

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, MAY 15, 2007**

Supervisor Reaume called the meeting to order at 7:00 p.m. and introduced Mason and Jacob Pankow who led in the Pledge of Allegiance.

Supervisor Reaume presented the proclamation for Plymouth Community Heritage Day on Monday, May 28, 2007. The anniversaries of Plymouth Township and the City of Plymouth will be celebrated with activities following the Memorial Day Parade.

Police Chief Thomas Tiderington introduced Todd Seipenko and his family and announced his promotion to the rank of sergeant. Sgt. Seipenko then expressed his thanks to the Board, the Police Department and the community for their support.

MEMBERS PRESENT: Richard Reaume, Supervisor
Marilyn Massengill, Clerk
Ron Edwards, Treasurer
Charles Curmi, Trustee
Robert Doroshewitz, Trustee
Steven Mann, Trustee

ABSENT: Kay Arnold, Trustee, Excused

OTHERS PRESENT: James Anulewicz, Director of Public Service
Thomas Hollis, Public Services Manager
Mark Lewis, Chief Building Official
Randy Maycock, Fire Chief
Thomas Tiderington, Police Chief
Timothy Cronin, Township Attorney
Michael Bailey, Dietrich Bailey & Associates
Joe Bridgman, Deputy Clerk
18 Members of the Public

D. APPROVAL OF AGENDA

Regular Meeting – Tuesday, May 15, 2007

Mrs. Massengill moved to approve the agenda for the Board of Trustees Regular Meeting of May 15, 2007, as submitted. Supported by Mr. Mann. Ayes all.

E. CONSENT AGENDA

E.1 Approval of Minutes

Regular Meeting – Tuesday, April 17, 2007

Special Joint Meeting – Tuesday, April 24, 2007

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E.2 Approval of Township Bills

		Year 2007
General Fund	(101)	\$1,712,739.91
General Fund Loan to Downtown Development Authority	(101)	-
Water/Sewer	(592)	1,114,464.91
Improvement Revolving	(246)	9,343.47
SWD	(226)	101,709.13
Trust and Agency	(701)	8,000.00
Tax Pool	(703)	-
Drug Forfeiture	(265)	5,584.00
Special Assessment Capital Project Fund	(805)	-
Total:		\$2,951,841.42

E.3 Approval of Easements – N/A

E.4 Communications-Resolutions-Reports

- a. Communications
Thank you letter from Edith Hampo to Cheryl Smith
Certificate to Ronald Edwards from Government Finance Officers Association
- b. Resolutions – N/A
- c. Reports
Fire Department, April 2007

Mrs. Massengill moved that the consent agenda for the Board of Trustees Regular Meeting of May 15, 2007, be approved as submitted with the exception of approval of the minutes of the Special Joint Meeting of Tuesday, April 24, 2007. Supported by Mr. Mann. Ayes all.

Mr. Curmi moved that the minutes of the Special Joint Meeting of Tuesday, April 24, 2007, be approved with the addition of the following underscored phrase to Page 2, Item 1, so the sentence reads: Ms. Arnold, Mr. Cebulski, and Mr. Postell discussed with Mr. Curmi his objections to the Planning Commission specifying colors and design features for buildings located in areas that have no architectural standards established by ordinance. Supported by Mr. Mann. Ayes all.

F. PUBLIC COMMENTS AND QUESTIONS - There were none.

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- G. PUBLIC HEARING – N/A**
- H. COMMUNITY DEVELOPMENT – N/A**
- I. UNFINISHED BUSINESS – N/A**
- J. NEW BUSINESS**

J.1 2006 Financial Results for the Charter Township of Plymouth

Mr. Edwards presented financial statements taken out of a draft of the audit, which Board members reviewed. If a transfer of \$1.9 million from Capital Improvements to the Improvement Revolving Fund to pay for the building had not occurred, revenues would have exceeded expenditures by about \$600,000.

Mr. Edwards explained a shortfall in the forecast for revenue for the Police and Fire Departments of approximately \$200,000 and \$300,000 respectively because of not increasing staffing during the year, though 27 firefighters were budgeted for with average staffing of 24. If fully staffed, it would have been most likely to have been even.

He expressed concern for a tight year with the Building Department revenues down, anticipating a possible shortfall of \$400,000 to \$500,000 below 2006, particularly considering pay raises and raises in health care. Also losses in state shared revenue and other charges will affect the totals.

He pointed out the DDA has finished the Ann Arbor Road (Eckles to Haggerty) and Haggerty Road improvements. On the modified accrual basis, there is a positive fund balance. On the full accrual basis, there is a \$997,000 loss which is approximately what is owed by the DDA back to the General Fund. It is hoped this will be reduced over the next five years.

Mr. Edwards explained the net operating loss of the Water and Sewer Fund and the need for setting future rates for covering these costs. He also noted a way of increasing revenues could be done by the removal of the 25% sewage credit from commercial users as more of their usage goes into the sewer system rather than watering lawns. There is also a plan to educate users to stay outside of peak periods of 5-9 a.m. and 5-9 p.m. usage to minimize the amount of the increase from the Detroit Water Board.

He pointed out a positive balance of \$83,000 in the Solid Waste fund and in the Special Assessment Fund, a balance will show of approximately \$120,000 which includes monies from Bosch Corporation for sidewalks and the turnaround.

Mr. Edwards indicated a quarterly report will be e-mailed shortly to Board members and department heads.

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J.2 M-14 Sanitary Sewer Manhole Repair Project

Michael Bailey of Dietrich Bailey Associates reviewed their report regarding bids received for rebuilding a portion of the manhole structure in the M-14 right-of-way in order to make it accessible for maintenance purposes.

Mr. Curmi felt money could be saved by postponing this indefinitely, cleaning it from the other two manholes that bracket it.

Mr. Anulewicz said Mr. Hollis explained that the bid is relatively low and if an emergency repair needs to be done on this key line coming from Lake Pointe, particularly during the winter months, a substantial cost could be incurred, probably in the \$90,000 to \$138,000 area.

Mr. Bailey estimated the distance from adjacent manholes to be approximately 200 ft. to the south and 130 ft. to the north.

Mr. Anulewicz suggested further researching the feasibility of resolving any problems from an adjacent manhole.

Mr. Mann felt it appropriate to move ahead with awarding the contract to the low bidder, insuring accessibility to the manhole.

Mr. Curmi moved to postpone awarding the bid for the M-14 Sanitary Sewer Manhole Repair Project until the next meeting. Supported by Mr. Doroshewitz.

AYES: Curmi, Doroshewitz, Edwards

NAYS: Massengill, Mann, Reaume

Motion defeated,

Mr. Mann moved to award the bid for the M-14 Sanitary Sewer Manhole Repair Project to MDS Excavating, Inc., for a total of \$37,800.00, and authorize the Supervisor and Clerk to execute same. Seconded by Mrs. Massengill.

AYES: Mann, Massengill, Doroshewitz, Reaume

NAYS: Curmi, Edwards

Motion carried.

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J.3 2007 Sanitary Sewer Manhole Adjustment Program

Mr. Bailey explained this was for manholes that need to be raised for access so the 2007 Sewer Cleaning Program can move forward and so that the DPW has access for inspection and maintenance purposes.

Mrs. Massengill moved to award the bid for the 2007 Sanitary Sewer Manhole Adjustment Program to Countyline Contracting, Inc., for a total of \$72,175.00, and authorize the Supervisor and Clerk to execute same. Supported by Mr. Mann.

AYES: Massengill, Mann, Curmi, Doroshewitz, Reaume

NAYS: Edwards

Motion carried.

J.4 Western Wayne County Fire Department Mutual Aid Association
Resolution No. 07-05-15-06

Fire Chief Maycock gave the background of the Mutual Aid Association and resources available through the association. Recently the City of Belleville and Sumpter Township were added as members, thus a current resolution including the names of Belleville and Sumpter Township is required from all participating municipalities.

Verbiage also needs to be included, under the terms to qualify for reimbursement by FEMA in the case of a disaster, that a mutual aid participating member may charge for mutual aid services among communities. There is no intent to charge for day to day services by participating members.

Mr. Cronin pointed out the new feature on Page 3 of Section 1.15, Special Operations Group or SOG and Section 1.16, SOG Constitution. In the SOG Constitution there is language that talks about an assessment for costs. It specifically refers to recovery of FEMA costs, but it doesn't specifically limit the recovery of costs to the recovery of FEMA costs. He expressed his concerns to the other communities of risk of opening up cost assessments. He recommends approval, but continuing his inquiry with the attorney who drafted the agreement and suggesting modification and clarification of the SOG Constitution, without risking the opportunity to recover FEMA funds.

Mr. Cronin also felt inquiry is likely to occur regarding concerns by the larger governmental units that the smaller units will use their facilities without paying for them under the auspices of mutual aid.

Mr. Mann moved to approve Resolution 07-05-15-06, approving the attached Amended and Restated Interlocal Agreement Creating the Western Wayne County Fire Department Mutual Aid Association and authorizing the Supervisor and Clerk to execute same. Seconded by Mr. Edwards. Ayes all on a roll call vote.

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The resolution reads as follows:

WHEREAS, the Charter Township of Plymouth has the power, privilege and authority to maintain and operate a fire department providing fire protection, fire suppression, emergency medical services, and special operations (“Fire Services”); and

WHEREAS, Fire Services can further be improved by cooperation between political subdivisions during times of public emergency, conflagration or disaster and

WHEREAS, the Michigan Constitution of 1963, Article 7, S28 and the Urban Cooperation Act of 1967, Ex. Sess., being MCL political subdivision to exercise jointly with any other political subdivision any power, privilege or authority which such political subdivisions share in common and which each might exercise separately; and

WHEREAS, the Western Wayne County Fire Department Mutual Aid Association (the “Association”) has been formed as a separate legal entity Michigan public body corporate under the Cooperation Act pursuant to an Interlocal Agreement effective _____; and

WHEREAS, the Association is governed by an Association Board; and

WHEREAS, the Charter Township of Plymouth is a party to the Interlocal Agreement; and

WHEREAS, the Association received a ruling from the Internal Revenue Service (IRS) that the Association’s income is excludable from gross income under Section 115 (1) of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any future tax code; and

WHEREAS, it is desirous to amend the Interlocal Agreement to (i) add City of Belleville as a party; (ii) to add Sumpter Township as a party; (iii) to provide for a Special Operations Group (SOG) and a SOG Constitution to include rules and procedures of the SOG; and (iv) to recognize the favorable IRS ruling on Federal tax status of the Association (collectively the “Amendments”); and (v) to remove provisions regarding Fire Services being provided without costs; and

WHEREAS, the Amendments have been approved by the Association Board; and

WHEREAS, the Cooperation Act and/or the Interlocal Agreement required an amendment to the Interlocal Agreement to be approved by all the parties to the Interlocal Agreement; and

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NOW, THEREFORE, BE IT RESOLVED, that:

1. The Charter Township of Plymouth does hereby approve the attached “Amended and Restated Interlocal Agreement” subject, if necessary, to technical typographical, or non-substantial modifications approved by legal counsel before the Effective Date of the Amended and Restated Interlocal Agreement.
2. The Charter Township of Plymouth authorizes its duly designated officials or officers to sign the Amended and Restated Interlocal Agreement.

J.5 Amending Article II of Ordinance No. C-2002-01 the Water and Sewer System Ordinance for portions of the Townships that are tributary to DWSD
Ordinance No. C-07-03

Mr. Cronin reviewed the proposed amendments to the ordinance.

Mr. Hollis explained the method of charges and passing on the charges to the customer.

Mr. Edwards moved to approve for first reading Ordinance No. C-07-03, amending Article II of Ordinance No. C-2002-01, the Water and Sewer System Ordinance. Seconded by Mr. Curmi. Ayes all on a roll call vote.

A copy of the Ordinance is on file in the Clerk's office for public perusal.

K. SUPERVISOR COMMENTS

Mr. Bailey updated the Board on water tower progress, noting painting will start in June and be completed in August. Rough electrical work was recently completed and the site contractor will be out to begin work. The schedule to put the tank in service is now October.

Mr. Anulewicz updated the Board on progress for 5/3 Bank at Lilley and Ann Arbor Roads and the Speedway station at Ann Arbor and Sheldon Roads. He said both have received final site plan approval.

Mr. Reaume indicated Bosch Corporation has finalized their move into their new facility.

L. TRUSTEE COMMENTS

Mr. Doroshewitz discussed analysis of the Boards of Review this year and how they each functioned. Board A approved about 62% of applications and Board B approved about 38% of the applications, a 60% difference.

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Mr. Curmi had questions about accident scene billings going to Accumed. Chief Maycock indicated meetings are underway to work out various issues.

Mr. Curmi asked about the investigation for medical van alternatives to reduce the costs. Mr. Reaume said the only other option is private transportation, at negligible savings. They do not go to the door to assist individuals to the vehicle and are not trained in CPR. It was agreed we now have the best option available, and the costs were less last month.

Mr. Curmi questioned whether dealings with A3C, the architects for the new Township Hall, have been finalized. Mr. Reaume said the as-builts have been received and there has been no further correspondence.

Mr. Curmi thought a for-sale sign should be placed on the remainder of the Lilley-Ann Arbor Road property. Mr. Edwards questioned why a sign should be put up with the real estate market down.

Mr. Reaume and Mr. Curmi discussed the work done at the cemetery on N. Territorial Road by the Michigan History class of Darren Sylvester. Because it is Township property, the Township has contributed tree trimming services. Mr. Curmi thought additional work should be done by volunteers.

Mr. Mann asked for an update on work being done on M-14. Mr. Reaume said they're making improvements to the road, but that part of the road from the Hines bridge to the I-275 interchange along M-14 was not part of the reconstruction. Now they're going back and doing some improvements to the road.

Mrs. Massengill asked when dead shrubs and trees around the new Township Hall will be replaced. Mr. Reaume said another walk through will be done along with our personnel. Dead specimens will be identified and others will be put on a watch list.

M. PUBLIC COMMENT – There was none

N. ADJOURN

Mrs. Massengill moved to adjourn the meeting. Seconded by Mr. Mann. Ayes all.

Mr. Reaume adjourned the meeting at 9:15 p.m.

Marilyn Massengill, Clerk
Charter Township of Plymouth

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The Charter Township of Plymouth will provide necessary reasonable aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon two weeks notice to the Charter Township of Plymouth. Individuals with disabilities requiring auxiliary aids or services should contact the Charter Township of Plymouth by writing or calling the Human Resource Office, Charter Township of Plymouth, 9955 N. Haggerty Road, Plymouth, Michigan, 48170, (734) 453-3202, TDD users: 1-800-649-3777 (Michigan Relay Service).