

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, AUGUST 14, 2007**

Supervisor Reaume called the meeting to order at 6:03 p.m.

MEMBERS PRESENT: Richard Reaume, Supervisor
Marilyn Massengill, Clerk
Ron Edwards, Treasurer
Kay Arnold, Trustee
Charles Curmi, Trustee
Robert Doroshewitz, Trustee
Steven Mann, Trustee, (Arrived at 6:06 p.m.)

ABSENT: None

OTHERS PRESENT: Mark Lewis, Chief Building Official
Timothy Cronin, Township Attorney
Michael Bailey, Dietrich Bailey & Associates
Joe Bridgman, Deputy Clerk
Stephanie Harbour, Dietrich Bailey Associates
Susan Vignoe, Solid Waste & Public Services Coordinator
Alice Geletzke, Recording Secretary
22 Members of the Public

D. APPROVAL OF AGENDA

Regular Meeting – Tuesday, August 14, 2007

Mrs. Massengill moved to approve the agenda for the Board of Trustees Regular Meeting of August 14, 2007, as submitted. Ayes all, with Mr. Mann absent.

CLOSED SESSION

At 6:04 p.m., it was moved by Mrs. Massengill and seconded by Ms. Arnold that a closed session be called for the purpose of

RE: Discussing possible settlement of lawsuits

This is a permissible purpose under the Michigan's Open Meeting Act, Public Act No. 267, Article 15.268, Section 8, Paragraph (e)

Ayes all on a roll call vote with Mr. Mann absent.

Mr. Mann arrived at the meeting at 6:06 p.m. and participated in the closed session.

At 6:55 p.m., it was moved by Mrs. Massengill and seconded by Ms. Arnold to return to open session.

Ayes all on a roll call vote.

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E. CONSENT AGENDA

E.1 Approval of Minutes
Regular Meeting – Tuesday, July 17, 2007

E.2 Approval of Township Bills

| | | Year 2007 |
|--|-------|-----------------------|
| General Fund | (101) | 1,135,366.78 |
| General Fund Loan to Downtown Development Authority | (101) | |
| Water/Sewer | (592) | 1,183,421.57 |
| Improvement Revolving | (246) | 16,463.76 |
| Solid Waste Disposal | (226) | 97,516.00 |
| Trust and Agency | (701) | 19,347.50 |
| Tax Pool | (703) | |
| Drug Forfeiture | (265) | 130.00 |
| Special Assessment Capital Project Fund | (805) | 4,461.93 |
| Total: | | \$2,456,707.54 |

E.3 Approval of Easements
Speedway SuperAmerica LLC

E.4 Communications-Resolutions-Reports

- a. Communications – N/A
- b. Resolutions – N/A
- c. Reports
Building Department, July 2007
Fire Department, June 2007
Fire Department, July 2007
2nd Quarter – 2007 - Financial Reports

Mrs. Massengill moved to approve the consent agenda for the Board of Trustees Regular Meeting of August 14, 2007, as presented. Ayes all.

Mr. Curmi requested that Page 2 of the minutes of the Board of Trustees Regular Meeting of July 17, 2007, be corrected to reflect that Mr. Doroshewitz was present by phone during the closed session.

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Mr. Doroshewitz received an explanation from Mr. Reaume regarding the bill for installation of shower doors at Fire Stations 1 and 3.

F. PUBLIC COMMENT AND QUESTIONS

Richard Abraham, Vice President of Local 1496, addressed the Board regarding a personnel matter involving the Fire Department.

The Board contemplated holding a special meeting to adjourn into closed session to discuss this situation prior to an arbitration hearing scheduled for September 10.

Peter Bukus of the Fire Department asked that the Board review how the position of Lieutenant and Emergency Training Officer is to be paid. There is a great need for the position; however, the promotion means a pay cut of between \$5,000 and \$6,000.

G. PUBLIC HEARING – N/A

H. COMMUNITY DEVELOPMENT – N/A

I. UNFINISHED BUSINESS

- I.1** Water and Sewer Rate Changes/Sewer Use Ordinance
Amend Sections 73.040 through 73.065 of Article 1, Ordinance No. C-2002-01
Ordinance No. C-07-04
Second Reading

Mr. Cronin reiterated that corrections and changes have been made to the ordinance, including the 15 per cent increase in rates.

Mr. Curmi moved to approve the second reading of Ordinance No. C-07-04, amending portions of Article I of Ordinance No. C-2002-01, Water and Sewer System Ordinance. Seconded by Mrs. Massengill.

AYES: Curmi, Massengill, Arnold, Reaume
NAYS: Doroshewitz, Edwards, Mann

Motion carried.

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

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J. NEW BUSINESS

- J.1** Request from Guardian Automotive Products, Inc., for a five (5) year Industrial Facilities Exemption Certificate covering the cost of building improvements for a leased facility located at 40985 Concept Drive, Lot 13, and the installation of new personal property to be purchased and installed in said facility
Set date for public hearing

Ms. Arnold moved that September 11, 2007, be established for public hearing on the request from Guardian Automotive Products, Inc., for a five (5) year Industrial Facilities Exemption Certificate covering building improvements to an existing facility and new personal property to be purchased and installed at 40985 Concept Drive, Lot 13, Metro Plymouth Business Park Subdivision, Plymouth Township, Michigan. Seconded by Mr. Edwards. Ayes all.

- J.2** Request for a twelve (12) year Industrial Facilities Exemption Certificate from Vico Products, Co. for the purchase and installation of new personal property for their facility located at 41555 Ann Arbor Road
Set date for public hearing

Mr. Curmi moved that September 11, 2007, be established for public hearing on the request from Vico Products, Co., for a twelve (12) year Industrial Facilities Exemption Certificate covering new personal property to be purchased and installed at 41555 Ann Arbor Road, Plymouth Township, Michigan. Seconded by Mr. Edwards. Ayes all.

- J.3** Request to transfer Industrial Facilities Exemption Certificate #2002-469 from Tower Automotive Plymouth, Inc. DBA Tower Automotive to Tower Automotive Operations USA 1, LLC for their facility located at 43955 Plymouth Oaks Blvd., Plymouth Oaks Business Park
Set date for public hearing

Mr. Curmi requested that any information regarding unpaid water bills, taxes, etc., be available at the next meeting.

Mrs. Massengill moved that September 11, 2007 be established for public hearing on the request from Tower Automotive Plymouth, Inc., DBA Tower Automotive, to transfer Industrial Facilities Exemption Certificate #2002-469 to Tower automotive Operations USA1, LLC, for their facility located at 43955 Plymouth Oaks Blvd., Plymouth Oaks Business Park, Plymouth Township, Michigan. Seconded by Ms. Arnold.

AYES: Massengill, Arnold, Curmi, Doroshewitz, Mann, Reaume
NAYS: Edwards

Motion carried.

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- J.4** Request to transfer Industrial Facilities Exemption Certificate #2005-601 from Tower Automotive Plymouth, Inc. DBA Tower Automotive to Tower Automotive Operations USA 1, LLC for their facility located at 43955 Plymouth Oaks Blvd., Plymouth Oaks Business Park
Set date for public hearing

Mrs. Massengill moved that September 11, 2007, be established for public hearing on the request from Tower Automotive Plymouth, Inc., DBA Tower Automotive, to transfer Industrial Facilities Exemption Certificate #2005-601 to Tower Automotive Operations USA 1, LLC, for their facility located at 43955 Plymouth Oaks Blvd., Plymouth Oaks Business Park. Seconded by Mr. Mann.

AYES: Massengill, Mann, Arnold, Curmi, Doroshewitz, Reaume
NAYS: Edwards

Motion carried.

- J.5** Friendship Station Kitchen Renovations
Approval of contractor

Chief Building Official Lewis addressed the Board and answered questions regarding the kitchen renovations which are to be funded through the Community Development Block Grant Program. He indicated the two lowest bidders were present.

The Board also discussed the future purchase of appliances to be made from Township funds because commercial grade appliances, which are covered by the grant, are not needed at the facility.

Ms. Arnold moved to approve granting Plymouth Construction Group the Friendship Station Kitchen Renovation contract in the amount of \$48,215.00, and authorize the Township Supervisor and Clerk to sign the contract. Seconded by Mr. Edwards. Ayes all.

- J.6** Northville Road Sidewalk
Consider Bid Award

Township Engineer Bailey addressed the Board and answered questions.

Mr. Edwards moved to award the Northville Road Sidewalk Extension Contract to LaVant Landscape and Construction Services, Inc., in the amount of \$49,802.54, and authorize the Supervisor and clerk to execute the construction contract. Seconded by Mr. Curmi. Ayes all.

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- J.7** Speedway/Ann Arbor Road and Sheldon Road Storm Drain Agreement and Resolution
Consider Storm Drain Agreement and Resolution as required by Wayne County
Resolution No. 07-08-14-08

Ms. Arnold moved to adopt Resolution 07-08-14-08, authorizing the Township Supervisor to sign Wayne County Permit M-44171 and approve Storm Drain Agreement with Speedway SuperAmerica, LLC., and authorize the Township Supervisor and Clerk to execute same. Seconded by Mr. Edwards. Ayes all on a roll call vote.

The Resolution reads as follows:

WHEREAS, the Plymouth Charter Township has been requested by Speedway SuperAmerica LLC to assume jurisdiction and maintenance of a certain storm drain (or storm sewer, as the case may be); and

WHEREAS, the Wayne County Department of Public Services for the County of Wayne is agreeable to such request and has prepared a Permit No. M-44171 to be entered into by said Wayne County Department of Public Services, the Plymouth Charter Township and Speedway SuperAmerica LLC for the purposes therein stated; and

WHEREAS, the Plymouth Charter Township is under no legal duty to assume such jurisdiction and maintenance or to enter into the aforesaid Permit for the particular benefit of Speedway SuperAmerica LLC and the property served by the storm drain and it is necessary for the public health, safety and welfare that said storm drain be maintained and such maintenance be without cost or expense to the Plymouth Charter Township; and

WHEREAS, Speedway SuperAmerica LLC has willingly and freely affirmed the desire and intent to execute and record instruments for the purpose of insuring that the Plymouth Charter Township will be held harmless from all costs and expenses in any way pertaining to the Plymouth Charter Township assuming the aforescribed maintenance and jurisdiction or to the aforesaid Permit being executed by the Plymouth Charter Township.

NOW, THEREFORE, BE IT RESOLVED that the Plymouth Charter Township shall assume jurisdiction and maintenance of the storm drain servicing the premises at the street address of 1490 S. Sheldon Road, Plymouth Twp., and owned by Speedway SuperAmerica LLC, successor by merger to Emro Marketing Company.

FURTHER, BE IT RESOLVED that the Supervisor and Clerk of the Plymouth Charter Township are authorized and empowered to execute Permit No. M-44171 of the Wayne County Department of Public Services in behalf of the Plymouth Charter Township; and

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FURTHER, BE IT RESOLVED that the Supervisor and Clerk of the Plymouth Charter Township are authorized and empowered to execute the Storm Drain Agreement in behalf of the Plymouth Charter Township together with Speedway SuperAmerica LLC in the form and substance of the instrument presented to this Board.

J.8 Plymouth Towne Center
Storm Drain Agreement and Resolution
Resolution No. 07-08-14-09

Mrs. Massengill moved to adopt Resolution 07-08-14-09, authorizing the Township Supervisor to sign Wayne County Permit M-44254 and approve the Storm Drain Agreement with Plymouth Associates LLC, and authorize the Township Supervisor and Clerk to execute same. Ayes all on a roll call vote.

The Resolution reads as follows:

WHEREAS, the Plymouth Charter Township has been requested by Plymouth Associates LLC to assume jurisdiction and maintenance of a certain storm drain (or storm sewer, as the case may be); and

WHEREAS, the Wayne County Department of Public Services for the County of Wayne is agreeable to such request and has prepared a Permit No. M-44254 to be entered into by said Wayne county Department of Public Services, the Plymouth Charter Township and Plymouth Associates LLC for the purposes therein stated; and

WHEREAS, the Plymouth Charter Township is under no legal duty to assume such jurisdiction and maintenance or to enter into the aforesaid Permit for the particular benefit of Plymouth Associates LLC and the property served by the storm drain and it is necessary for the public health, safety and welfare that said storm drain be maintained and such maintenance be without cost or expense to the Plymouth Charter Township; and

WHEREAS, Plymouth Associates LLC has willingly and freely affirmed the desire and intent to execute and record instruments for the purpose of insuring that the Plymouth Charter Township will be held harmless from all costs and expenses in any way pertaining to the Plymouth Charter Township assuming the aforescribed maintenance and jurisdiction or to the aforesaid Permit being executed by the Plymouth Charter Township.

NOW, THEREFORE, BE IT RESOLVED that the Plymouth Charter Township shall assume jurisdiction and maintenance of the storm drain servicing the premises at the street address of Ann Arbor Road between Haggerty & Gold Arbor and owned by Plymouth Associates LLC.

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FURTHER, BE IT RESOLVED that the Supervisor and Clerk of the Plymouth Charter Township are authorized and empowered to execute Permit No. M-44254 of the Wayne County Department of Public Services in behalf of the Plymouth Charter Township; and

FURTHER, BE IT RESOLVED that the Supervisor and Clerk of the Plymouth Charter Township are authorized and empowered to execute the Storm Drain Agreement in behalf of the Plymouth Charter Township together with Plymouth Associates LLC in the form and substance of the instrument presented to this Board.

K. SUPERVISOR COMMENTS

Mr. Reaume informed the Board of the attempts of the Conference of Western Wayne to set up a purchasing cooperative.

He also drew the Board's attention to the first Tax Tribunal report at their places from Wayne County Appraisal.

L. TRUSTEE COMMENTS

Ms. Arnold had questions regarding authorization for the "For Sale" sign on the remaining Township property at Lilley and Ann Arbor Roads and invitations for Board members at grand openings and ribbon cuttings. She also alerted the Board to a recent article in the Detroit News regarding the spread of a fungal disease affecting maple and other trees.

M. PUBLIC COMMENT

Richard Abraham, Vice President of Local 1496, thanked the Board for considering a meeting regarding the Fire Department personnel matter. He expressed his desire to work together for an equitable solution, along with that of Dan Atkins, Local President.

N. ADJOURN

Moved by Mrs. Massengill to adjourn the meeting. Seconded by Mr. Edwards. Ayes all.

Mr. Reaume adjourned the meeting at 8:02 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).