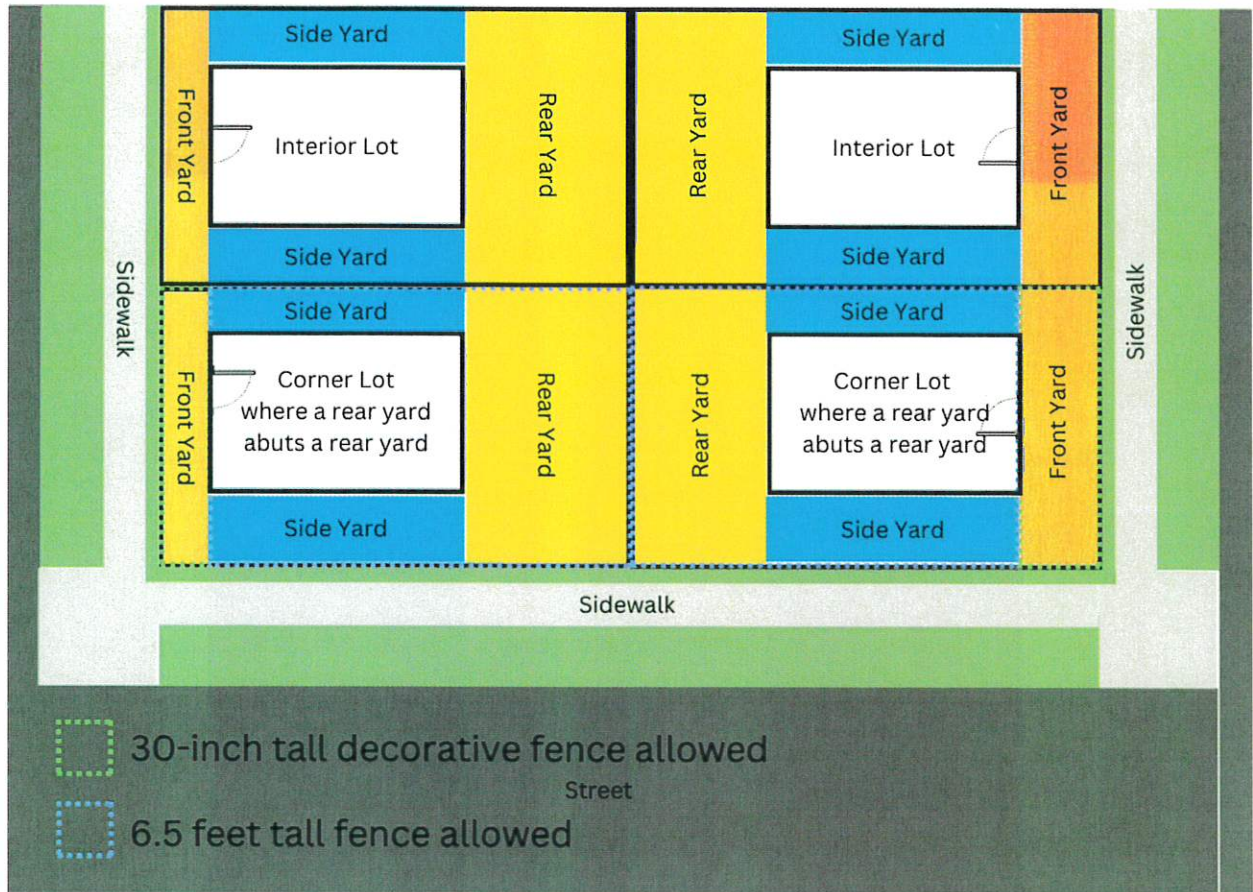


Figure 2.



- (2) Fences on lots of record shall not contain barbed wire, electric current, or charge of electricity. This shall exclude underground electric fences used for pet containment.
- (3) All fences or walls shall be constructed with the finished side exposed to neighboring properties, the support posts placed on the inside, and in a manner which serves to enhance the aesthetic appearance of the neighborhood or surrounding area.
- (4) Posts and finials may extend no more than six inches above the maximum permitted height of a fence.
- (5) Fences for swimming pools shall comply with the regulations of the state construction code.
- (6) No fence, wall, or plantings shall interfere with visibility from a driveway, alley or intersection. All fences, walls, or plantings shall comply with the corner clearance requirements of section 78-207.
- (7) Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed with recorded lots, shall not exceed eight feet in height measured from the surface of the ground, and shall not obstruct vision to an extent greater than 25 percent of their total area.
- (8) Fences or walls within a required front yard area shall be decorative style only consisting of wrought iron, metal, or pickets and masonry or stone walls. Decorative fences or walls placed within a front yard shall not exceed 30 inches in height. A decorative fence or wall shall contribute to the identification and beauty of the principal building. Chain link fences are not allowed within a required front yard area.

- (9) Walls constructed of masonry, stone or pre-cast materials and constructed within a side or rear yard shall have a maximum height of 30 inches. This shall exclude screening walls constructed between conflicting land uses as specified in section 78-206.

(Ord. of 10-6-03; Ord. No. 2011-03, § 2, 1-17-11)

**Sec. 78-209. Industrial fences.**

Fences are permitted in industrial districts as follows:

- (1) Fences shall not be allowed within the front yard of any industry on sites of less than ten acres in size. Fences may be allowed in front yards of sites of ten acres or more after review and approval of the planning commission.
- (2) Fences not to exceed eight feet in height shall be permitted in side and rear yards. Barbed wire shall be allowed on fences not less than eight feet in height in not more than three strands mounted in a "Y" at the top of the fence and shall be permitted provided such "Y" is located to project over the property being fenced.

(Ord. of 10-6-03)

There was a voice vote.

MOTION PASSED

**9. REPORTS AND CORRESPONDENCE**

a. Liaison Reports

Thomey- Next NPFAB meeting is Monday 8/7/23 at City Hall.

Maguire- Moroz reading at Library on Tuesday (7/18) at 5p.m.

Kehoe-Reported on Zoning Board of Appeals meeting

Filipczak- Reported on Historic District Commission meeting

O'Donnell- Reported on Planning Commission meeting

**10. ADJOURNMENT**

A motion to adjourn was offered by Filipczak and seconded by Thomey at 8:08 p.m.

There was a voice vote.

MOTION PASSED

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NICK MOROZ  
MAYOR

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MAUREEN A. BRODIE, CMC, MIPMC  
CITY CLERK



# Special Event Application

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

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

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

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

**Sponsoring Organization's Legal Name** Plymouth Downtown Development Authority

Ph# 7344551453 Fax# \_\_\_\_\_ Email dda@plymouthmi.gov Website www.downtownplymouth.org

Address 831 Penniman City Plymouth State MI Zip 48170

**Sponsoring Organization's Agent's Name** Sam Plymale Title Director

Ph# 7344551453 Fax# \_\_\_\_\_ Email splymale@plymouthmi.gov Cell# 7345365268

Address 831 Penniman City Plymouth State MI Zip 48170

**Event Name** Downtown Day in Michigan

**Event Purpose** To provide on-street entertainment (music, arts, etc. similar to Saturday Scenes) and allow sidewalk sales from DDA merchants to activate pedestrian walkways and storefronts in the Downtown district.

**Event Date(s)** Saturday, September 23, 2023

**Event Times** 12 p.m. - 8 p.m.

**Event Location** DDA District (Entertainment in Kellogg Park, near Sun and Snow, near Westborn Market, near Boule Bakery, and near Harris Conservatory of Music).

**What Kind Of Activities?** Street entertainment, sidewalk sales from DDA merchants

**What is the Highest Number of People You Expect in Attendance at Any One Time?** N/A

**Coordinating With Another Event?** YES  NO  **If Yes, Event Name:** N/A

**Event Details:** (Provide a detailed description of all activities that will take place. Attach additional sheets if necessary.)  
An event which will provide on-street entertainment and sidewalk sales from DDA merchants to activate pedestrian walkways in the DDA district, Kellogg Park, and celebrate everything Downtown Plymouth has to offer.

**RECEIVED**

JUL 20 2023

**City of Plymouth**

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

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

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

Normal Event Schedule (e.g., third weekend in July): Fourth Saturday in September  
Next year's specific dates: September 28

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

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

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

N/A

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

8. **EVENT SIGNS:** Will this event include the use of signs? YES  NO

If Yes, refer to Policy 12.8 for requirements, and describe the size and location of your proposed signs: **Please complete a sign illustration / description sheet and include with the application.**

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

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

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

YES  NO

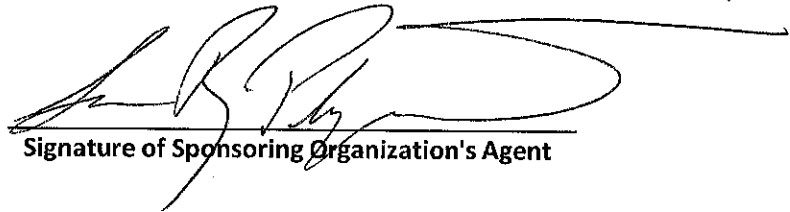
If Yes, list the lots or locations where/why this is requested:

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

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

07/18/2023

Date



Signature of Sponsoring Organization's Agent

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

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

Phone: (734) 453-1234 ext. 203

**EVENT REVIEW FORM**

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

<b>MUNICIPAL SERVICES:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial <u>CP</u>
<u>NO SERVICES NEEDED</u>				
\$250 Bathroom Cleaning Fee Per Day of Event? <b>YES</b> <span style="float:right; border: 1px solid black; border-radius: 50%; padding: 2px;"><u>NO</u></span>				
Labor Costs: \$	Equipment Costs: \$	Materials Costs	\$	
<b>POLICE:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial <u>JGC</u>
<u>NO SERVICES NEEDED</u>				
Labor Costs \$	Equipment Costs \$	Materials Costs	\$	
<b>FIRE:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial <u>AS</u>
<u>NO SERVICES NEEDED</u>				
Labor Costs \$	Equipment Costs \$	Materials Costs	\$	
<b>HVA:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial
<b>DDA:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial <u>SBP</u>
Labor Costs \$	Equipment Costs \$	Materials Costs	\$	
<b>RISK MANAGEMENT:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial
Class I – Low Hazard				
Class II – Moderate Hazard      Event Sponsors must provide current Certificate of Insurance naming City				
Class III – High Hazard              of Plymouth as 'Additional Insured' including in the Description Box/Area.				
Class IV – Severe Hazard				
SITE FEE APPLIED TO ALL EVENTS IS \$100 PER DAY. TOTAL EVENT SITE FEE \$ _____				
APPROVED _____ NOT APPROVED _____ DATE _____				



# Special Event Application

## ITEM 4.b

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

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

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

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

**Sponsoring Organization's Legal Name** Plymouth Historical Society

Ph# 734-455-89 Fax# 734-455-7797 Email director@plymo Website plymouthhistory.

Address 155 S. Main Street City Plymouth State MI Zip 48170

**Sponsoring Organization's Agent's Name** Elizabeth Kerstens Title Executive Direct

Ph# 734-455-89 Fax# 734-455-7797 Email director@plymo Cell# 734-502-0760

Address 155 S. Main Street City Plymouth State MI Zip 48170

**Event Name** Plymouth Ghosts Cemetery Walk

**Event Purpose** Fundraiser

**Event Date(s)** Saturday, October 28, 2023

**Event Times** 4-9 pm

**Event Location** Riverside Cemetery

**What Kind Of Activities?** Groups escorted to 8 gravesites where there are reenactors

**What is the Highest Number of People You Expect in Attendance at Any One Time?** 120

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

**Event Details:** (Provide a detailed description of all activities that will take place. Attach additional sheets if necessary.)  
8 actors are positioned at selected gravesites. We put up a large tent near the try to mausoleum. Groups of 25 people are escorted to gravesites every 15 minutes. We leave the cemetery better than we found it.

RECEIVED

JUL 24 2023

City of Plymouth

1. **TYPE OF EVENT:** Based on Policy 12.2, this event is: Wedding Ceremony (Please REVIEW section 12.2.)

City Operated  Co-sponsored Event  Other Non-Profit  Other For-Profit  Political or Ballot Issue

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

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

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

Next year's specific dates: October 26, 2024

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

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

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

We need 12 traffic cones to block certain streets

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

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

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

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

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

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

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

July 24, 2023

Date

Elizabeth H. Neutens  
Signature of Sponsoring Organization's Agent

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

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

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

11. INDEMNIFICATION AGREEMENT

INDEMNIFICATION AGREEMENT

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

Signature Elizabeth U. Usters

Date July 24, 2023

Witness Marissa Warren

Date July 24, 2023

*This is a fundraiser -  
please don't charge  
for this event!*

EVENT REVIEW FORM

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

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

<b>MUNICIPAL SERVICES:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <u>CP</u>
<u>No SERVICES REQUIRED</u>				
\$250 Bathroom Cleaning Fee Per Day of Event? <b>YES</b> <span style="float:right"><b>NO</b></span>				
Labor Costs: \$	Equipment Costs: \$	Materials Costs	\$	
<hr/>				
<b>POLICE:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <u>QEC</u>
<u>No SERVICES NEEDED</u>				
Labor Costs \$	Equipment Costs \$	Materials Costs	\$	
<hr/>				
<b>FIRE:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <u>AS</u>
<u>No SERVICES REQUIRED</u>				
Labor Costs \$	Equipment Costs \$	Materials Costs	\$	
<hr/>				
<b>HVA:</b>	<input type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial
<hr/>				
<b>DDA:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <u>SBP</u>
Labor Costs \$	Equipment Costs \$	Materials Costs	\$	
<hr/>				
<b>RISK MANAGEMENT:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial <u>MB</u>
Class I – Low Hazard Class II – Moderate Hazard      Event Sponsors must provide current Certificate of Insurance naming City Class III – High Hazard              of Plymouth as ‘Additional Insured’ including in the Description Box/Area. Class IV – Severe Hazard				
SITE FEE APPLIED TO ALL EVENTS IS \$100 PER DAY. TOTAL EVENT SITE FEE \$ _____				
APPROVED _____ NOT APPROVED _____ DATE _____				

City of Plymouth  
SPECIAL EVENT APPLICATION

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

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

Sponsoring Organization's Legal Name Plymouth Community Chamber of Commerce

Ph# 734-453-1540 Fax# 734-404-6026 Email tom@plymouthmich.org Website www.plymouthmich.org

Address 850 W. Ann Arbor Trail City Plymouth State MI Zip 48170

Sponsoring Organization's Agent's Name Tom Young Title Event Manager

Ph# same Fax# same Email same Cell# \_\_\_\_\_

Address same City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Event Name Pumpkin Palooza 2023

Event Purpose Children's Halloween Event

Event Date(s) Sunday, October 22, 2023

Event Times Noon to 2:30 p.m.

Event Location Downtown Plymouth

What Kind Of Activities? Games, activites, entertainment, costume contests and trick-or-treating at vendor booths.

What is the Highest Number of People You Expect in Attendance at Any One Time? ~7000

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

Event Details: This is a family designed event to give children a hands-on Halloween experience with games, activities, entertainment, costume contests, trick-or-treating and more...

RECEIVED

JUL 20 2023

City of Plymouth

1. **TYPE OF EVENT:** Based on Policy 12.2, this event is: *(Weddings Ceremonies – Please Review Section 12.2 f.)*  
City Operated  Cosponsored Event  Other NonProfit  Other ForProfit  Political or Ballot Issue

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

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

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

Next year's specific dates: \_\_\_\_\_

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

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

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

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

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

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

Yes, the streets will need to closed by 10:00 a.m. for setting up tents and tables and reopened at 3:00 pm.  
We will need trash containers throughout the closed streets.

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

8. **EVENT SIGNS:** Will this event include the use of signs? YES  NO

If Yes, refer to Policy 12.8 for requirements, and describe the size and location of your proposed signs: **Please complete a sign illustration / description sheet and include with the application.**

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

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

9. **UNLIMITED PARKING:** Are you requesting the removal of time limits on parking (see Policy 12.5)? YES  NO

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

The length of the event is over the 2-3 hour time limit in public parking areas

**10. CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that

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

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

6/28/2023  
Date

Tom Young  
Signature of Sponsoring Organization's Agent

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

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

Phone: (734) 453-1234 ext. 203

11. INDEMNIFICATION AGREEMENT

**INDEMNIFICATION AGREEMENT**

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

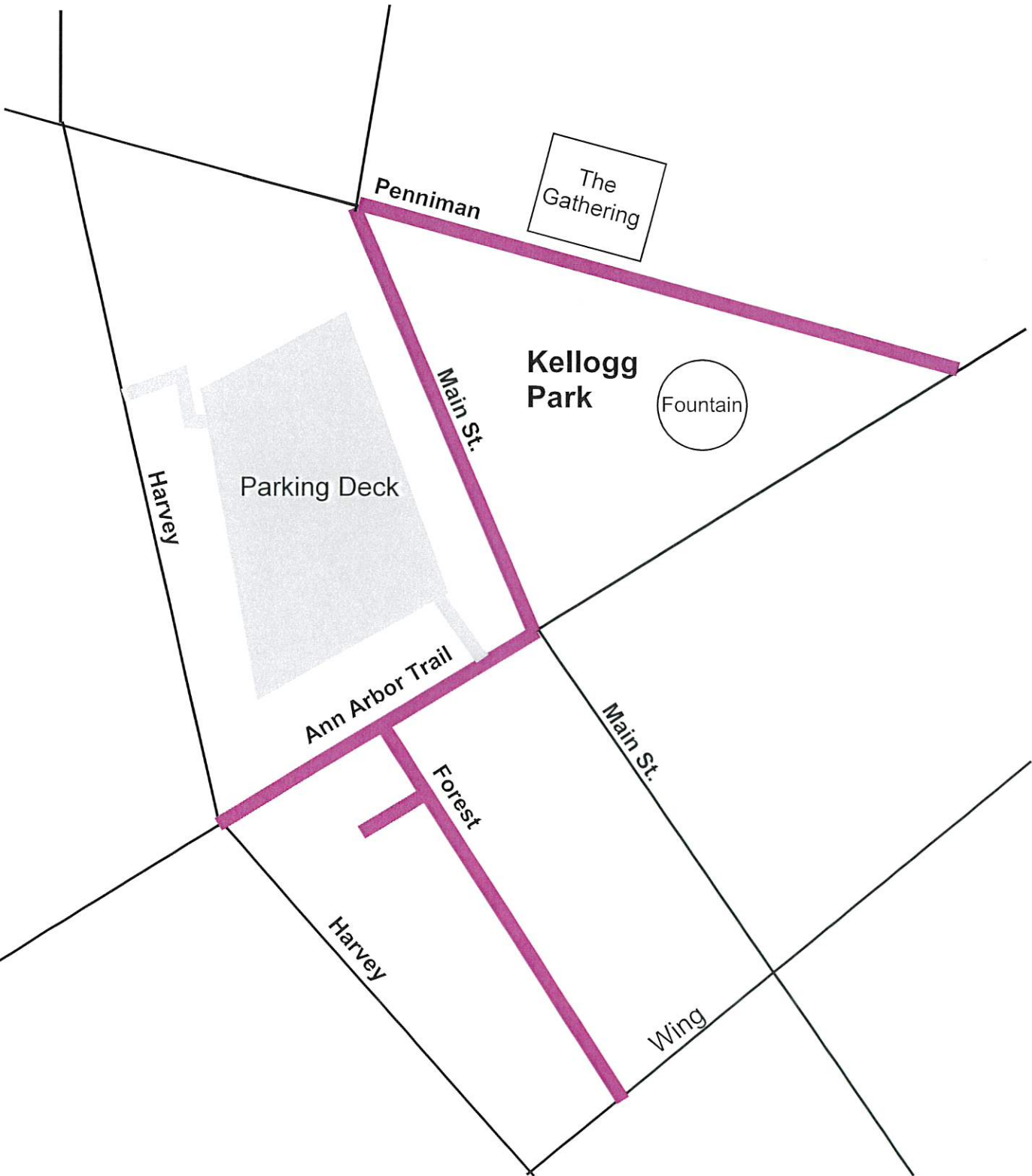
Signature Tom Young

Date 6/28/2023

Witness Mary Nyhus

Date 6/28/2023

# 2021 Pumpkin Palooza



Streets Closed 

**EVENT REVIEW FORM**

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

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

<b>MUNICIPAL SERVICES:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial <u>CP</u>
<u>ROAD CLOSURES</u>				
<u>PORT-A-TOILETS</u>				
<u>STAFFING</u>				
\$250 Bathroom Cleaning Fee Per Day of Event: <u>YES</u> <span style="margin-left: 100px;">NO</span>				
Labor Costs:	\$ <u>1,600</u>	Equipment Costs:	\$ <u>350</u>	Materials Costs \$ <u>600</u>
<b>POLICE:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial <u>gpc</u>
<u>2-OFFICERS @ 3 HRS</u>				
Labor Costs \$		Equipment Costs \$	<u>456-</u>	Materials Costs \$
<b>FIRE:</b>	Approved	Denied	(list reason for denial)	Initial
Labor Costs \$		Equipment Costs \$		Materials Costs \$
<b>HVA:</b>	Approved	Denied	(list reason for denial)	Initial
<b>DDA:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial <u>SBP</u>
Labor Costs \$	<u>0</u>	Equipment Costs \$		Materials Costs \$
<b>RISK MANAGEMENT:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial <u>NRB</u>
Class I – Low Hazard				
Class II – Moderate Hazard      Event Sponsors must provide current Certificate of Insurance naming City				
Class III – High Hazard      of Plymouth as 'Additional Insured' including in the Description Box/Area.				
Class IV – Severe Hazard				
SITE FEE APPLIED TO ALL EVENTS IS \$100 PER DAY. TOTAL EVENT SITE FEE \$ _____				
APPROVED _____ NOT APPROVED _____ DATE _____				



# Special Event Application

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

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

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

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

<b>Sponsoring Organization's Legal Name</b>		Sun & Snow Sports, Inc.					
Ph#	734-927-0007	Fax#		Email	hello@sunandsnow.com	Website	sunandsnow.com
Address	388 S Main Street		City	Plymouth	State	MI	Zip 48170
<b>Sponsoring Organization's Agent's Name</b>		Rob Parent		<b>Title</b>		Owner	
Ph#	734-845-6092	Fax#		Email	rob@sunandsnow.com	Cell#	734-845-6092
Address	45828 Primrose Ct		City	Plymouth	State	MI	Zip 48170
<b>Event Name</b>	Ski & Snowboard Swap						
<b>Event Purpose</b>	Opportunity for the community to purchase lightly used ski/snowboard gear or sell their ou						
<b>Event Date(s)</b>	November 3-5, 2023 & December 1-3, 2023						
<b>Event Times</b>	Saturday 9a-6p, Sunday 11a-5p						
<b>Event Location</b>	The Gathering						
<b>What Kind Of Activities?</b>	Ski & snowboard sales and fitting for all ages.						
<b>What is the Highest Number of People You Expect in Attendance at Any One Time?</b>	300						
<b>Coordinating With Another Event?</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	<b>If Yes, Event Name:</b>				
<b>Event Details:</b>	(Provide a detailed description of all activities that will take place. Attach additional sheets if necessary.)						

RECEIVED  
JUL 14 2023  
City of Plymouth

1. **TYPE OF EVENT:** Based on Policy 12.2, this event is: *(Weddings Ceremonies – Please Review Section 12.2 f.)*

City Operated  Co-sponsored Event  Other Non-Profit  Other For-Profit  Political or Ballot Issue

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

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

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

Next year's specific dates:

Nov 1-3, 2024 & Dec 6-8, 2024

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

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

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

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

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

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

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

8. **EVENT SIGNS:** Will this event include the use of signs? YES  NO

If Yes, refer to Policy 12.8 for requirements, and describe the size and location of your proposed signs: **Please complete a sign illustration / description sheet and include with the application.**

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

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

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

YES  NO

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

---

---

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

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

07/13/2023

Date

**Robert Parent**

Digitally signed by Robert Parent  
Date: 2023.07.13 10:34:42  
-04'00'

Signature of Sponsoring Organization's Agent

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

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

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

11. **INDEMNIFICATION AGREEMENT**

**INDEMNIFICATION AGREEMENT**

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

Signature Robert Parent  
Digitally signed by Robert Parent  
Date: 2023.07.13 10:35:24 -04'00'

Date 07/13/2023

Witness Heidi Parent

Date 07/13/2023

**EVENT REVIEW FORM**

EVENT NAME: Ski + Snowboard Swap TOTAL ESTIMATED FEE: \_\_\_\_\_

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

<b>MUNICIPAL SERVICES:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial	<u>CP</u>
<u>CLOSE GATHERING</u>					
\$250 Bathroom Cleaning Fee Per Day of Event? <u>YES</u> <del>NO</del> <u>DAYS</u>					
Labor Costs:	\$ <u>150</u>	Equipment Costs:	\$ <u>50</u>	Materials Costs	\$
<b>POLICE:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial	<u>gpc</u>
<u>NO SERVICES NEEDED</u>					
Labor Costs	\$	Equipment Costs	\$ <u>0</u>	Materials Costs	\$
<b>FIRE:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial	<u>MS</u>
<u>NO SERVICES NEEDED</u>					
Labor Costs	\$ <u>0</u>	Equipment Costs	\$	Materials Costs	\$
<b>HVA:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial	
<b>DDA:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial	<u>SBP</u>
Labor Costs	\$ <u>0</u>	Equipment Costs	\$	Materials Costs	\$
<b>RISK MANAGEMENT:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial	<u>WB</u>
Class I – Low Hazard <span style="float:right; border-left: 1px solid black; padding-left: 10px;">Event Sponsors must provide current Certificate of Insurance naming City of Plymouth as 'Additional Insured' including in the Description Box/Area.</span>					
Class II – Moderate Hazard					
Class III – High Hazard					
Class IV – Severe Hazard					
SITE FEE APPLIED TO ALL EVENTS IS \$100 PER DAY. TOTAL EVENT SITE FEE \$ _____					
APPROVED _____ NOT APPROVED _____ DATE _____					



## Administrative Recommendation

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

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

To: Mayor & City Commission  
From: Paul J. Sincock, City Manager  
CC: S:\Manager\Sincock Files\Memorandum - Public Hearing - 2nd Reading of Fence Ordinance Amendments - 08-07-23.docx  
Date: August 2, 2023  
RE: Public Hearing – 2<sup>nd</sup> Reading of Fence Ordinance Amendments

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### Background

The City Commission held the first reading of the Amendments to the Fence Ordinance at their last meeting. The City Commission has set as one of their key objectives, to modernize and update the zoning ordinance to reflect community vision. These amendments to the fence ordinances will assist residents with understanding the ordinances and to decrease the workload on the Zoning Board of Appeals (ZBA).

If these changes are adopted, then two sections of the City Code will be updated. It is necessary for the City Commission to open and hold a public hearing related to Chapter 18 of the Code of Ordinances. The City Attorney has reviewed the proposed changes.

We have attached a memorandum from Greta Bolhuis, who is our Planning and Community Development Director, which will provide additional background information on these proposed changes.

### Recommendation

The City Administration recommends that the City Commission open the public hearing, listen to any comments from the citizens related to this matter. After review of the public comments, the City Commission feels comfortable in proceeding with the adoption of the second and final reading of the proposed changes.

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

**CITY OF PLYMOUTH**  
**Community**  
**Development Dept.**  
**201 S. MAIN**  
**PLYMOUTH, MI 48170**  
**www.plymouthmi.gov**

## ADMINISTRATIVE RECOMMENDATION

To: Paul Sincock, City Manager  
From: Greta Bolhuis, AICP, Planning & Community Development Director  
Date: August 2, 2023  
Re: Amendment to Fence Ordinance – 2<sup>nd</sup> Reading

*GRB*

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### BACKGROUND:

As you are aware, the City Commission adopted has a key objective to “Modernize and update zoning ordinance to reflect community vision.” The proposed amendments to the fence ordinances aim to make the ordinance easier to understand and allow for picket fences in the side yard of corner lots, which has been a variance-magnet for the Zoning Board of Appeals.

Specific changes include a new definition for “picket fence”, new graphics showing the fence height and location permitted in residential districts, and the allowance of 48-inch picket fences to be erected in the side yard of a residential corner lot that has “two front yards”. Permitting 48-inch tall picket fences to be constructed in what commonly functions as the “side” and “rear” yard of a residential property allows homeowners to enclose their yards for safety of children and pets, while maintaining sightlines and airflow.

The fence ordinance requirements are in two sections of the Code of Ordinances: Chapter 18, Article X and Chapter 78, Article XVII, Section 208 and 209. As such, both articles need to be amended to match each other. It is anticipated that both sections containing the fence ordinance will be recodified as one article as part of the ongoing zoning audit project.

The Planning Commission reviewed and approved the proposed changes to Chapter 78, Article XVII, Section 208 and 209 at a public hearing in November 2022. A public hearing is required to consider the changes to Chapter 18 of the Code of Ordinances. The City Attorney has reviewed the proposed changes.

### RECOMMENDATION:

Staff recommends that the City Commission complete a public hearing for the Chapter 18 code amendments at their second reading of the proposed fence ordinance language and approve the same.

If you have any questions, please contact me directly.

## ARTICLE X. FENCES

### Sec. 18-371. Purpose, intent.

It is the intent and purpose of this article to assure to occupants of all properties adequate light and air adjacent to structures and in yard areas, effective and desirable sight distance from the front of all structures in all directions, the right to provide for their own privacy within their properties, to protect plantings from damage by trespass, and to prevent such construction related thereto as would be hazardous.

(Ord. No. 82-11, § 1(8.21), 8-16-82)

### Sec. 18-372. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Border* means a planting area composed of shrubs, trees, etc., which is utilized as a part of the landscaping of a lot.

*Decorative fence* means a permanent barrier not used for enclosure. Any such fence shall be a part of the overall landscape plan and shall be composed of natural materials such as wood (i.e., split rail fence, picket, etc.) or a decorative metal construction (i.e., aluminum, wrought iron, etc.).

*Fence* means a permanent barrier enclosing a plot of land or portion thereof composed of manmade or processed materials erected on posts, for the purpose of preventing or controlling entrance or to confine within or to mark a boundary.

*Gutter grade* means the lowest point of integral curb and gutter down which water flows, or, when no curb or gutter exists, is the lowest point between the street and sidewalk down which water will flow or drain.

*Picket fence* means a permanent barrier enclosing a plot of land or portion thereof composed of manmade or processed materials erected on posts, for the purpose of preventing or controlling entrance or to confine within or to mark a boundary. A picket fence shall have spaced uprights connected by two or more horizontal rails. The uprights shall not exceed 4 inches in width. The space between uprights shall be a minimum of 2.5 inches and must not exceed 4 inches.

*Sidewalk line* means the edge of the constructed public sidewalk that is adjacent or closest to the lot line.

*Wall* means a barrier constructed of masonry or other solid materials on a continuous concrete footing for the purpose of controlling entrance, sound and/or view.

(Ord. No. 82-11, § 1(8.22), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11)

Cross reference(s)—Definitions generally, § 1-2.

### Sec. 18-373. Prevention of hazards.

- (a) No fence, border or wall shall have exposed beneath a height of eight (8) feet any sharp protrusions which would be likely to cause physical or material damage to persons or clothing passing by the fence, border or wall.
- (b) Any wall shall be capped with a peaked coping of sufficient pitch to discourage walking.

(Ord. No. 82-11, § 1(8.26), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11)

### Sec. 18-374. Line fences and walls.

All fences and walls must be located entirely on the private property of the person constructing the same; provided, however, that if adjoining property owners jointly apply for and sign a permit to erect a

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fence upon their common property line, such fence may be so erected. No temporary type of barrier or temporary fence of any type shall be permitted in the front yard areas.

(Ord. No. 82-11, § 1(8.27), 8-16-82)

**Sec. 18-375. Electric fences.**

It shall be unlawful for any person to construct or maintain, or to allow to be constructed or maintained upon property owned or occupied by such person, any fence charged or connected with an electrical current in such manner as to transmit such current in the form of shock to persons or animals which might come in contact with such charged fence. This shall exclude underground electric pet containment fences.

(Ord. No. 82-11, § 1(8.28), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11)

**Sec. 18-376. Appeals.**

If there is believed to be a conflict between the stated intent and any specific provisions of this article, the zoning board of appeals may, in accordance with established procedures, permit modification of such specific provision, while retaining the intent, in such appealed instance.

(Ord. No. 82-11, § 1(8.29), 8-16-82)

**Sec. 18-377. Permits.**

- (a) It shall be unlawful for any person to construct, or cause to be constructed, any fence or wall upon any property within the city without first having obtained a permit therefor.
- (b) Any person desiring to construct, or cause to be constructed a fence or wall upon property in the city shall first apply to the building department of the city for a permit, for which there shall be a fee, the amount of which shall be set by resolution of the city commission. Such permit shall be issued by the building inspector upon a written application, and shall contain such information as may be required by the inspector in order to determine that such fence or wall will not violate any provision of the city Code or state law.

(Ord. No. 82-11, § 1(8.23), 8-16-82)

**Sec. 18-378. Establishing lot lines.**

The building inspector may require the owner of property upon which a fence is to be constructed to establish lot lines upon such property, through the placing of permanent stakes located by a licensed surveyor. Such lot line shall be established before such fence shall be erected, and the building inspector may withhold the issuance of the required permit until the lot lines are established and permanent stakes are placed.

(Ord. No. 82-11, § 1(8.30), 8-16-82)

**Sec. 18-379. Borders.**

Borders may be planted in any yard area subject to the following provisions:

- (1) Borders shall not be located nearer than two feet to any drive or walkway. Borders are also subject to additional restrictions as specified in this section.
- (2) No border shall obscure visibility within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between the right-of-way lines at a distance along each line of 25 feet from their point of intersection. Shrubs or hedges or other plantings (excluding trees) in this area shall not exceed 30 inches in height above the average gutter grade adjacent to this area. Trees planted within this same area shall not have branches lower

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than eight feet above the average gutter grade. Sight visibility shall be in accordance with Section 78-207 of the Zoning Ordinance.

- (3) Similar restrictions as above shall be required in a 15-foot corner triangle formed at the intersection of any driveway and alley or any driveway and street right-of-way line.

(Ord. No. 82-11, § 1(8.24), 8-16-82; Ord. No. 2011-02, 1-17-11)

**Sec. 18-380. Fences and walls.**

- (a) All posts thereof shall be of materials designed to withstand rusting, rotting and other weather-related deterioration for a period of not less than ten years.
- (b) ~~No fence or wall shall be constructed along the street line of a lot closer than one foot from the established sidewalk line.~~ Fences shall be setback a minimum of 1-foot away from the sidewalk line.
- (c) Solid masonry walls shall be erected on continuous foundations at least 42 inches below grade.
- (d) Fences or walls within a required front yard area shall be decorative style only consisting of wrought iron, metal, or pickets fences and masonry or stone walls. Decorative fences or walls placed within a front yard shall not exceed 30 inches in height. A decorative fence or wall shall contribute to the identification and beauty of the principal building. Chain link fences are not allowed within a required front yard area.
- (e) Fences on all lots of record in all residential districts which enclose property and/or are within a required side or rear yard shall not exceed six and one-half feet in height, measured from the surface of the ground, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard setback, whichever is greater (see Figure 1). In the case of a rear yard abutting a side yard, the side yard abutting a street shall be a continuation of the required front setback on the lot to the rear, and a 48-inch-tall picket fence may project into this area but shall not extend toward the front of the lot nearer than the front of the house (see Figure 2).

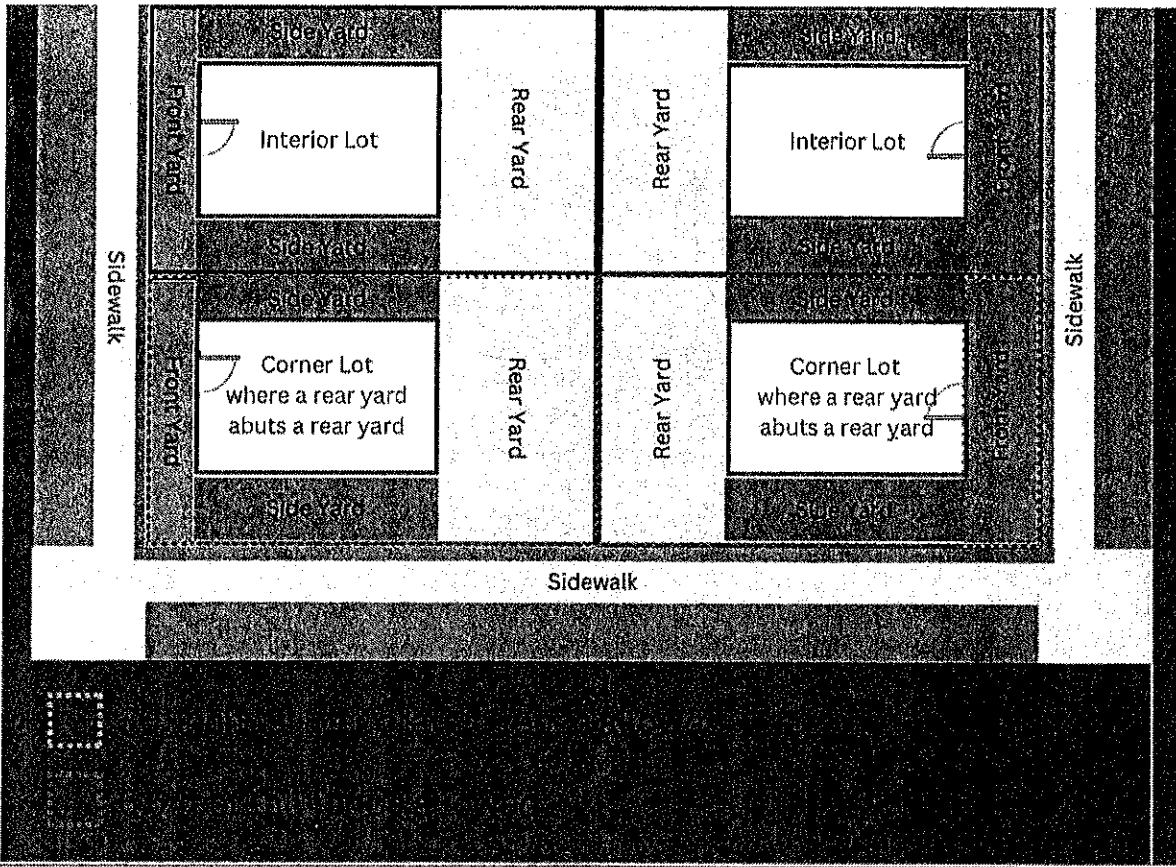


Figure 1.

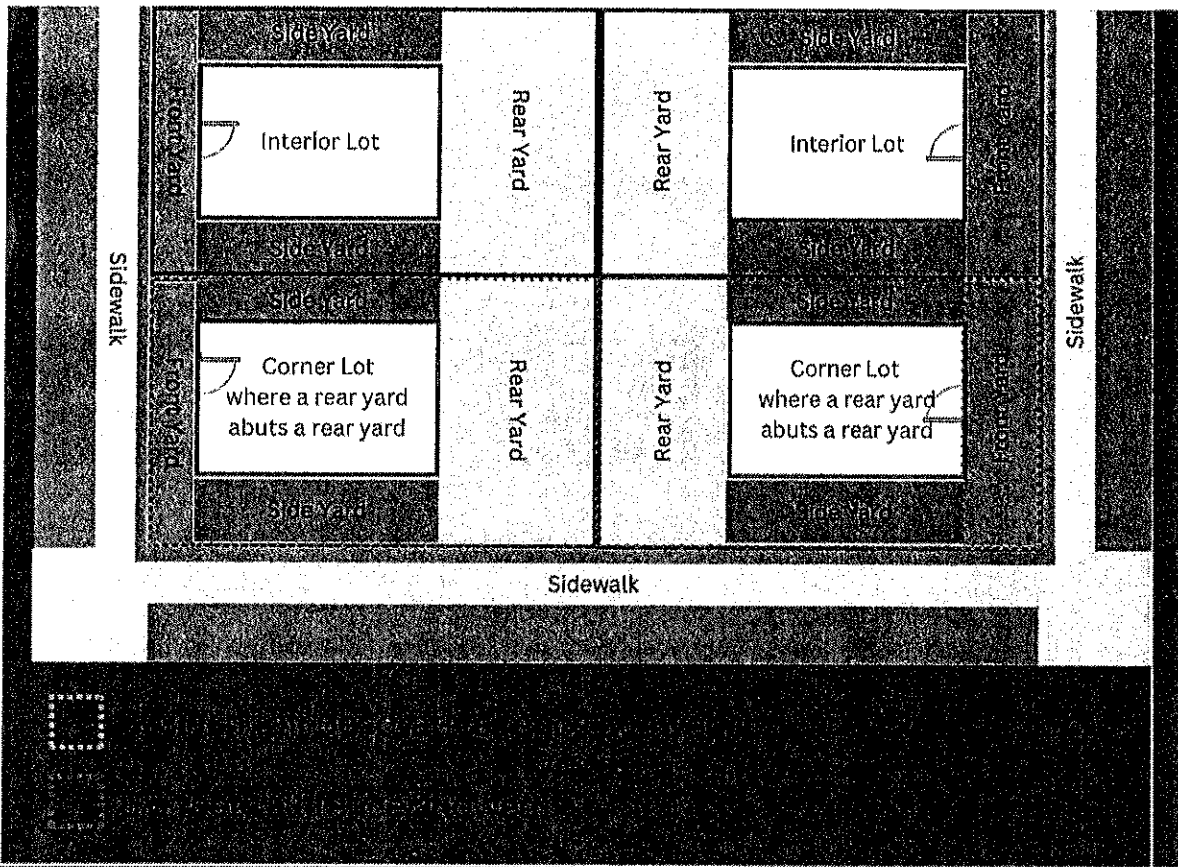


Figure 2.

In residential-zoned areas, fences and between lots shall not exceed a height above ground level of more than six and one-half feet, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard, whichever is greater. In the case of a rear yard abutting a side yard, the side yard abutting a street shall be continuation of the required front setback on the lot to the rear, and no fence shall project into this area. When side yards abut on frontages across a common street, the side yard abutting a street shall not be less than the required front yard of the district and no fence shall project into this area (see Figures 1, 2 and 3).

Figure 1. Fence Location

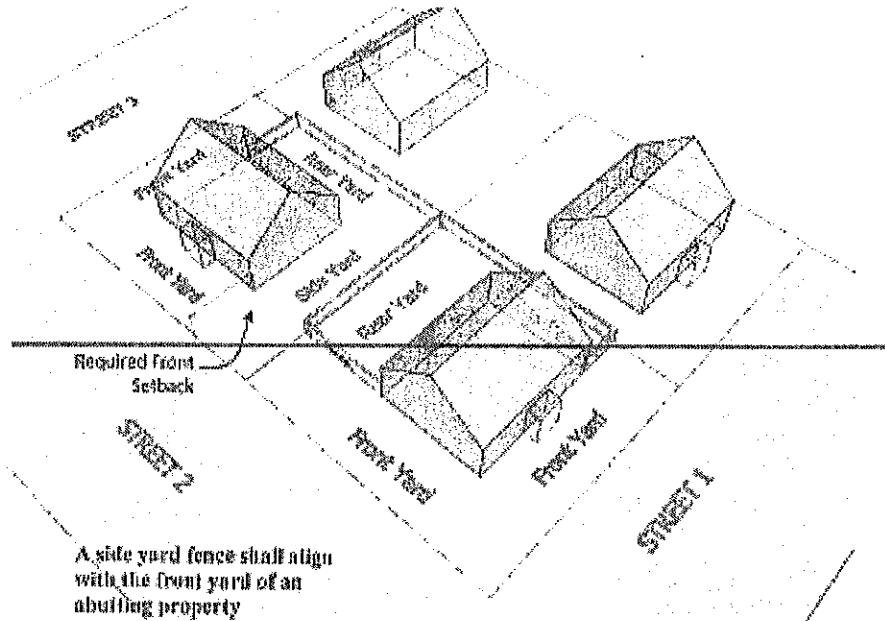


Figure 2. Fence Location

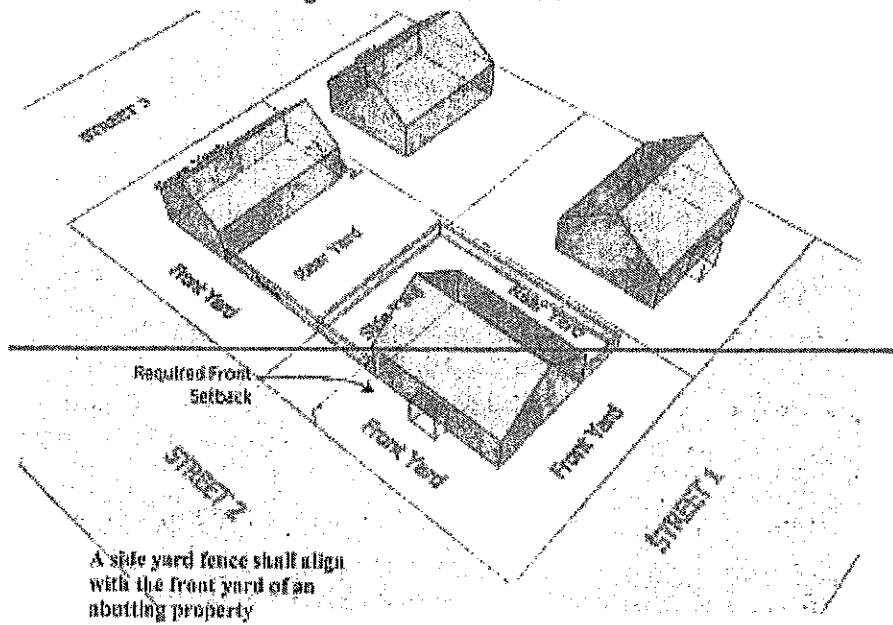
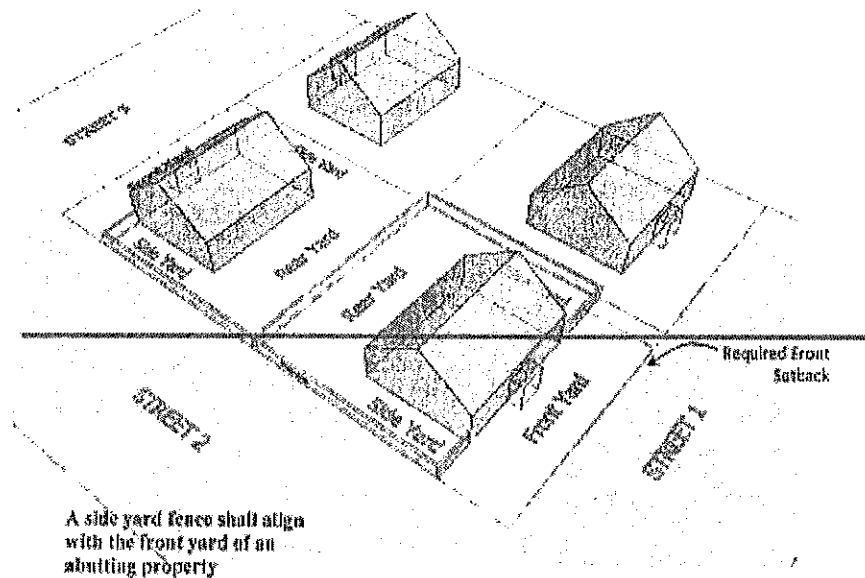


Figure 3. Fence Location



- (f) for those properties having side yards abutting upon streets, a fence may be constructed from the front building line to within one foot of the front sidewalk line, not to exceed 30 inches in height above gutter grade.
- (gf) In business zoned areas, fences and walls should not exceed a height above ground level of more than six and one-half feet. On corner lots, no fence, wall, shrubbery or other obstruction to vision above a height 30 inches from the established street gutter grades shall be permitted within the triangular area forward at the intersection of any street right-of-way lines by a straight line drawn between such right-of-way lines for a distance along each line of 25 feet from their point of intersection.
- (hg) In industrial zoned areas, fences and walls may be constructed up to eight feet in height. On corner lots, no fence, wall, shrubbery or other obstruction to vision above a height of 30 inches from the established street gutter grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between such right-of-way lines for a distance along each line of 25 feet from their point of intersection. Barbed wire may be installed on the top of such fences on arms or supports over the private property of the owner of the fence at least eight feet above the adjacent grade level.

(Ord. No. 82-11, § 1(8.25), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11)

**Secs. 18-381—18-400. Reserved.**

**Sec. 78-208. Residential fences.**

Fences or walls are permitted, subject to the paramount provisions of the City of Plymouth Fence Ordinance (Chapter 18, Building Regulations Article X, Fences 18-371—18-380) and subject to the further provisions of this section. If any of the provisions of this section should conflict with the City of Plymouth Fence Ordinance, the stricter provision shall prevail~~such provisions shall be controlling on the question of fences.~~ It is the intent, however, that the following provisions be construed harmoniously with the fence ordinance where possible.

- (1) Fences on all lots of record in all residential districts which enclose property and/or are within a required side or rear yard shall not exceed six and one-half feet in height, measured from the surface of the ground, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard, whichever is greater (see Figure 1). In the case of a rear

yard abutting a side yard, the side yard abutting a street shall be a continuation of the required front setback on the lot to the rear, and a 48-inch-tall picket fence may ~~no fence shall~~ project into this area but shall not extend toward the front of the lot nearer than the front of the house (see Figure 2).

Figure 1.

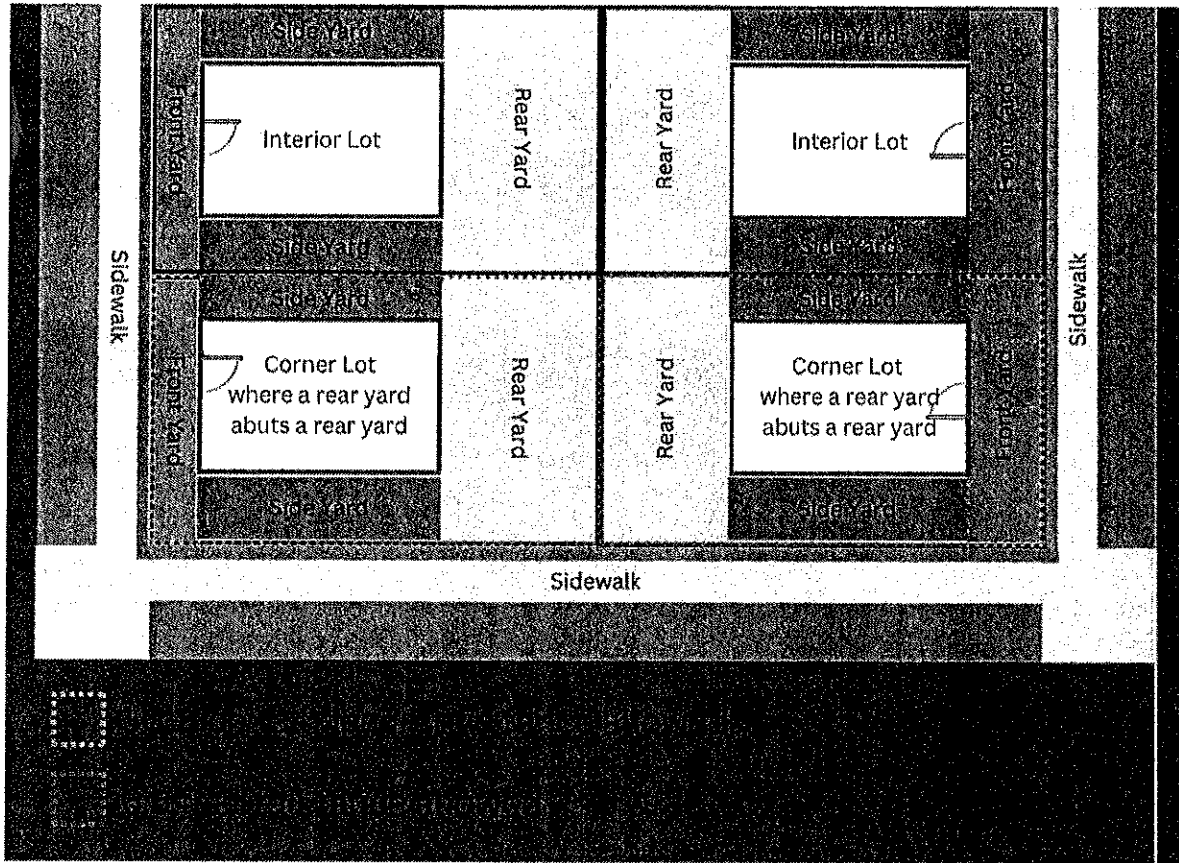
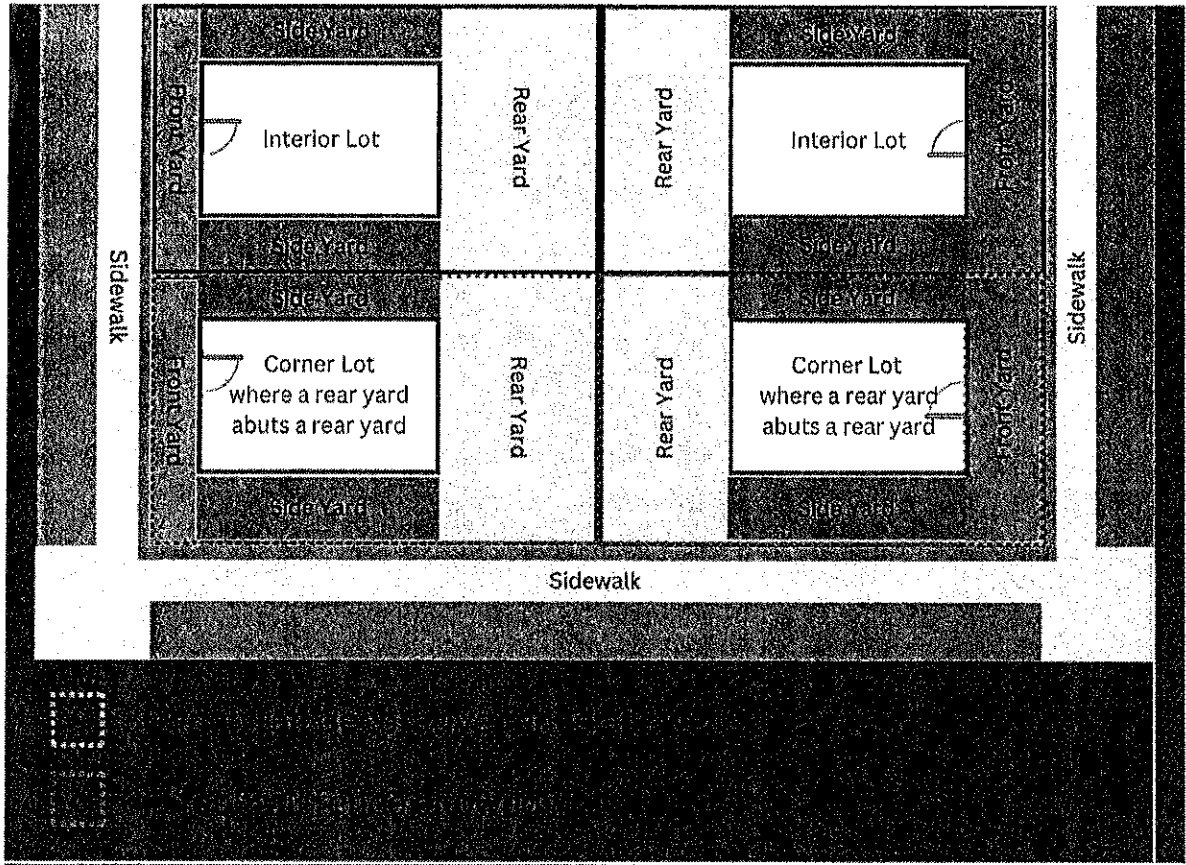
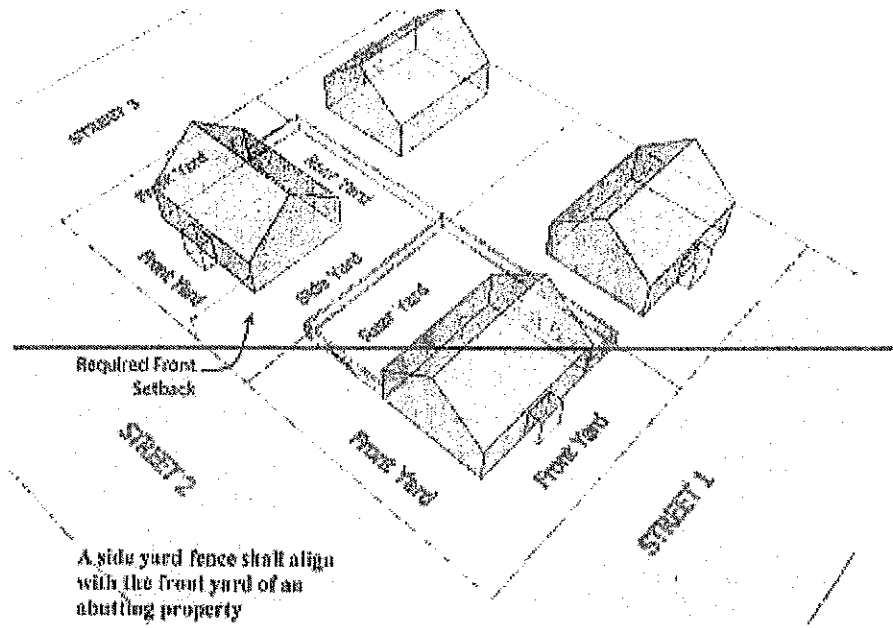


Figure 2.

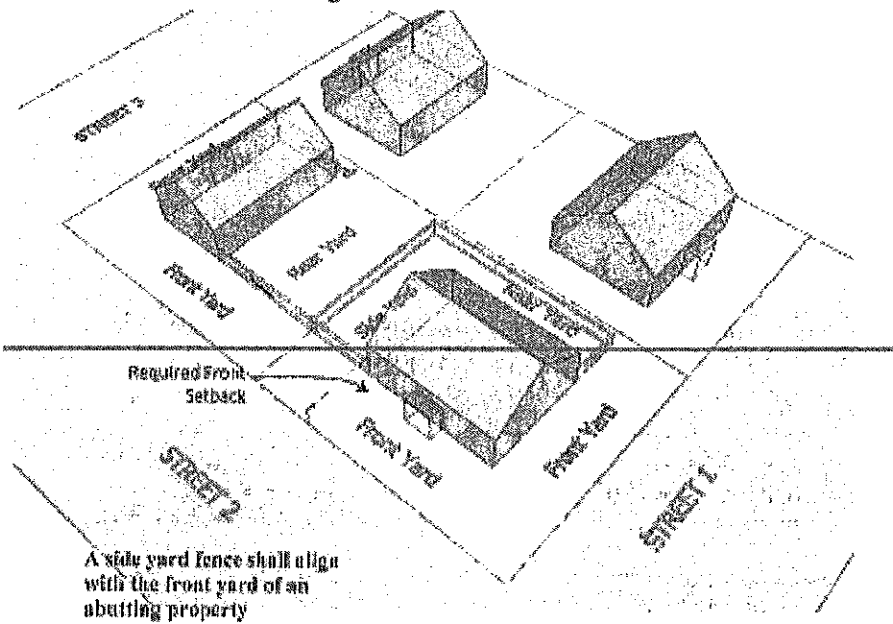


When side yards abut on frontages across a common street, the side yard abutting a street shall not be less than the required front yard of the district and no fence shall project into this area. (See Figures 1, 2, and 3)

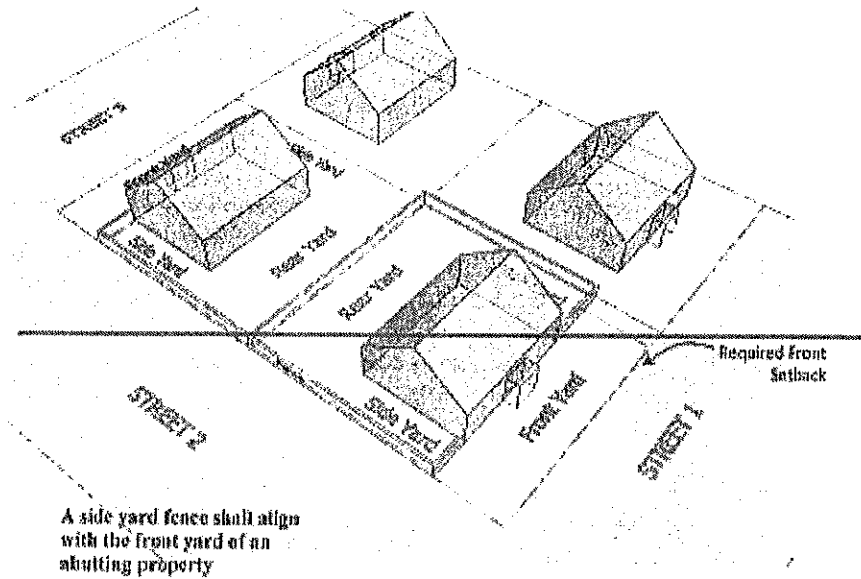
Figure 1. Fence Location



**Figure 2. Fence Location**



**Figure 3. Fence Location**



- ~~(2)~~ Recorded lots having a lot area in excess of two acres and a frontage of at least 200 feet, and acreage or parcels not included within the boundaries of a recorded plat, in all residential districts, are excluded from these regulations.
- (23) Fences on lots of record shall not contain barbed wire, electric current, or charge of electricity. This shall exclude underground electric fences used for pet containment.
- (34) All fences or walls shall be constructed with the finished side exposed to neighboring properties, the support posts placed on the inside, and in a manner which serves to enhance the aesthetic appearance of the neighborhood or surrounding area.
- (45) Posts and finials may extend no more than six inches above the maximum permitted height of a fence.
- (56) Fences for swimming pools shall comply with the regulations of the state construction code.
- (67) No fence, wall, or plantings shall interfere with visibility from a driveway, alley or intersection. All fences, walls, or plantings shall comply with the corner clearance requirements of section 78-207.
- (78) Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed with recorded lots, shall not exceed eight feet in height measured from the surface of the ground, and shall not obstruct vision to an extent greater than 25 percent of their total area.
- (89) Fences or walls within a required front yard area shall be decorative style only consisting of wrought iron, metal, or pickets fences and masonry or stone walls. Decorative fences or walls placed within a front yard shall not exceed 30 inches in height. A decorative fence or wall shall contribute to the identification and beauty of the principal building. Chain link fences are not allowed within a required front yard area.
- (910) Walls constructed of masonry, stone or pre-cast materials and constructed within a side or rear yard shall have a maximum height of 30 inches. This shall exclude screening walls constructed between conflicting land uses as specified in section 78-206.

(Ord. of 10-6-03; Ord. No. 2011-03, § 2, 1-17-11)

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**Sec. 78-209. Industrial fences.**

Fences are permitted in Industrial districts as follows:

- (1) Fences shall not be allowed within the front yard of any industry on sites of less than ten acres in size. Fences may be allowed in front yards of sites of ten acres or more after review and approval of the planning commission.
- (2) Fences not to exceed eight feet in height shall be permitted in side and rear yards. Barbed wire shall be allowed on fences not less than eight feet in height in not more than three strands mounted in a "Y" at the top of the fence and shall be permitted provided such "Y" is located to project over the property being fenced.

(Ord. of 10-6-03)

## RESOLUTION

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

- WHEREAS The City Commission has adopted a key objective to modernize and update zoning ordinance to reflect community vision, and
- WHEREAS The proposed fence ordinance language aligns with the goals of the City's Master Plan and City Planning Commission, and
- WHEREAS The Planning Commission held a public hearing to hear comments on the fence ordinance amendments, and
- WHEREAS The Planning Commission approved the amendments to Section 78-208 on November 9, 2022.
- WHEREAS The City Commission held a first reading on July 17, 2023 where the ordinance amendments were approved unanimously.

NOW THEREFORE BE IT RESOLVED THAT the City Commission does hereby direct that the Code of Ordinances of the City of Plymouth, Michigan Section 18 and Section 78 are to be amended after the public hearing, second reading, and publication.



## Administrative Recommendation

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

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

To: Mayor & City Commission  
From: Paul J. Sincock, City Manager  
CC: S:\Manager\Sincock Files\Memorandum - Outdoor Dining Policy On-Street 2024 - 08-07-23.docx  
Date: July 12, 2023  
RE: Outdoor Dining on Public Property 2024 & beyond

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### Background

**This item was tabled at the July 17, 2023, meeting. The attached proposed policy is the tabled item from July 17<sup>th</sup>. This attachment IS NOT the proposal that may ultimately be adopted, it is anticipated that amendments will be offered to allow public discussion of the policy as amended.**

The outdoor dining downtown and the Old Village has been very popular, and it has gone through several changes over the years, especially during COVID. The restaurant owners have requested a consistent policy that will be in effect for a period of years, as this will allow them to make investments in new furniture, fencing, flower planters, and so on. The City Commission has been very concerned about the walkability of the commercial districts. As you know, we currently have an inconsistent walking path through the dining areas, mainly because we have two policies that are in play for the summer of 2023. Previously, the City Commission had indicated that they wanted to keep a pathway clear directly in front of the buildings. The Commission has met in small groups to do a "walkabout" to personally view and measure different spacing options.

As a part of our mix of outdoor dining, some establishments are using a combination of private and public property, some use private property only, while others use just public property. Further, we have some establishments that have spent 10's of thousands of dollars developing new patio structures to meet ADA requirements and to use the parking spaces. Others have NOT expended money developing new patios as the city has provided them with a bump out in the street to use or they are using 100% of city sidewalk property for their patio area. Earlier this year the City Commission did look at the possibility of removing the bump outs and replacing them with either parking or new bump outs. The City Commission decided not to move forward with plans for removal or replacement bump outs and ended up leaving the existing bump outs.

Outdoor dining and the availability of parking are two things that are in conflict as the topic is discussed. The City Commission has allowed over 5,000 square feet of patios on public property, without the requirement of any additional parking. Meanwhile, there are those establishments which added patio space on private property, but also had to pay to add parking.

Keeping all these things in balance is the challenge that the City Commission faces when adopting a formal policy that will be in place for several years. The multi-year policy is something that has been requested by the restaurant owners. We also must remember that the outdoor dining space is meant to supplement, not replace indoor dining. We must also remember that while the patios are important to the energy and vibe of our downtown, they are also using public property for private economic gain.

The cost of leasing public property seems to be perhaps the biggest issue with the restaurant owners. Currently, use of the street results in \$1.50 per square foot cost. We note that the space would be available from April 1 to October 31, or approximately 214 days. The restaurant owners have told us that due to weather conditions (too cold, too hot, rain, too sunny, etc.) the patios are only able to be used for 90 days. If we review Sean O'Callaghan's, we find that the total rental fee would be \$787.50 for the season or \$8.75 per day (based on 90 days of use) for the 525 square feet and multiple parking spaces that they are using. We have attached a chart showing all the alcohol establishment's annual lease costs, cost per day using the 90 days of use example, and the cost per square foot per day, again based on 90 days of use.

The City Commission will remember that the U.S. Department of Justice had sent a letter to the city in late summer of 2021 reminding us that all restaurants must ensure that ALL dining areas and routes to the dining area are clear and accessible. We have attached the letter from the Justice Department for your reference.

The current (2024) on street patios have provided a consistent look that is certainly a step or two above where we have been during covid with patio dining appearance. This look is a result of the collaborative work of the City Commission and the restaurant owners, who have worked on the current on-street designs. We would anticipate that the City Commission would expect all outdoor dining establishments to meet the new design standards (i.e., Sean O'Callahan's) in 2024 and beyond.

## **Recommendation**

This is a policy of the City Commission, and they have invested a tremendous amount of time into the proposal as it has changed multiple times since 2019. Again, attached is a copy of the policy that was "on the table" at the last regular meeting. The City Administration would anticipate that the City Commission would make some amendments to the proposal "on the table" to clarify the position of the City Commission. Once adopted, the City Administration will implement the policy as adopted and forward a copy to the insurance carrier for legal and insurance review.

A lot of time and effort has gone into this proposal, and we should give special recognition to Chris Porman, and John Buzuvis, with help from Sam Plymale in developing several drafts of the policy.

We have attached a proposed Resolution for the City Commission to consider regarding this matter. Should you have any questions in advance of the meeting please feel free to contact John, Chris, or myself.



**U.S. Department of Justice**

United States Attorney's Office  
Eastern District of Michigan

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*Susan K. DeClercq*  
Assistant United States Attorney

211 W. Fort Street, Suite 2001  
Detroit, Michigan 48226  
Telephone: (313) 226-9100  
Facsimile: (313) 226-3271  
E-Mail: [susan.declercq@usdoj.gov](mailto:susan.declercq@usdoj.gov)

August 13, 2021

**Re: Americans with Disabilities Act Obligations for Outdoor Dining Areas**

Dear Municipal Colleague:

We are aware that in response to COVID-19 pandemic restrictions, many local municipalities have allowed restaurants to expand their outdoor dining spaces onto streets, sidewalks, and parking lots. We are writing today to simply remind municipalities and any restaurant within your jurisdiction that the Americans with Disabilities Act ("ADA"), 42 U.S.C. §§12101 *et seq.*, applies to all restaurant dining spaces, including outdoor areas.

Under the ADA, restaurants must ensure that all dining areas and routes to such areas are accessible. A portable ramp can be used to create an accessible path of travel from the restaurant building/sidewalk to the outdoor dining area if an outdoor dining space is placed in the street below curb level. Indoor and outdoor seating must include tables that are accessible to a person using a wheelchair, and tables must be arranged far enough apart so that a person using a wheelchair can maneuver around them while other diners are seated.

In addition, municipalities, who often must approve the use or expansion of outdoor dining, must ensure that outdoor dining areas do not obstruct the accessible path of travel on sidewalks. Specifically, outdoor dining spaces must not block access or reduce the width of nearby sidewalks to less than 36 inches. Additionally, outdoor dining spaces should not reduce the availability of accessible parking spaces in streets and parking lots.

We encourage you to consider and discuss the obligations of the ADA with any restaurant within your jurisdiction that seeks to create or expand an outdoor dining area. The U.S. Attorney's Office for the Eastern District of Michigan is committed to enforcing the Americans with Disabilities Act. This letter summarizes only a few of the ADA's requirements. Additional useful technical assistance on the ADA's requirements, including a detailed discussion of the ADA's requirements applicable to state and local governmental entities and public accommodations, such as restaurants, can be found at [www.ada.gov](http://www.ada.gov).

Please contact us on the U.S. Attorney's Office Civil Rights Hotline, (313) 226-9151, if you have any questions or concerns. We hope that the warmer weather allows all diners in the Eastern District of Michigan to safely enjoy good food and friends at their favorite local restaurants.

Very truly yours,

SAIMA S. MOHSIN  
Acting United States Attorney

A handwritten signature in black ink, appearing to read "Susan DeClerc". The signature is fluid and cursive, with a long horizontal stroke at the end.

SUSAN K. DeCLERCQ  
Assistant U.S. Attorney  
Civil Rights Unit, Chief

### Annual and Daily Cost for Outdoor Dining by Price Point

COST PER YEAR FOR ENTIRE SEASON (April through November - 7 months - 214 days)											
Restaurant	Outdoor Dining Square Footage	Annual Cost @ \$1.50/SF	Annual Cost @ \$2.00/SF	Annual Cost @ \$3.00/SF	Annual Cost @ \$4.00/SF	Annual Cost @ \$5.00/SF	Annual Cost @ \$6.00/SF	Annual Cost @ \$7.00/SF	Annual Cost @ \$8.00/SF	Annual Cost @ \$9.00/SF	
Barrio	600	\$900.00	\$1,200.00	\$1,800.00	\$2,400.00	\$3,000.00	\$3,600.00	\$4,200.00	\$4,800.00	\$5,400.00	
Bigalora/Arbor Brewing	510	\$765.00	\$1,020.00	\$1,530.00	\$2,040.00	\$2,550.00	\$3,060.00	\$3,570.00	\$4,080.00	\$4,590.00	
Compari's, Sardine Room, Fiamma	1788	\$2,682.00	\$3,576.00	\$5,364.00	\$7,152.00	\$8,940.00	\$10,728.00	\$12,516.00	\$14,304.00	\$16,092.00	
Ironwood Grill	804	\$1,206.00	\$1,608.00	\$2,412.00	\$3,216.00	\$4,020.00	\$4,824.00	\$5,628.00	\$6,432.00	\$7,236.00	
Park Place Gastro Pub	480	\$720.00	\$960.00	\$1,440.00	\$1,920.00	\$2,400.00	\$2,880.00	\$3,360.00	\$3,840.00	\$4,320.00	
Penn Grill	429	\$643.50	\$858.00	\$1,287.00	\$1,716.00	\$2,145.00	\$2,574.00	\$3,003.00	\$3,432.00	\$3,861.00	
Pizza e Vino	500	\$750.00	\$1,000.00	\$1,500.00	\$2,000.00	\$2,500.00	\$3,000.00	\$3,500.00	\$4,000.00	\$4,500.00	
Sean O'Callaghan's	525	\$787.50	\$1,050.00	\$1,575.00	\$2,100.00	\$2,625.00	\$3,150.00	\$3,675.00	\$4,200.00	\$4,725.00	

COST PER DAY FOR 90 DAYS (utilizing 42% of permitted days)											
Restaurant	Outdoor Dining Square Footage	Daily Cost for 90 Days @ \$1.50/SF	Daily Cost for 90 Days @ \$2.00/SF	Daily Cost for 90 Days @ \$3.00/SF	Daily Cost for 90 Days @ \$4.00/SF	Daily Cost for 90 Days @ \$5.00/SF	Daily Cost for 90 Days @ \$6.00/SF	Daily Cost for 90 Days @ \$7.00/SF	Daily Cost for 90 Days @ \$8.00/SF	Daily Cost for 90 Days @ \$9.00/SF	
Barrio	600	\$10.00	\$13.33	\$20.00	\$26.67	\$33.33	\$40.00	\$46.67	\$53.33	\$60.00	
Bigalora/Arbor Brewing	510	\$8.50	\$11.33	\$17.00	\$22.67	\$28.33	\$34.00	\$39.66	\$45.33	\$51.00	
Compari's, Sardine Room, Fiamma	1788	\$29.80	\$39.73	\$59.60	\$79.47	\$99.33	\$119.20	\$139.07	\$158.93	\$178.80	
Ironwood Grill	804	\$13.40	\$17.87	\$26.80	\$35.73	\$44.67	\$53.60	\$62.53	\$71.47	\$80.40	
Park Place Gastro Pub	480	\$8.00	\$10.66	\$16.00	\$21.33	\$26.67	\$32.00	\$37.33	\$42.67	\$48.00	
Penn Grill	429	\$7.15	\$9.53	\$14.30	\$19.07	\$23.83	\$28.60	\$33.37	\$38.13	\$42.90	
Pizza e Vino	500	\$8.33	\$11.11	\$16.67	\$22.22	\$27.78	\$33.33	\$38.89	\$44.44	\$50.00	
Sean O'Callaghan's	525	\$8.75	\$11.66	\$17.50	\$23.33	\$29.16	\$35.00	\$40.83	\$46.67	\$52.50	

COST PER DAY PER SQUARE FOOT FOR 90 DAYS (utilizing 42% of permitted days)											
Restaurant	Outdoor Dining Square Footage	Daily Cost per Square Foot @ \$1.50/SF	Daily Cost per Square Foot @ \$2.00/SF	Daily Cost per Square Foot @ \$3.00/SF	Daily Cost per Square Foot @ \$4.00/SF	Daily Cost per Square Foot @ \$5.00/SF	Daily Cost per Square Foot @ \$6.00/SF	Daily Cost per Square Foot @ \$7.00/SF	Daily Cost per Square Foot @ \$8.00/SF	Daily Cost per Square Foot @ \$9.00/SF	
Barrio	600	1.6 cents	2.2 cents	3.3 cents	4.4 cents	5.5 cents	6.6 cents	7.8 cents	8.9 cents	10 cents	
Bigalora/Arbor Brewing	510	1.6 cents	2.2 cents	3.3 cents	4.4 cents	5.5 cents	6.6 cents	7.8 cents	8.9 cents	10 cents	
Compari's, Sardine Room, Fiamma	1788	1.6 cents	2.2 cents	3.3 cents	4.4 cents	5.5 cents	6.6 cents	7.8 cents	8.9 cents	10 cents	
Ironwood Grill	804	1.6 cents	2.2 cents	3.3 cents	4.4 cents	5.5 cents	6.6 cents	7.8 cents	8.9 cents	10 cents	
Park Place Gastro Pub	480	1.6 cents	2.2 cents	3.3 cents	4.4 cents	5.5 cents	6.6 cents	7.8 cents	8.9 cents	10 cents	
Penn Grill	429	1.6 cents	2.2 cents	3.3 cents	4.4 cents	5.5 cents	6.6 cents	7.8 cents	8.9 cents	10 cents	
Pizza e Vino	500	1.6 cents	2.2 cents	3.3 cents	4.4 cents	5.5 cents	6.6 cents	7.8 cents	8.9 cents	10 cents	
Sean O'Callaghan's	525	1.6 cents	2.2 cents	3.3 cents	4.4 cents	5.5 cents	6.6 cents	7.8 cents	8.9 cents	10 cents	

# City of Plymouth Outdoor Dining Area Policy

Revised and adopted by the City Commission on \_\_\_\_\_

## History of Outdoor Dining Area(s)

On Monday, May 18, 2020, the Plymouth City Commission passed a resolution authorizing City Administration to make additional public space available for use by dining establishments to expand their service area within the scope of the rules and regulations of the State of Michigan. In addition, the resolution designates public spaces in front of or on the side of a business as space available for use; this would include parking spaces.

In 2021, the City of Plymouth, once again, allowed dining establishments the ability to use public spaces adjacent to their business, including parking spaces for patio extensions.

In 2022, the City of Plymouth updated the program to reflect the changes in health orders, restrictions, etc. for the 2022 season. The city took feedback from the businesses in its creation of the 2022 City of Plymouth Patio Extension Program.

At the August 15, 2022, City Commission meeting, the City Commission authorized the extension of the 2022 program through the 2023 patio season. While the City of Plymouth continues its discussions on potential long term "parklets," one idea that has been discussed by the business community related to outdoor dining and patio extensions is that of dining platforms.

## Fees and Permits

1. All proposed Outdoor Dining Area(s) owners/operators shall submit an annual application depicting the location and layout of the outdoor dining area to the Community Development Department for approval. Approval of the application shall be subject to compliance with this policy and all applicable building codes.
2. Fees for Outdoor Dining Area(s) shall consist of an application fee and a fee based on the square footage of area used for the outdoor dining area, fees shall be determined by resolution of the City Commission.
3. Before receiving an Outdoor Dining Area permit, the applicant shall pay all required fees.
4. Prior to issuance of an Outdoor Dining Area permit, the City's finance department shall verify that there are no outstanding fees owed to the City by the person or entity requesting an Outdoor Dining Area permit. An Outdoor Dining Area permit will not be issued until all outstanding debts to the City of Plymouth are paid in full.
5. It is the responsibility of the owner to maintain adherence to federal (including ADA requirements), state (including Michigan Liquor Control Commission), and local regulations. The city will not accept responsibility for any damage whether direct or implied because of the construction, installation, or operation of the outdoor dining platforms.
6. All outdoor dining area operations shall indemnify and hold the City free, clear, and harmless from any and all claims arising out of the operation of the outdoor dining area. The City shall be

**TABLED ITEM**  
Anticipate amendments on 8/7/23

added as a named insured on the application/operator's general liability insurance policy and provide the City with a copy of the certificate of insurance. The operator shall carry insurance in the amount of \$500,000 per person, per incident, for general and product liability and have umbrella coverage in the amount of \$1,000,000.

7. The City shall have the right to prohibit the operation of an outdoor dining area because of anticipated or actual problems or conflicts in the use of the business. Some problems may arise from, but are not limited to, festivals and similar events, parades, or repairs to the street, sidewalk, or utilities within the public right of way. To the maximum extent possible, the outdoor dining area owner will be given prior written notice of any time period during which the operation of the outdoor dining area may be impacted.

### **Construction**

1. To provide the most flexibility and provide options for the food servicing establishments, the outdoor dining platform may be purchased as a kit from a vendor or constructed using raw materials so long as either option conforms to the guidelines listed below. This section does not attempt to address each and every option available but provides reasonable framework for the establishment to reference while planning and submitting the plan to the city for consideration and approval.
2. The dining platform structure must be constructed of quality materials, such as pressure treated wood, or wood composite, vinyl, metal, etc. The floor of the dining platform must be constructed out of a composite material or wood (such as Ipe) in a neutral color such as brown or grey and reflect the characteristics of the restaurant or food establishment. The floor may also be constructed out of stone or tile in the same neutral colors as exemplified above.
3. Dining platform railings must be constructed of a rigid material (wrought iron, cast aluminum, steel, stained/painted wood, composite, etc.) and be black or neutral; and not solid walls (unless it is a piece designed to hold plantings). Rails must meet specifications as defined by the MLCC for liquor serving establishments and any pertinent building codes; this would include height requirements. Rails must be attached securely to the platform and cannot be loose standing.
4. Dining furniture must be consistent with the quality and character of commonly found outdoor dining area furniture. It must be durable and weather resistant.
5. Umbrellas must be constructed of canvas/synthetic canvas material and be aesthetically compatible with the color scheme of the front building façade and contain no logo or advertising. Umbrellas when open shall be fully contained within the dining platform area and shall not hang over into any traffic lane and/or sidewalk area.
6. A pergola may be constructed as part of the outdoor dining area. The materials for the pergola must be consistent with the materials for the construction of the outdoor dining area. The maximum height of the pergola measured from the top of the platform to the top of the pergola shall not exceed nine feet (9').
7. Lighting in the style of tabletop or accessory lighting such as "string lights" will be allowed on the outdoor dining platform.

8. Each outdoor dining platform shall contain a form of planter with live planting(s) maintained through the patio season (October 31). Planters with live plantings can be incorporated into the wall structure of the patio or be added on/hanging to the railing. Pots or other containers must blend into the planting areas and not simply have a stand-alone pot placed inside a piece of wall structure. Planting areas must account for 25% of the perimeter measurement of the patio area. For example, if the perimeter of the outdoor dining area measures 100', the planters must account for 25'. Please note that in the event the planters are hanging on the railing, the spacing will be measured from the edge of the planter to the nearest obstruction where applicable.
9. The outdoor dining areas may be installed during the month of March to allow for inspection by the MLCC; however, they may not be in use for patrons until April.

**Outdoor Dining Area Location and Placement**

**A dining platform is an option available to food serving establishments with the following conditions:**

1. A dining platform is an option for outdoor dining areas and is defined as a platform operated by an existing restaurant, bar, or other food serving establishment which sells food and beverage for immediate consumption, located on the adjacent parking space(s), alleys, streets, or other public property areas, for patrons and other persons, subject to design guidelines.
2. The dining platform must only be accessible from the sidewalk area and not from the street. The platform area shall use readily removable tables, chairs, umbrellas, railings, and planters. The perimeter must be secured by a railing and open to the air, except for any coverage provided by umbrellas or pergolas.
3. Outdoor dining area facilities may extend in front of adjacent businesses if written consent is obtained, annually, from the affected adjacent property owners. If the parking space in front of the applicant's frontage exceeds the width of the building, the applicant may request the use of the entire parking space. The outdoor dining area may not encroach upon the area(s) that transition between the parking space(s) and the crosswalks, so as to not negatively impact sight lines for crosswalks and/or Rectangular Rapid Flashing Beacons or other crosswalk elements. This is typically the area where the curb transitions from parallel to the roadway to a diagonal that leads toward the crosswalk.
4. An inspection of all outdoor dining area(s) by the Community Development Department is required before opening the premises for use.
5. Minimum clearances from the building to the outdoor dining area must be maintained during the patio season. They can be found in the table below:

Street	Boundary	Min. Distance from Bldg. to Dining Area
Starkweather	Farmer to train tracks	9 Feet
Main St.	Penniman to Ann Arbor Trail	9 Feet
Ann Arbor Trail	Main St. to Union/Deer St.	9 Feet
Ann Arbor Trail	Main St. to Harvey St.	6 Feet
Forest Ave	Ann Arbor Trail to Wing St.	6 Feet
Penniman	Main St. to Harvey St.	6 Feet

In the event that the food service establishment owns, leases, rents, etc. the building that has private sidewalk of no less than 18" that adjoins the city sidewalk, said food service establishment will be allowed to install outdoor dining area continuous from their private property sidewalk to include city sidewalk near the building and not be required to move the outdoor dining area away from the building. The minimum distance requirement would then be in effect as a measurement from the back of the curb to the beginning of their outdoor dining area.

6. The dining platform must leave no less than a two-foot (2') clearance offset on each end contained within the footprint of the designated parking spaces being used for the patio extension from adjacent parking spaces. A two-foot (2') clearance offset will apply to the side that faces the traffic.
7. A sidewalk only outdoor dining area must leave no less than a one- and one-half foot (1 ½') clearance from the top of the curb to the beginning of the outdoor dining area to allow for the opening of a car door.
8. The dining platform must be flush with the sidewalk or top of curb level if only using the on-street area for the platform option. There may be no more than a ½ inch horizontal space between the curb/sidewalk and the edge of the dining platform.
9. The outdoor dining area may be built in a continuous fashion that combines sidewalk and on street areas. The platform must provide a flat surface and match the slope of the existing street or 2%, whichever is less.
10. The dining platform shall not interfere with any public service facility or utility, such as telephone pole, light pole, traffic signal, tree, planter, mailbox, sign pole, mailbox, bench, planter, fire hydrant, etc. These elements may be incorporated into the design element of the platform as they are permanent fixtures in the city but will not be removed or relocated.
11. The dining platform must be designed and constructed in such a way to allow for the flow of storm water to run adjacent to the curb unobstructed.
12. The dining platform cannot be anchored into the street or existing curb.

The maximum number of outdoor dining seats in an outdoor dining area will be determined by a formula: The square footage divided by 8.5. For example: If the patio is 200-square-feet, divided by 8.5, the maximum number of seats is 24.

### **Operation and Maintenance**

1. The maintenance of the dining platform shall be the responsibility of the business owner including, but not limited to surface treatment and cleaning, litter control, rodent control, sweeping, and snow & ice removal. The sidewalk and public property shall be kept neat and clean and free from any substance that may cause damage to the sidewalk or public property (including parking spaces) or cause pedestrian injury.
2. Dining platforms must remain clear of litter, food scraps, and soiled dishes at all times. This includes areas on, around, next to, or underneath the platform. In addition, the outdoor dining area must remain clear of plates, cups, utensils, accoutrements, etc. when the outdoor dining

platform is outside regular business hours. Chairs, tables, umbrellas, etc. must be kept contained and secured in the outdoor dining area and organized within reason at the end of each service day.

3. All alcoholic beverages to be served in an outdoor dining area shall be prepared within the existing restaurant, and alcoholic beverages shall only be served to patrons seated at tables. The operator of the outdoor dining area shall take all necessary action to procure the appropriate license(s) or permit(s) from the MLCC to serve alcoholic beverages on the dining platform and shall comply with all other laws and ordinances concerning the serving of alcoholic beverages in the state of Michigan.
4. The exterior of the premises shall be kept in a clean, orderly, and maintained condition. Sidewalks shall be cleaned daily with water by the outdoor dining area operator to prevent buildup of dirt and grease. Each establishment with an outdoor dining area must sweep the frontage sidewalk clear of cigarette butts and garbage during hours of operation and following the closure of the outdoor dining area for the evening. No remnants of cigarette butts or trash will be visible outside the establishment after closing.
5. Containers for cigarette butts must be made available to patrons outside each establishment with an outdoor dining area. The containers, free standing or attached to private property, must be located directly adjacent to the establishment, and meet the standards and be approved by the Downtown Development Authority staff. No unauthorized containers, coffee cans or other receptacles are allowed.
6. Outdoor dining areas shall be permitted to operate for the period of April 1 to November 1 only and may be used only during operation hours of the applying establishment. Installation of the outdoor dining areas are allowed, contingent upon city approval, during the month of March to allow for pertinent inspections prior to service beginning in April.
7. For liquor serving establishments, security cameras must be mounted on private property to give adequate coverage of the outdoor dining area. The specifications are attached and can be changed as technology changes. All cameras must have the approval of the Police Chief before being installed. That includes both the number of cameras needed and the specifications of the cameras to be installed. Each day's video recording must be saved for at least seven days. Upon request, establishments must make video available to the Police Department for investigations within 48 hours of the request. Failure to do so WILL result in immediate suspension of the outdoor dining area, AND revocation of the Outdoor Dining Area permit for the remainder of the season.
8. Outdoor dining areas shall be allowed to continue service until 11:00 pm, Sunday through Wednesday, and be closed and clear at 11:30 pm. Outdoor dining areas shall be allowed to continue service until 12:00am (Midnight) on Thursday, Friday and Saturday and be closed and clear at 12:30am.
9. All food preparation shall be performed inside the premises.
10. Establishments with an outdoor dining area are only allowed to store and secure the number of seats allowed per establishment, tables, and propane heaters each night. At the end of business, tables and chairs can be stacked against the wall, left standing in place or stored inside the establishment. Additional property, not limited to but including chairs, tables, cleaning materials, are not allowed to be stored outside during or after outdoor dining hours.
11. Each establishment with an outdoor dining area on city property must have a 36-inch high by 24-inch-wide sign attached to the fencing and/or the entrance of the outdoor dining area, noticeable to all patrons that reads:

“Local City & State Ordinances for Outdoor Public Seating

1. No smoking in the patio
2. All patrons must be seated in the patio
3. No pets allowed on the inside of the patio
4. All alcohol must be brought across the sidewalk by an (establishment name) employee

City Ordinances Pertaining to Hours of Operation

Sunday-Wednesday

The last call will be at 11 p.m. and all patrons must be inside by 11:30 p.m.

Thursday-Saturday

Last call will be at 12 a.m. and all patrons must be inside by 12:30 a.m.”

12. Outdoor dining areas shall abide by the City’s Noise Ordinance.

### General Regulations

1. Failure to comply with all state, county and municipal laws and this policy shall result in the immediate revocation of the outdoor dining area by the city.
2. All denials of applications and revocations of said authority to operate may be appealed to the City Commission, whose decision is final. (Note: The use of public right of way is subject solely to the control of the City Commission.)
3. Appeals of revocations shall stay further proceedings and the applicant shall be permitted to continue the outdoor dining area operation pending a decision by the City Commission. Provided, if a violation poses an immediate danger to the public’s health, safety, or general welfare, the City Manager or his designee may order the suspension of all outdoor dining area operations pending a hearing and the applicant shall cease carrying on such activities pending such hearing.
4. All applicants, prior to being issued an Outdoor Dining Area permit, shall enter into a written contract whereby the City shall “permit” the operation and the owner/applicant shall acknowledge the conditions and the City’s authority to revoke the permit upon failure to comply with any of the conditions set forth herein.

### Security System Requirements (Liquor Serving Establishments)

Specifications:

1. Storage capacity must be capable of storing five (5) days of captured video footage.
2. The system must have the ability to transfer data to an external drive/source.
3. All new camera installations must be of 4K resolution quality.
4. A camera’s night vision feature must be capable of capturing 100 feet out from the camera.

### Fee Schedule

Application Fee:	\$500.00 per season
Application Fee:	\$250.00 per season non-liquor serving establishments with three or fewer tables.
Outdoor Dining Area Usage Fee:	\$15.00 per square foot per season

RESOLUTION

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

WHEREAS Outdoor dining has helped to maintain the public welfare and community during the Recent pandemic and now that the pandemic emergency is closed the City Commission In interested in establishing a longer-term policy which will continue to allow Outdoor dining in our commercial districts, and

WHEREAS The City Commission is aware that there are those establishments who use public Property for the expansion of outdoor dining, while others use a combination of Public and private property, while others use a combination of public and private. Property and still others use only private property for outdoor dining, and

WHEREAS Restaurant owners have requested that the city adopt a policy that will allow them to Know what the policy will be well in advance of the 2024 season and beyond, and

WHEREAS The City Commission has reviewed the attached policy, received input from the Downtown. Development Authority, restaurant owners, city residents, and non-resident users of The outdoor dining spaces.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby adopt the Outdoor Dining Area Policy for 2024 with the following amendments:

- 1)
- 2)
- 3)
- 4)
- 5)
- 6)
- 7)
- 8)
- 9)

BE IT FURTHER RESOLVED THAT the City Clerk shall make a copy of the final adopted policy as a part of the meeting minutes of this City Commission meeting.



## Administrative Recommendation

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

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

To: Mayor & City Commission  
From: Paul J. Sincock, City Manager  
CC: *S:\Manager\Sincock Files\Memorandum - MML Annual Meeting 2023.docx*  
Date: July 21, 2023  
RE: MML Annual Meeting

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### Background

Each year the Michigan Municipal League hosts their annual meeting and the City has the opportunity to send a voting delegate to the convention. Generally, a member of the City Commission is the voting delegate and the City Manager is the alternate. Occasionally, another member of the staff has filled the alternate slot.

This year the convention will be in Traverse City, MI October 18-20, 2023. We have attached a copy of a letter that we have received from the Michigan Municipal League related to this matter.

### Recommendation

The City Administration recommends that the City Commission appoint a voting delegate and alternate to the Annual Business meeting of the Michigan Municipal League. We would suggest that the City Commission designate a member of the City Commission who may be attending the event as the delegate and either another member of the City Commission or the City Manager as the Alternate.

July 10, 2023

## **Michigan Municipal League Annual Meeting Notice**

**(Please present at the next Council, Commission or Board Meeting)**

Dear Official:

The Michigan Municipal League Annual Convention will be held in Traverse City, October 18-20, 2023. The League's "**Annual Meeting**" is scheduled for 4:30 pm on Wednesday, October 18 in Governors' Hall A at the Grand Traverse Resort & Spa. The meeting will be held for the following purposes:

1. **Election of Trustees.** To elect five members of the Board of Trustees for terms of four years each (see #1 on page 2).
2. **Policy.** A) **To vote on the Core Legislative Principles document.**

In regard to the proposed League Core Legislative Principles, the document is available on the League website at <https://mml.org/resources-research/delegate/>. If you would like to receive a copy of the proposed principles by fax, please call Monica Drukis at the League at 800-653-2483.

**B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on.** (See #2 on page 2.)

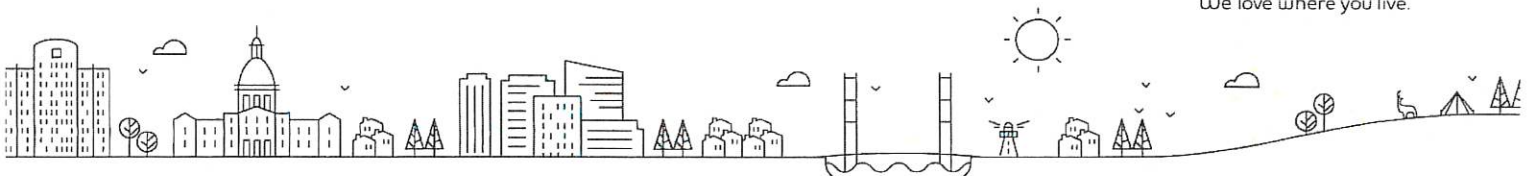
In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by **September 18, 2023.**

3. **Other Business.** To transact such other business as may properly come before the meeting.

### **Designation of Voting Delegates**

Pursuant to the provisions of the League Bylaws, **you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the Annual Meeting, and, if possible, to designate one other official to serve as alternate.** Please submit this information through the League website by visiting <https://mml.org/resources-research/delegate/> **no later than September 18, 2023.**

We love where you live.



Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

“Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary Members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative.”

#### 1. Election of Trustees

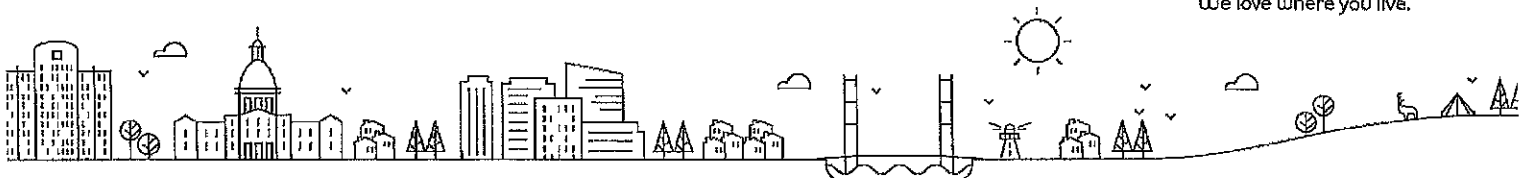
Regarding election of Trustees, under Section 5.3 of the League Bylaws, five members of the Board of Trustees will be elected at the annual meeting for a term of four years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

#### 2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and “no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting.” Thus, the deadline this year for the League to receive resolutions is **September 18, 2023**. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. **Any resolution submitted by a member municipality will go to the League Board of Trustees, serving as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.**

Further, “Every proposed resolution submitted to the Board of Trustees by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or a modification thereof.

We love where you live.



3. Posting of Proposed Resolutions and Core Legislative Principles

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website, or at the League registration desk to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the Annual Meeting.

The Board of Trustees will meet on Tuesday, October 17, 2023 at the Grand Traverse Resort & Spa for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

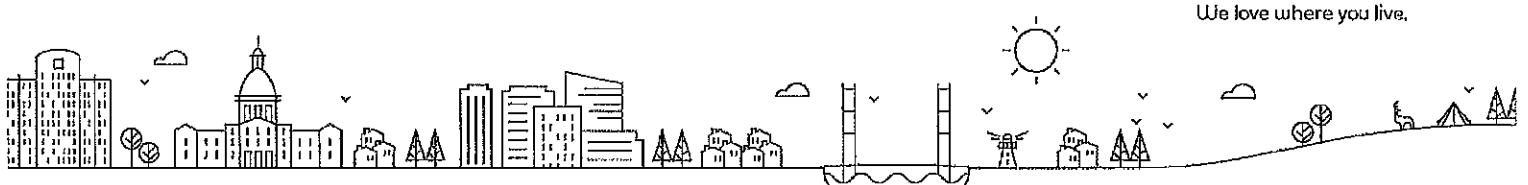
Sincerely,



Barbara Ziarko  
President  
Councilmember, City of Sterling Heights



Daniel P. Gilmartin  
Executive Director & CEO



**RESOLUTION**

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

WHEREAS Each year the Michigan Municipal League hosts an annual business meeting to discuss matters and to form policy related to local government; and

WHEREAS The City of Plymouth has an opportunity to designate a voting delegate and alternate for the annual business meeting.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby designate \_\_\_\_\_ as the voting delegate to the Michigan Municipal League Annual Convention Meeting.

BE IT FURTHER RESOLVED THAT the City Commission of the City of Plymouth does hereby designate \_\_\_\_\_ as the voting alternate to the Michigan Municipal league Annual Convention Meeting.



## Administrative Recommendation

---

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

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

To: Mayor & City Commission  
From: Paul J. Sincock, City Manager  
CC: S:\Manager\Sincock Files\Memorandum - Caster park confirmed as Louise Markham Park - 07-07-23.docx  
Date: August 2, 2023  
RE: Confirming Name of Caster Park as Louise Markham Park

---

### Background

The City Commission is aware that we have a public park in Old Village that has been commonly called Caster Park, as it sits on Holbrook at Caster. It turns out that the park has a long history, and it was officially named Louise Markham Park on July 15, 1940. The park was donated to the city with the stipulation that it be used as a public park, and not be used as a gravel pit. Further, if it was not to be used as a public park, then it would revert to the heirs of Louise Markham.

The city attempted to sell the property in 1960 but was not able to complete a transaction. Sometime after that the city eventually added some minor playground equipment to the property. Most likely in the 1980's the play equipment was removed for safety reasons and because new play structures were put into the "fire house" playground, just one block away.

Even though the city removed the play equipment the property had to be maintained, this included mowing, leaf pick up and snow removal. In late 2012 and early 2013 the City Administration once again investigated the possibility of selling the property and again ran into the deed restrictions on the property.

During development of the Starkweather Lofts on Plymouth Road in about 2016, the City Administration developed the concept of making the small park as a part of the public benefit for the Planned Unit Development (PUD) of that project. The park property connected to the development property and eventually the park was included in the PUD. Since that time the park has been upgraded and the Starkweather Lofts development takes care of the maintenance of the property.

That brief background brings us too today. The City Commission has already officially named the park Louise Markham Park, by their actions on July 16, 1940. However, through time the park developed the unofficial name of Caster Park, due to its location.

We have attached a variety of information that has been provided to us by Liz Kerstens and Ellen Elliot. They have completed a significant amount of research on the history and naming of the park.

### **Recommendation**

Based on the information provided to the City related to the park located at Holbrook and Caster, the City Administration recommends that the current City Commission confirm the decision of the 1940 City Commission and the name of the park shall once again become Louise Markham Park. While no official action would technically be required to attach the Markham name back to the park, it seems appropriate to adopt a Resolution confirming the name and to direct the City Administration to use the Markham name in official documents, like maps and the Recreation Master Plan.

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

# Louise Markham Park

## Naming Acknowledgement Proposal

### Summary

In 1940, a small piece of property located on N. Holbrook St. near Caster St. was donated to the city of Plymouth by Louise Markham. She stipulated that the property could only be used as a municipal park. The City Commission accepted this gift and passed a resolution on July 15, 1940, naming this space "Louise Markham Park." As time marched on, the official name faded from memory and the parcel was eventually referred to as "Caster Park."

### Request

We respectfully request that the name of the park, once again, be officially recognized by the City Commission as "Louise Markham Park" and signage be permitted to honor the memory of Louise Markham and acknowledge her generous gift to the community.

### Historical Details

Louise Markham, sister of air rifle manufacturer W.F. Markham, was born in Plymouth Township on October 30, 1840, the daughter of Abram B. and Mary (Bradner) Markham.<sup>1</sup>

In 1860, Mary Markham owned property on N. Holbrook St. (Lots 3, 4, 5, Block 8, Section 26) north of Main St.<sup>2</sup>

In 1897, Louise acquired Lots 3 and 4 in Block 8 of Section 26.<sup>3</sup> This parcel of land would eventually be identified as "Lot 433 of Assessor's Plymouth Plat No. 15 of that part of Bradner & Holbrook's Sub lying in Section 26 and part of the W ½ of the NE ¼ of Section 26, T. 1S., R. 8E., City of Plymouth, Wayne, County, Michigan." (See Attachment A)

Louise loved Plymouth and lived here for most of her life. Regretfully, she moved to a retirement home in Detroit when she was in her late 80s, but her heart was still devoted to her hometown.<sup>4</sup>

As Louise was nearing the end of her life, she was concerned about what would become of the property she owned on N. Holbrook St. after she died. The property was sought after by developers as it contained an abundance of gravel. It was said that she had been offered \$2000 by interested buyers but was opposed to seeing it turn into a gravel pit so she did not sell the property.<sup>5</sup> Louise needed to find a way to protect it from any undesirable future use. She came up with a perfect plan.

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<sup>1</sup> "Louise Markham, 99-Year-Old Pioneer, Dies," *Plymouth (Michigan) Mail*, August 16, 1940, 1.

<sup>2</sup> Wayne County Register of Deeds, 1863, Lib. 98, p. 306. Plymouth Township Tax Assessment Records, 1861, 30.

<sup>3</sup> Wayne County Register of Deeds, 1897, Record 23653, Lib. 486, p. 86.

<sup>4</sup> "Louise Markham, 99-Year-Old Pioneer, Dies," *Plymouth (Michigan) Mail*, August 16, 1940, 1.

<sup>5</sup> "Markham Homesite to be a City Park," *Plymouth (Michigan) Mail*, July 19, 1940, 1.

On July 11, 1940, she signed a quitclaim deed that bequeathed the property to the city. The following stipulations were noted:

1. That the property shall never be used as a gravel pit.
2. The property shall be used by the City of Plymouth for no other purpose than as a municipal park.

If either of these conditions was violated, the property would revert to her estate.<sup>6</sup> (See Attachment B)

The Plymouth City Commission, led by Mayor Ruth Huston-Whipple, unanimously passed a resolution (See Attachment C) on July 15, 1940, accepting the donation of the land and officially naming it "Louise Markham Park."<sup>7</sup> Louise was extremely pleased to have this transaction complete, and stated "I have always had a warm spot in my heart for the city of Plymouth, and it makes me happy to be able to give this property to the citizens of the city for park purposes."<sup>8</sup>

The transfer of ownership took place just in the nick of time. Louise Markham died on August 12, 1940, at the age of 99, a month after she donated the land to the city. Her forethought allowed the parcel to be protected from the threat of development for at least a few decades.

On March 3, 1941, the City Commission recognized the importance of improving and developing Louise Markham Park and stated in its resolution "that such an improvement is for the use and benefit of the public."<sup>9</sup> By June 1941, the Planning Commission had directed their planning consultant to produce sketches for the development of Louise Markham Park.<sup>10</sup>

Almost two decades later, the question of what to do with Louise Markham Park resurfaced. In September 1959, the City Commission began discussing the possibility of eliminating the "Markham park property" from the master park plan. The commissioners felt that because the park was located so close to Starkweather School that it was redundant to be investing money in the property when the school had an adequate playground that could be used by neighborhood children.<sup>11</sup> The Planning Commission, however, recommended that the space be retained and developed as a park for senior citizens.<sup>12</sup> This idea would not come to fruition. The City Commission was considering something else for the property, but one detail stood in the way.

On January 18, 1960, the City Commission passed a resolution "authorizing the abandonment" of the lot. A search for heirs of Louise Markham ensued, as was mandated by the potential violation of the conditions of the quitclaim deed. At the time of her death, two nephews were identified as heirs to her estate: Leigh H. Markham and Edwin B. Markham. The city attorney was able to contact Leigh, but Edwin was deceased. Tracking down Edwin's heirs was an arduous task and the city administration decided it

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<sup>6</sup> Wayne County Register of Deeds, 1940, Record C429192, Lib. 5490, p. 181.

<sup>7</sup> "Official Proceedings of the Commission," *Plymouth (Michigan) Mail*, July 19, 1940, 2.

<sup>8</sup> "Louise Markham, 99-Year-Old Pioneer, Dies," *Plymouth (Michigan) Mail*, August 16, 1940, 1.

<sup>9</sup> "Official Proceedings of The Commission," *Plymouth (Michigan) Mail*, March 14, 1941, 13.

<sup>10</sup> "Commission Plans for Future," *Plymouth (Michigan) Mail*, June 6, 1941, 10.

<sup>11</sup> "Commission Wants to Dispose of One Park, Maybe Add Another," *Plymouth (Michigan) Mail*, September 24, 1959, 4.

<sup>12</sup> "Minutes of the City Council," *Plymouth (Michigan) Mail*, October 1, 1959, 6.

was not worth the trouble to proceed with the transaction. The parcel remained a community park as envisioned by Louise Markham.

A sparse amount of playground equipment was eventually added to the space and enjoyed by neighborhood children for years. The park was referred to as Holbrook-Caster Park and eventually Caster Park, due to its proximity to the streets near which it was located.<sup>13</sup>

As time passed, the park became tired but would ultimately see a renewal when the Starkweather Lofts (known as Starkweather Station during the planning phase) apartment buildings were completed in 2016, just east of N. Holbrook St. As part of the public benefit detailed in the PUD agreement for the project, the park was eventually revitalized with a pathway and gazebo. A historical marker was mentioned during the initial site planning process:<sup>14</sup>

**As a demonstration of community benefit, the applicant is proposing to incorporate the city-owned Caster Park along North Holbrook into the PUD scheme. Starkweather Station will be responsible for the upkeep and maintenance of this park as well as the additional improvements such as a picnic gazebo, historical marker, and walking paths. The walking paths will also connect to a possible future pedestrian pathway leading to Hines Drive.**

The historical marker was brought up again when the Planning Commission approved the final site plan, but as of 2023 there has been no marker placed on the property.<sup>15</sup>

**As mentioned in our review for the preliminary PUD, we believe that the applicant's offer to improve and maintain Caster Park provides a community benefit, and thus supports the project's eligibility for PUD status. The final plans show symbols for a pathway and gazebo. Details for both amenities need to be added to the plans. Is a historical marker still being proposed? If so, a detail of this amenity needs to be added to the plans.**

The current caretaker of the property, Dev Mar LLC, was thrilled to learn the history of the parcel and wholeheartedly agrees that "Louise Markham Park" should be properly recognized with signage.

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<sup>13</sup> "Holbrook Caster Park," *Plymouth (Michigan) Mail*, July 7, 1986, 1. Local historian, Ellen Elliott has firsthand knowledge of this parcel. She grew up on Starkweather St. and spent many summer days at the playground.

<sup>14</sup> Planning Commission Meeting Agenda, City of Plymouth, September 11, 2013, 34.

<sup>15</sup> Planning Commission Meeting Minutes, City of Plymouth, November 13, 2013, 51.

# ASSESSOR'S PLYMOUTH PLAT NO. 15

OF THAT PART OF BRADNER AND HOLBROOK'S SUBD'N. LYING IN SEC. 26 AND OF PART OF THE W. 1/2 OF THE N.E. 1/4 OF SEC. 26, T. 15 S., R. 8 E.,

## CITY OF PLYMOUTH, WAYNE CO., MICHIGAN

Scale: One Inch = 150 Ft.

NOTE: All dimensions are shown in feet and decimals thereof.  
All curvilinear dimensions are shown along the arc.

Examined and Approved

*[Signature]*  
G. T. HARTMAN  
Deputy Auditor General

I HEREBY CERTIFY THAT THIS COPY IS A TRUE COPY OF THE MAP OR PLAT FORWARDED THE REGISTER OF DEEDS FOR RECORDING.

COMPALED  
*[Signature]*  
G. T. HARTMAN  
DEPUTY AUDITOR GENERAL

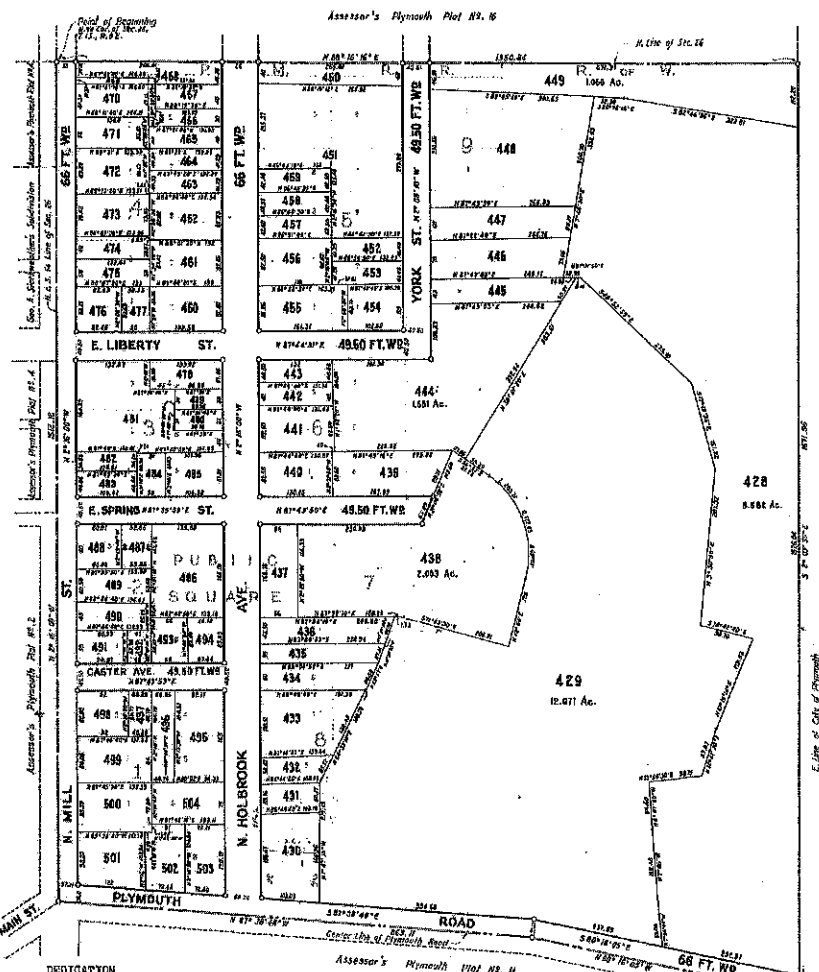
FILED IN AUDITOR GENERAL'S DEPT

*[Signature]*  
G. T. HARTMAN  
DEPUTY AUDITOR GENERAL

Register's Office  
Wayne County, Mich.  
Plat of Assessor's Plymouth  
Plat No. 15  
was recorded this 22nd day of  
April, A.D., 1939, at 10:57 A.M.  
at the office of the  
Register of Deeds  
on Page 81  
*[Signature]*  
Harold G. Hall  
Register of Deeds

ORIGINAL ON FILE

EXAMINED & APPROVED  
*[Signature]*  
John K. Minton  
MAR 21 1939



KNOW ALL MEN BY THESE PRESENTS, That I, William B. Pats, Assessor of the City of Plymouth, Wayne County, State of Michigan, by virtue of authority in me vested by Section 51 of Act 178, of the Public Acts of 1929, having been duly authorized by the City Commission, have caused the land described in the annexed plat to be surveyed, laid out and platted to be known as "Assessor's Plymouth Plat No. 15 of that part of Bradner and Holbrook's Subd'n. lying in Sec. 26 and of part of the N. 1/2 of the N.E. 1/4 of Sec. 26, T. 1 S., R. 8 E., City of Plymouth, Wayne Co., Michigan" and that title to the highways, streets, alleys and public places as shown on said plat has been acquired by the public by reason of purchase, dedication, condemnation or adverse possession for public use.

Witnessed:  
*[Signature]*  
Melvin I. Purley  
*[Signature]*  
Rosemary J. Lyke

*[Signature]*  
William B. Pats -  
Assessor of the City of Plymouth

ACKNOWLEDGMENT

State of Michigan ) ss.  
County of Wayne )  
On this 21st day of Feb A.D., 1939, before me, a Notary Public in and for said County, personally came the above named William B. Pats, Assessor of the City of Plymouth, known to me to be the person who executed the above dedication and acknowledged the same to be his free act and deed as such Assessor.  
My commission expires Dec 28 1940

*[Signature]*  
Chas. J. Hummer  
Notary Public, Wayne County, Mich.

CERTIFICATE OF MUNICIPAL APPROVAL

I hereby certify that this plat has been authorized and approved by the City Commission of the City of Plymouth at a session held at 11:30 A.M. Feb 22, 1939

*[Signature]*  
C.H. Elliott - Clerk

The land embraced in the annexed "Assessor's Plymouth Plat No. 15 of that part of Bradner and Holbrook's Subd'n. lying in Sec. 26 and of part of the N. 1/2 of the N.E. 1/4 of Sec. 26, T. 1 S., R. 8 E., City of Plymouth, Wayne Co., Michigan" is described as follows: Beginning at the N.E. Cor. of Sec. 26, T. 1 S., R. 8 E. and proceeding thence N 88°16'15"W along the N. line of Sec. 26, said line being also the S. line of Assessor's Plymouth Plat No. 16, 1350.84 ft.; thence S 8°03'23"W, 1571.96 ft. to the center line of Plymouth Road; thence along said center line, said line being also the N. line of Assessor's Plymouth Plat No. 11, N 80°10'05"W, 495.28 ft. and N 87°38'46"W, 563.11 ft. to the N. & S. Line of Sec. 26; thence N 2°16'00"W along said line 1512.18 ft. to the point of beginning.

SURVEYOR'S CERTIFICATE

I hereby certify that the plat hereon delineated is a correct one, and that permanent metal monuments of not less than one inch in diameter and fifteen inches in length set in a concrete base at least four inches in diameter and forty-eight inches in depth have been placed at points marked (o) as thereon shown at all angles in the boundaries of the land platted, at all intersections of streets and at the intersections of streets with the boundaries of the plat as shown on said plat.

*[Signature]*  
Harry B. Miller  
Registered Land Surveyor

Louise Markham Park Proposal  
Attachment B

0109192

LIBER 5490 PAGE 181

P-1

Rec'd

QUIT CLAIM DEED—Short

(8)

GREGORY, HAYES & THOM CO., DETROIT

This Indenture, Made the 11<sup>th</sup> day of July

In the year of our Lord one thousand nine hundred forty

BETWEEN Miss Louise Markham, a single person of the City of Plymouth,  
County of Wayne, State of Michigan

..... party of the first part, and  
The City of Plymouth, a municipal corporation, of the County of Wayne,  
State of Michigan

..... party of the second part,

Witnesseth, That the said party..... of the first part, for and in consideration of the sum of  
One Dollar & No/100 .....  
to her..... in hand paid by the said party..... of the second part, the receipt whereof is hereby  
confessed and acknowledged, does..... by these presents, grant, bargain, sell, remise, release  
and forever QUIT-CLAIM unto the said party..... of the second part, and to its successors and  
assigns, Forever, All that..... certain piece..... or parcel..... of land, situated in the  
City..... of Plymouth..... in Wayne

County, and State of Michigan, known and described as follows:  
That certain piece or parcel of land situated in the City of Plymouth, County  
of Wayne, Michigan, being Lot Four hundred thirty-three (433) of Assessor's  
Plymouth Plat Number Fifteen (15) of that part of Bradner and Holbrook's Sub-  
division lying in Section 26 and part of the West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Sec-  
tion 26, T. 1 S., R. 8 E., Plymouth Township, Wayne County, Michigan.

It is expressly understood that the party of the first part quit-claims this  
property to the party of the second part under the following conditions:

- (1) That the property shall never be used for a gravel pit.
- (2) The property shall be used by the City of Plymouth for no other purpose  
than for a municipal park.

If either one of these conditions are violated, the property shall revert to  
the party of the first part, her successor and assigns, or heirs.

RECORDED JUL 25 1940 AT 12:03  
HAROLD E. STOLL, REGISTRAR

INDEXED

NO REVENUE ATTACHED

In Witness Whereof, the said part... of the first part ha... hereunto set... and seal... the day and year first above written.

(Signed, Sealed and Delivered in Presence of

Louise Markham

L.S.

Sophia Lauffer

Sophia Lauffer

L.S.

Maud M. Bennett

Maud M. Bennett

Ruth H. Whipple Mayor

Ruth H. Whipple Mayor

L.S.

C. H. Elliott City Clerk

L.S.

STATE OF MICHIGAN,

COUNTY OF Wayne

On this 11th day of July

in the year one thousand nine hundred forty before me, the subscriber, a Notary Public in and for said County, personally appeared

Miss Louise Markham

to me known to be the same person described in and who executed the within instrument, and acknowledged the same to be her free act and deed.

Nellie V. Cash

Nellie V. Cash

Notary Public, Wayne County, Michigan.

My Commission Expires August 5 1941

RECEIVED WAYNE COUNTY MICH.

1940 JUL 25 PM 12 03

RECEIVED JUL 25 1940

CA22192 (P)

QUIT-CLAIM DEED

Miss Louise Markham

TO

The City of Plymouth

A Municipal Corporation

REGISTER'S OFFICE, WAYNE County, ss.

Received for record the

day of JUL 25 1940 A. D. 19

at 1:03 o'clock P. M., and recorded

in Liber of Deeds 5490-241181

Register of Deeds.

Plymouth Truck Co.

Louise Markham Park Proposal  
Attachment C

Plymouth, Michigan  
July 15, 1940

A regular meeting of the City Commission was held in the City Hall on Monday, July 15, 1940, at 7:30 p.m.

Present: Mayor Whipple, Commissioners Hondorp, Robinson, Worth and Wilson.

Absent: None.

The minutes of the regular meeting of July 1st were read and approved.

Rev. Zollers of Detroit, Michigan requested permission to hold religious services in Kellogg Park every other Saturday evening between 7:00 and 8:00 p.m. until the end of September.

It was moved by Comm. Hondorp and supported by Comm. Worth that permission be granted providing that if a loud speaker is used that the speaker be under the supervision of the Chief of Police.

The mixed-in-place black top for Maple Street, between Main and Hamilton Sts., was again discussed.

The following resolution was offered by Comm. Worth and supported by Comm. Wilson:

WHEREAS, a public hearing has been held covering the proposed improvement, and no valid objections have been received thereto, and

WHEREAS, the plan, profile and estimate covering the proposed improvement for mixed-in-place black top on Maple Street, between Main and Hamilton Sts. has been accepted and is now on file in the office of the City Engineer,

THEREFORE BE IT RESOLVED, that this Commission approve of and declare its intentions to proceed with the construction of the mixed-in-place black top surfacing;

BE IT FURTHER RESOLVED, that the Assessor be directed to prepare an assessment roll covering the total cost of the improvement.

Ayes: Mayor Whipple, Commissioners Hondorp, Robinson, Wilson and Worth.

Nays: None.

A communication was received from Chas. J. Thumme concerning the International Association for Identification. Mr. Thumme requested permission to attend a convention.

It was moved by Comm. Wilson and supported by Comm. Robinson that the request be granted. Carried.

A petition was presented requesting curb and gutter on Roosevelt Street, between Edison and Burroughs Aves.

The following resolution was offered by Comm. Robinson and supported by Comm. Worth:

WHEREAS, the City Commission declares it necessary to construct a curb and gutter on Roosevelt, between Edison and Burroughs, and

WHEREAS, this is a special benefit to the property owners abutting the said improvement;

THEREFORE BE IT RESOLVED, that this Commission will meet and consider any objections thereto on Monday, August 5, 1940.

Ayes: Mayor Whipple, Commissioners Hondorp, Robinson, Wilson and Worth.  
Nays: None.

Messrs. Ralph Lorenz, Stewart Dodge, Walter Harms, Otto Beyer, Irving Blunk, Blake Fisher and a representative from Sam and Sons were present and discussed briefly the proposed Sign Ordinance. It was suggested that the time be extended from removing signs not in conformity to the ordinance and suggested that a committee be appointed to work with the Commission and Manager.

It was moved by Comm. Wilson and supported by Comm. Hondorp that further consideration of the Sign Ordinance be laid on the table until August 19, 1940.

The Clerk presented a Quit-Claim deed for Lot 433 of Assessor's Plymouth Plat No. 15 from Miss Louise Markham who presented this property to the City for the purpose of a municipal park.

It was moved by Comm. Robinson and supported by Comm. Wilson that the gift of the lot for a municipal park be accepted from Miss Louise Markham and that the Clerk be instructed to express the gratitude of the City and thank for her thoughtfulness.  
Carried.

The following resolution was offered by Comm. Robinson and supported by Comm. Worth:

WHEREAS, Lot No. 433 of Assessor's Plymouth Plat No. 15 has been given to the City by Miss Louise Markham, and

WHEREAS, this land is to be used for the purpose of a municipal park, and

WHEREAS, Miss Markham is one of the early inhabitants of the City of Plymouth and has performed many services to make the City of Plymouth a better place in which to live;

THEREFORE BE IT RESOLVED, that Lot 433 of Assessor's Plymouth Plat No. 15 be designated "The Louise Markham Park."

Ayes: Mayor Whipple, Commissioners Hondorp, Robinson, Wilson and Worth.  
Nays: None.

A Quit-Claim deed was presented by the City Clerk from F. D. Schrader conveying Lot 159 of Assessor's Plymouth Plat No. 7 to the City for the purpose of alley widening and parking lot. It was moved by Comm. Robinson and supported by Comm. Hondorp that we accept the deed from Mr. Schrader with thanks that the Clerk be instructed to express the gratitude of the City for his spirit of cooperation.

Ayes: Mayor Whipple, Commissioners Hondorp, Robinson, Wilson and Worth.  
Nays: None.

The Manager presented the Curb and Gutter and Pavement project for Spring Street between Starkweather and easterly to the end of the street.

The following resolution was offered by Comm. Wilson and supported by Comm. Robinson:

## RESOLUTION

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

WHEREAS On July 11, 1940, Louise Markham did execute a quitclaim deed that bequeathed a Small piece of property to the city, located on Holbrook and Caster Street, and

WHEREAS the terms of the gift to the City included that the property shall never be used as a Gravel pit and it shall be used as a municipal park, and

WHEREAS the park has had different names since it was first acquired by the city in 1940, and Most recently, it was commonly called Caster Park, and

WHEREAS The City Commission on July 15, 1940, the City Commission did accept the gift of Park and officially named the park Louise Markham Park.

NOW THEREFORE BE IT RESOLVED THAT the park commonly known (in 2023) as Caster Park shall have the name confirmed as Louise Markham Park in accordance with the City Commission action of July 15, 1940. The park shall be shown on City Maps and other official documents, including, but not limited to the City Recreation Master Plan and Zoning documents as Louise Markham Park.



## Administrative Recommendation

---

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

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

To: Mayor & City Commission  
From: Paul J. Sincock, City Manager  
CC: *S:\Manager\Sincock Files\Memorandum - Recreation - Adult Recreational League and Over 60 & 70 Rules Policies - 08-07-23.docx*  
Date: August 2, 2023  
RE: Recreation – Adult Sports Policy

---

### Background

From time to time, it is necessary to update our recreation program policy and procedures. Since we have expanding our programs at the Recreation Department and offering more adult programs, there is a need to adopt some basic city policies and rules for a number of our programs. Most of the material in our proposed policies are basic and “common sense” rules, there is a need to have them formally adopted.

We have attached a memorandum from Recreation Director Steve Anderson which will provide some additional background information. In addition, we have attached a copy of the proposed policies for your review.

### Recommendation

The City Administration recommends that the City Commission adopt both the proposed Adult Recreational Leagues Rules and Policies and the Over 60 and Over 70 Hockey Rules and Policies. While these policies are currently “in-play” there is a need to formalize these documents to provide clarity in the event of an incident.

We have attached a proposed Resolution for the City Commission to consider regarding this matter. If you have any questions in advance of the meeting, please feel free to contact either Steve Anderson or myself.



# CITY OF PLYMOUTH

www.plymouthmi.gov

Recreation Department  
Plymouth Cultural Center  
525 Farmer  
Plymouth, MI 48170

Phone 734-455-6620

## Memo

To: Paul Sincock, City Manager  
From: Steve Anderson, Recreation Director *SA*  
CC:  
Date: 8/1/2023  
Re: Adult Sports Policy

As you are aware, athletic programs are a continually evolving world of rules and regulations. Occasionally we need to create new or update our policies to reflect or clarify those changes.

Over the past year or so, in a post pandemic world, we have expanded programming to include the following adult leagues to multiple days a week:

- Adult Cornhole Leagues
- Adult Pickleball Leagues
- Over 60 Hockey Leagues
- Over 70 Hockey Leagues

Additionally, over the past year or so, we have experienced enough of each programs "subculture" to now establish baseline administrative policies and rules going forward. We would like to request the City Commission to approve the following attached program policies:

- Adult Recreational Leagues Rules & Policies
- Over 60 & Over 70 Hockey Rules and Policies

Please feel free to contact me at any time with any additional questions you may have.

# City of Plymouth Recreation Department



Adopted by City Commission as of:

## Adult Recreational Leagues Rules & Policies

### **League Administration:**

1. The City of Plymouth Recreation Department reserves the right to amend the rules, game times or policies if deemed to be in the best interest of the league
2. All fees and registration procedures to be determined by City Staff
3. The City Administration shall appoint the Program Coordinator as required for each activity
4. The Program Coordinator may appoint Assistant Coordinators to run the day to day activities
5. The Program Coordinator will make final determination of any policies or judgments not covered in this document
6. No protests or appeals will be taken based upon judgment decisions of the referees or site coordinator
7. The listed governing body of each activity will have their rules in play unless otherwise stated in the City League "house rules"

### **Team Membership and Registration**

1. Every player must be 18 years old before participating in any adult league
2. For a team to be eligible to play, a team manager must register online or in person at the Plymouth Cultural Center
3. Teams must stay within the roster minimum and maximum for a given sport or activity
4. Players can be added to a roster up until tournament or playoff play. Players who did not play prior to tournament or playoff play will be ineligible for the playoff or tournament
5. Players may not play for more than one team in the same league
6. Any teams playing with an illegal player will forfeit those games and the team manager will need to meet with a City of Plymouth Recreation representative

### **Team Manager Duties**

1. Will act as the team representative in all team matters
2. Will be responsible for communicating all league business with their team members
3. Will contact a City of Plymouth Recreation representative 24 hours (or more) prior to a scheduled sport or activity if their team will be unable to participate
4. Will be responsible for the eligibility of players on their team roster
5. Will contact a City of Plymouth Recreation representative with any pertinent comments, questions, or concerns

### **Waitlist**

1. A Waitlist will be offered for each sport and activity once registration hits its maximum number
2. City of Plymouth Recreation representatives will remove participants from the Waitlist and enroll participants into a sport or activity at their own discretion

### **Refund Policy**

1. Two weeks prior to the first day of gameplay – full refund minus a 25% cancellation fee
2. Thirteen days prior to – no refund
  - a. Exception will be made if a team on a Waitlist is available to replace the team leaving a league or activity. Then a refund will be given prorated by the percentage of games played
3. When a team is removed from a league due to player or team conduct – refund will be given prorated by the percentage of games played
4. League or activity cancelled by the Recreation Department – full refund
5. League or activity must be cancelled by the Recreation Department after the league or activity has begun – refund will be given prorated by the percentage of games played

### **Player Conduct**

1. The Recreation Division shall reserve the right to withdraw any team from the League at any time. The removed team shall receive a prorated refund on any entry fees and non-resident fees, from the date of the removal from the league
2. Any player physically assaulting or spitting on any other player, official, referee, or City employee shall be suspended indefinitely from all City recreational leagues.
3. Any players threatening physical harm or retaliatory legal action (in any form or expression) against the City, or any City employee or it's representative, may result in the player or team being removed from the league. The removed team shall receive a prorated refund on any fees, from the date of the removal from the league.
4. All players removed from a game because of unsportsmanlike conduct will be suspended for the next two scheduled game / league nights
5. All players removed from a game because of unsportsmanlike conduct must leave the playing area. Failure to do so will result in an additional 1 game / league night suspension

# City of Plymouth Recreation Department



Adopted by City Commission as of:

## Over 60 & Over 70 Hockey Rules & Policies

### League Administration:

- The City of Plymouth Recreation Department reserves the right to amend the rules, game times or policies if deemed to be in the best interest of the league
- All fees and registration procedures to be determined by City Staff
- The City Administration shall appoint a Program Coordinator for the Over 60 & Over 70 hockey leagues
- The Program Coordinator shall appoint no more than four league participants or volunteers as assistant coordinators of the league
- The Program Coordinator and Assistant Coordinators shall comprise the leagues "executive committee" and will make final determination of any policies or judgments not covered in this document
- The Program Coordinator may replace or recuse members of the executive committee in matters of that may be a conflict of interest
- Assistant Coordinator will receive discounted participation fees in consideration of their work. Discounted fee to be determined by the Program Coordinator
- No protests or appeals will be taken based upon the decisions of the referees
- Current USA Hockey Rules will be in play unless otherwise stated below

### PCC Over 60 & Over 70 House Rules

#### Game Time:

- Games will be 48 minute running time. (NO stop time in last 2 minutes)

#### Game Begins:

- Referees will puck drop at the top of the hour i.e. puck drop 9 am, 10 am, 11 am regardless of teams readiness

### **Center Line:**

- League will **not** play the center red line.

### **No Checking:**

- Play the puck not the man, penalties may be assessed based on referees judgment

### **Slap shots:**

- Not allowed and may be assessed an unsportsmanlike penalty

### **Penalty Time Duration:**

- Two minutes (2:00) Major Five minutes (5:00)

### **Fighting Penalty:**

- A player will receive a game misconduct and will be suspended for the next 2 games

### **Game Misconduct for Non Fighting Penalty:**

- The player will be suspended for the remainder of that game and the next game

### **Maximum Number of Penalties in One Game:**

- A player with three penalties (of any kind) in one game is immediately suspended for the balance of the game

### **Maximum Number of Penalties in One Season: (Including Playoffs):**

- Eight (8) penalties in the over 70 League and Ten (10) penalties in the over 60 League will result in a player being immediately removed from the league and forfeiture of all league fees paid

### **Gross Misconduct:**

- Any intent to injure penalties will result in a player being immediately removed from the league and forfeiture of all league fees paid

### **Sub Players:**

- All subs must be registered and submit ice fee to the team captain.

### **Conduct Towards Referees:**

- Disrespect of referees is not tolerated, will be considered a Game Misconduct for Non Fighting Penalty

### **Age Classifications:**

- Based on a player's true age, players may play down an age classification but may not play up. Goalies shall be exempt from this rule.

### **ARENA RULES:**

1. No one is to go on the ice until after the Zamboni has left the ice and the doors are closed. The Zamboni Driver has the right to abandon the resurface for any safety concerns
2. No alcoholic beverages in the building or the parking lot.
3. Take any other cans or bottles out with you.
4. No smoking in the building. (This includes the locker rooms)
5. Get the locker room key from Arena Staff and return when you leave

RESOLUTION

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

WHEREAS The City of Plymouth offers a variety of recreational programs to help protect the Public health, safety, and welfare, and

WHEREAS there is need to Adopt certain rules and policies in order to provide for a smooth operation of the programs and to inform participants of the expectations and rules of the programs.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby adopt the Adult Recreational Leagues Rules & Policies. In addition, the City Commission adopts the Over60 and Over 70 Hockey Rules & Policies. Both policies are to be effective immediately.

BE IT FURTHER RESOLVED THAT the City Clerk shall include a complete copy of the Rules and Policies as a part of the Meeting Minutes of this meeting.



## Administrative Recommendation

---

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

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

To: Mayor & City Commission  
From: Paul J. Sincock, City Manager  
CC: *S:\Manager\Sincock Files\Memorandum - Authorization for repairs to the Chipper Bandit 1390XP - 08-07-23.docx*  
Date: August 4, 2023  
RE: Emergency Repairs to Brush Chipper

---

### Background

On July 31, 2023, the City Administration informed the City Commission that our primary chipper was down and needed extensive repair. In addition, our "back up" chipper is also down in need of repairs as well. We are currently renting a chipper from a rental equipment rental company.

After diagnosis by the dealer in Remus, Michigan we found that there are several parts which will need to be replaced. If you think of the situation in terms of an engine that has "blown a rod," which means the engine must be rebuilt. When this unit comes back it will be a re-built model.

We are looking at moving our equipment replacement schedule around to see if we can replace one of the two units now, rather than in a future year. That would be a separate action of the City Commission at a future date.

At this time, we are asking for the City Commission to authorize the repairs to our 2016 1390XP chipper in the amount of \$12,646.11, with a contingency of \$2,500. This will get one of our chippers back up and running, while we review the status of our back up unit.

We have attached a memorandum from Chris Porman that further outlines these repairs.

### RECOMMENDATION:

The City Administration recommends that the City Commission authorize the emergency repairs to the 2016 1390XP Chipper in the amount of \$12,646.11, with a contingency of \$2,500.

We have attached a proposed Resolution for the City Commission to consider regarding this matter. If you have any further questions, please feel free to contact me.



## Department of Municipal Services

1231 Goldsmith Plymouth, MI 48170 734-453-7737 phone 734-455-1666 fax

Date: August 1, 2023  
To: Paul J. Sincock, City Manager  
From: Chris S. Porman, Director of Municipal Services  
Re: Authorization for repairs to #146 – Bandit 1390XP Chipper

### Background

The City of Plymouth Department of Municipal Services uses a 2016 Bandit 1390XP as part of its fleet. This unit is our primary chipper for all the City's brush chipping and storm damage cleanup. It is believed that one of the internal, metal cutting blades came loose while operating, which caused major internal damage to the unit.

We contacted Bandit of Remus, MI (as they were the company we purchased the unit from) and sent the unit to them for inspection. After their review of the unit, they provided the attached estimate for repairs in the amount of \$12,646.11. Due to the nature of this repair an additional contingent of \$2500.00 may be needed for unforeseen modifications and welding. We have worked with Bandit in the past and have a good working relationship with them and their quality of repair work.

### Recommendation

I recommend that the City Commission confirm the Emergency repair authorization and permit payment on the invoice to Bandit in the amount of \$12,646.11 for repairs plus an additional contingency of \$2500.00 to our chipper. Payment for this invoice would come from the Equipment Fund.

If there are any questions, please feel free to contact me.

**Porman, Chris**

---

**From:** Sincock, Paul  
**Sent:** Monday, July 31, 2023 2:19 PM  
**To:** Group - Commission  
**Subject:** Brush Chipper

Just to give you a heads up.....

With all of the extra work this year our brush chipper is not out of service and need of extensive repairs. We actually took the unit up to the manufacturer in Remus, Michigan for evaluation. The report came back to us and it indicated over \$10,000 in repairs would be needed. We are currently reviewing our options at this point. In the meantime, we are renting a chipper from Hertz equipment rentals and that will help keep us going on brush chipping and cleaning up from the storms of last week.

We will keep you posted as to our plan for the equipment.

PJS



6750 Millbrook Road • Remus, MI 49340 USA  
 TELEPHONE 989.561.2270 FAX 989.561.2273  
 SALES@BANDITCHIPPERS.COM WWW.BANDITCHIPPERS.COM

**REMIT PAYMENT TO:**  
 (VIA REGULAR MAIL)  
 Bandit Industries, Inc.  
 PO Box 72259  
 Cleveland, OH 44192-0002

# Sales Quote

Sales Quote No.	752520
Customer No.	PLYMO1

**Bill To**

City of Plymouth  
 1231 Goldsmith  
 Plymouth, MI 48170  
 USA

**Ship To**

City of Plymouth  
 1231 Goldsmith  
 Plymouth, MI 48170  
 USA

PD Machine Item #: MODEL-1390

Ser#: 501156

PD WO#: 56074

Order Date	Ship Via	Payment Method	F.O.B.	Customer PO Number		
07/24/23	UPS Ground	NET30	REMUS, MI			
Customer Phone #	Salesperson	Ordered By	Resale Number			
248-962-8395	Randy Judge	Dan Blanchan	MI-21			
Order Quantity	Approve Quantity	Tax	Item Number / Description	Disc%	Unit Price	Extended Price
1	1	Y	MODEL-REBUILD U of M : Each REBUILD	15.00	0.00	0.00
4	4	Y	912-3001-47 U of M : Each Knife, 5/8 x 5-1/2 x 9 DBE for M990/1090/1390/	15.00	63.38	215.49
16	16	Y	900-4900-20 U of M : Each bolt- 5/8-11 X 2" hex head bolt plated grade 8	15.00	4.56	62.02
16	16	Y	PACKAGED-25/BOX 900-4901-32 U of M : Each Washer, Heavy for M-1890 knife &2090 (2900T)	15.00	2.99	40.66
1	1	Y	911-1005-71 U of M : Each Drum Bearing & Hardware (Drive Side)  Includes Bearing 900-1914-80 & all Mounting Hardware	15.00	918.78	780.96
1	1	Y	911-1005-72 U of M : Each Drum Bearing & Hardware (Idler Side)  Includes Bearing 900-1914-80 & all Mounting Hardware	15.00	918.70	780.89

Print Date	07/24/23
Print Time	10:59:54 AM
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Entered By: Randy Judge

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Customer Phone #	Salesperson	Ordered By	Resale Number			
248-962-8395	Randy Judge	Dan Blanchan	MI-21			
Order Quantity	Approve Quantity	Tax	Item Number / Description	Disc%	Unit Price	Extended Price
1	1	Y	909-1000-11 U of M : Each M-1090/1390/1490 anvil assy complete w/hardware	15.00	254.24	216.10
			900-4906-76 A05.03.04.12 x2 1/2-13 X 2 1/2 G8 PKG PLTD			
			900-4906-74 A05.03.04.15 x3 Bolt, 1/2-13 X 2 G8 PKG PLTD			
			900-4906-86 A05.03.06.10 x5 1/2" Yellow Zinc Fin Split Lock Washer			
			900-4907-91 A03.01.02.01 x2 Engine adjuster eyebolt ONLY 1/2-13 x 4 1/2			
			900-4909-18 A05.03.06.11 x9 F436 F/W 1/2 YZ A325-1/2			
			MILLWASHER			
			915-3002-81 E08.01.01.02 x1 DRUM ANVIL-(4-SIDED WEAR EDGE)			
			900-4906-90 A05.03.06.13 x4 USS THRU HD 1/2YZ KG Flat Washer			
1.00	1.00	Y	900-4906-82 A05.03.07.12 x4 NUT, 1/2-13 G8 PKG PLTD	15.00	712.84	605.91
			917-1000-09 U of M : Each Shear Bar Assy Complete Model 1390 Only			
1	1	Y	900-1904-48 U of M : Each 4/5VX-1320PB4 banded belt 4 BANDED	15.00	202.85	172.42
1	1	Y	900-4902-20 U of M : Each Brass Padlock For Hood Pin Long Shackle SEE NOTES	15.00	27.06	23.00

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Print Time	10:59:54 AM
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248-962-8395	Randy Judge	Dan Blanchan	MI-21			
Order Quantity	Approve Quantity	Tax	Item Number / Description	Disc%	Unit Price	Extended Price
2	2	Y	911-1005-70 U of M : Each Base Slot Cover Assy	15.00	141.26	240.14
2	2	Y	937-100001 U of M : Each Air vent kit for drum housing SEE NOTES  937-300007 (1) Air Vent Cover (Steel) LOC A04.04.04.05 900-4908-29 (1) plastic knob for air vents on the 1290h 1590 1890 2090 LOC 02-04-14 900-4906-60 (1) 3/8-16 Lock nut LOC A05.03.02.07 900-4906-65 (5) 3/8 flat washer LOC A05.03.02.05	15.00	151.53	257.60
1	1	Y	909-2000-07 U of M : Each Drum bearing cover for M-1090	15.00	46.89	39.86
2	2	Y	912-3001-58 U of M : Each Drum Belly Band Support	15.00	19.20	32.64
1	1	Y	912-3001-45 U of M : Each Belly Band, Drum for 1090	15.00	233.99	198.89
1	1	Y	917-3000-91 U of M : Each 18" DRUM ANVIL MOUNT	15.00	272.33	231.48

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Print Time	10:59:54 AM
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Entered By: Randy Judge

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248-962-8395	Randy Judge	Dan Blanchan	MI-21			
Order Quantity	Approve Quantity	Tax	Item Number / Description	Disc%	Unit Price	Extended Price
20	20	Y	909-3000-22 U of M : Each 1090 fan blade	15.00	11.65	198.05
1.00	1.00	Y	PAINT U of M : Each WASH / PRIME / PAINT see notes  *some welding or modifications maybe needed on this part to fit at assembly.		100.00	100.00
1.00	1.00	Y	SHOP SUPPLIES SHOP SUPPLIES		650.00	650.00
65.00	65.00	N	REBUILDLBR_HF U of M : Each Rebuild Labor  Quote is good for 30 days .		120.00	7,800.00
<p>Approved By: _____</p> <p><input type="checkbox"/> Approve All Items &amp; Quantities</p>						

Print Date	07/24/23
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Subtotal	12,646.11
Freight	0.00
<b>Order Total</b>	<b>12,646.11</b>

Entered By: Randy Judge

## RESOLUTION

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

- WHEREAS The City of Plymouth maintains a city-wide brush collection and chipping program, and
- WHEREAS The city's brush chipper needs immediate repairs and the repairs have been reviewed by the manufacturer, and
- WHEREAS The City Administration has requested that the City Commission authorize emergency repairs.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize emergency repairs to the Bandit 1390XP Chipper. This authorization is in the amount of \$12,646.11 for repairs and a possible addition \$2,500 in contingency for Bandit Industries of Remus, Michigan.