

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, DECEMBER 16, 2008**

Supervisor Reaume called the meeting to order at 8:16 p.m. and led in the Pledge of Allegiance to the Flag.

MEMBERS PRESENT: Richard Reaume, Supervisor
Joe Bridgman, Clerk
Ron Edwards, Treasurer
Kay Arnold, Trustee
Robert Doroshewitz, Trustee
Michael Kelly, Trustee
Steven Mann, Trustee

ABSENT: None

OTHERS PRESENT: James Anulewicz, Director of Public Service
Mark Lewis, Chief Building Official
Thomas Tiderington, Police Chief
Robert Smith, Assistant Police Chief
Mark Wendel, Assistant Fire Chief
Patrick Fellrath, Township Civil Engineer
Eric Cholack, Labor Attorney
Timothy Cronin, Township Attorney
Stephanie Harbour, Dietrich Bailey Associates
23 Members of the Public

D. APPROVAL OF AGENDA

Regular Meeting – Tuesday, December 16, 2008

Mr. Bridgman amended the agenda by the addition of Item J.19 under New Business, Recognition of Charitable Organization. He then moved to approve the agenda for the Board of Trustees regular meeting of December 16, 2008, as amended. Seconded by Mr. Edwards. Ayes all.

E. CONSENT AGENDA

E.1 Approval of Minutes

Special Meeting – Tuesday, November 25, 2008 (6:15 pm)

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**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, DECEMBER 16, 2008**

E.2 Approval of Township Bills – N/A

		Year 2008
General Fund	(101)	\$1,223,003.44
General Fund Loan to Downtown Development Authority	(101)	-
Water/Sewer	(592)	3,429,430.66
Improvement Revolving	(246)	166,275.65
Solid Waste Disposal	(226)	116,796.41
Trust and Agency	(701)	52,117.87
Tax Pool	(703)	56,019.82
Drug Forfeiture	(265)	7,202.33
Special Assessment Capital Project Fund	(805)	-
Total:		\$5,050,846.18

E.3 Approval of Easements – N/A

E.4 Communications-Resolutions-Reports

a. Communications – N/A

b. Resolutions – N/A

c. Reports
Assessing Department, December 2008
Building Department, November 2008
Fire Department, November 2008

Mr. Bridgman moved to approve the consent agenda for the Board of Trustees regular meeting of December 16, 2008, as submitted. Seconded by Ms. Arnold. Ayes all.

F. PUBLIC COMMENT AND QUESTIONS

Ms. Carol Pyykkonen, Township employee and AFSCME Local 2958 President, asked for clarification of the action taken at the earlier special meeting.

Mr. Reaume indicated work hours for seven AFSCME members were reduced and he would be happy to meet with her first thing tomorrow morning.

Ms. Cheri Gordon, Office Manager for the Police Department, said she was going on vacation tomorrow and would appreciate knowing tonight if her position was affected by the action.

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, DECEMBER 16, 2008**

Mr. Doroshewitz said it was decided that it would not be appropriate to publicly make this type of sensitive announcement to employees in this type of public forum.

Ms. Pykkonen and other members of the audience again complained of not being able to hear the discussion at the Board table, thus making it impossible to respond intelligently.

Mr. Doroshewitz proposed that Ms. Pykkonen could be given the list of the positions, which was done.

Mr. Alan Helmkamp, representative of Wayne County, noted that Sheldon Road is open, although in the spring some odds and ends need to be finished such as driveways, sidewalks, and landscaping. He expressed appreciation for the utmost cooperation of the Township, particularly from Jim Anulewicz, Director of Public Services, and Patrick Fellrath, Township Engineer.

Mr. Mann and Mr. Reaume thanked Mr. Helmkamp for his efforts in keeping the project on schedule.

G. PUBLIC HEARING – N/A

H. COMMUNITY DEVELOPMENT – N/A

I. UNFINISHED BUSINESS – N/A

J. NEW BUSINESS

J.1 Zoning Board of Appeals Appointment

Mr. Mann moved to reappoint Gene Levengood to the Zoning Board of Appeals for a three-year term expiring on December 31, 2011. Seconded by Ms. Arnold. Ayes all.

**J.2 2009 Community Development Block Grant Funds
Set date for Public Hearing**

Mr. Bridgman moved to establish January 20, 2009, as the date for the public hearing concerning the Community Development Block Grant funds for PY 2009. Seconded by Ms. Arnold. Ayes all.

**J.3 An Ordinance repealing Ordinance No. C-97-03, Chapter 20, Building Code, Part II, Building Regulations
First Reading of Ordinance No. C-2008-03**

Mr. Cronin explained that the Township now enforces the State Construction Code which includes all the pertinent parts of the Building Code, necessitating these ordinance changes.

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, DECEMBER 16, 2008**

Mr. Mann moved to approve the first reading of Ordinance No. C-2008-03, repealing Ordinance No. C-97-03, Chapter 20, Building Code, Part II, Building Regulations of the Charter Township of Plymouth. Seconded by Mr. Edwards. Ayes all on a roll call vote.

- J.4** An Ordinance repealing Ordinance No. C-94-03, Chapter 22, Energy Conservation Code
First Reading of Ordinance No. C-2008-04

Mr. Edwards moved to approve the first reading of Ordinance No. C-2008-04, repealing Ordinance No. C-94-03, Chapter 22, Energy Conservation Code of the Charter Township of Plymouth. Seconded by Ms. Arnold. Ayes all on a roll call vote.

- J.5** An Ordinance repealing Ordinance No. C-91-04, Chapter 23, Existing Structures Code
First Reading of Ordinance No. C-2008-05

Ms. Arnold moved to approve the first reading of Ordinance No. C-2008-05, repealing Ordinance No. C-2008-05, repealing Ordinance No. C-91-04, Chapter 23, Existing Structures Code of the Charter Township of Plymouth. Seconded by Mr. Edwards. Ayes all on a roll call vote.

- J.6** An Ordinance repealing Ordinance No. C-08-01, Chapter 25, Mechanical Code
First Reading of Ordinance No. C-2008-06

Mr. Edwards moved to approve the first reading of Ordinance No. C-2008-06, repealing Ordinance No. C-08-01, Chapter 25, Mechanical Code of the Charter Township of Plymouth. Seconded by Ms. Arnold. Ayes all on a roll call vote.

- J.7** An Ordinance repealing Ordinance No. C-97-06, Chapter 26, One and Two-Family Dwelling Code
First Reading of Ordinance No. C-2008-07

Mr. Edwards moved to approve the first reading of Ordinance No. C-2008-07, repealing Ordinance No. C-97-06, Chapter 26, One- and Two-Family Dwelling Code of the Charter Township of Plymouth. Seconded by Ms. Arnold. Ayes all on a roll call vote.

- J.8** An Ordinance repealing Ordinance No. C-98-02, Chapter 27, Plumbing Code
First Reading of Ordinance No. C-2008-08

Mr. Mann approved the first reading of Ordinance No. C-2008-08, repealing Ordinance No. C-98-02, Chapter 27, Plumbing Code of the Charter Township of Plymouth. Seconded by Ms. Arnold. Ayes all on a roll call vote.

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, DECEMBER 16, 2008**

- J.9** An Ordinance repealing Ordinance No. 25, Chapter 29, Swimming Pool Ordinance
First Reading of Ordinance No. C-2008-09

Mr. Edwards moved to approve the first reading of Ordinance No. C-2008-09, repealing Ordinance No. 25, Chapter 29, Swimming Pool Ordinance of the Charter Township of Plymouth. Seconded by Ms. Arnold. Ayes all on a roll call vote.

- J.10** Building Department Fees Ordinance
First Reading of Ordinance No. C-2008-10

It was noted that the actual fee schedule would be adopted by resolution at a later date.

Mr. Mann moved to approve the first reading of Ordinance No. C-2008-10, the Building Department fee schedule. Ayes all on a roll call vote.

The above ordinances are on file in the Clerk's office and available for public perusal.

- J.11** Elected Township Officials Compensation

Attorney Cronin explained that only with the written consent of the elected official, the salary can be reduced. Currently there is a letter from Supervisor Reaume voluntarily decreasing his 2009 salary to an amount equal to his 2008 salary.

He indicated he could draft a short generic letter for the others to sign.

Mr. Mann suggested that the Trustees give up 10 percent of their salaries, also.

Mr. Mann moved to receive and file the letter from the Township Supervisor voluntarily reducing his salary for 2009. Seconded by Mr. Edwards. Ayes all.

- J.12** Improvement Revolving Fund Budget
Resolution No. 08-12-16-26

The Board discussed removing \$450,000 in bond proceeds under Revenue and \$450,000 for replacement of the park maintenance building, with the possibility of just demolishing the current building.

With the change of removing the two line items for \$450,000, Mr. Mann moved to approve Resolution 08-12-16-26, adopting the Amended Improvement Revolving Fund Budget for 2008 and Recommended Budget for 2009. Seconded by Ms. Arnold. Ayes all on a roll call vote.

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, DECEMBER 16, 2008**

J.13 Drug Forfeiture Fund Budget
Resolution No. 08-12-16-27

Mr. Mann moved to approve Resolution 08-12-16-27, adopting the Amended Drug Forfeiture Fund Budget for 2008 and Recommended Drug Forfeiture Fund Budget for 2009. Seconded by Mr. Edwards. Ayes all on a roll call vote.

J.14 Solid Waste Fund Budget
Resolution No. 08-12-16-28

Mr. Mann moved to approve Resolution 08-12-16-28, adopting the Amended Solid Waste Fund Budget for 2008 and Recommended Solid Waste Fund Budget for 2009. Seconded by Ms. Arnold. Ayes all on a roll call vote.

J.15 Special Assessment District Fund Budget
Resolution No. 08-12-16-29

Ms. Arnold moved to approve Resolution 08-12-16-29, adopting the Amended Special Assessment District Fund Budget for 2008 and the Recommended Special Assessment District Fund Budget for 2009. Seconded by Mr. Edwards. Ayes all on a roll call vote.

J.16 Downtown Development Authority Budget
Resolution No. 08-12-16-30

Mr. Mann moved to approve Resolution 08-12-16-30, amending the Plymouth Township Downtown Development Authority Budget for 2008 and approving the 2009 Recommended Budget. Seconded by Ms. Arnold. Ayes all on a roll call vote.

J.17 Water and Sewer Fund Budget
Resolution No. 08-12-16-31

Mr. Mann moved to approve Resolution 08-12-16-31, adopting the Amended Water and Sewer Fund Budget for 2008 and the Recommended Water and Sewer Fund Budget for 2009. Seconded by Ms. Arnold. Ayes all on a roll call vote.

Copies of the above resolutions are on file in the Clerk's office for public perusal.

J.18 Recommendation of Depositories for the Charter Township of Plymouth
Funds for the Calendar Year 2009
Resolution No. 08-12-16-32

Ms. Arnold moved to approve Resolution 08-12-16-32, adopting the Depositories for the Charter Township of Plymouth funds for the Calendar Year 2009. Seconded by Mr. Mann. Ayes all on a roll call vote.

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, DECEMBER 16, 2008**

The resolution reads as follows:

BE IT RESOLVED that the following banks be named as depositories for the Charter Township of Plymouth funds for the calendar year January 1, 2009 through December 31, 2009 for Everyday Savings, Checking Accounts, Money Market Accounts, Certificates of Deposits, Commercial Paper and Pool Fund Investment Accounts beginning January 1, 2009.

Money received by the Charter Township of Plymouth shall be deposited at the Treasurer's discretion into the following depositories:

Bank of America	Comerica Bank
Community Financial	Flagstar Bank
Fidelity Bank	Chase Bank
National City Bank	Fifth Third Bank
New Liberty Bank	Charter One

J. 19 Recognition of Charitable Organization

Mr. Edwards explained that Farrand School is requesting that the Township recognize them as a charitable organization so they can apply to obtain money from a certain Michigan Lottery program.

Ms. Arnold moved to approve Resolution No. 08-12-16-33, asking that the Helen Farrand Parent-Teachers Association be recognized as a non-profit organization in the community for the purpose of obtaining charitable gaming licenses. Supported by Mr. Edwards. Ayes all on a roll call vote.

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

K. DEPARTMENT REVIEW AND COMMENTS – N/A

L. SUPERVISOR AND TRUSTEE COMMENTS

Mr. Reaume had Mr. Anulewicz update Board members on the status of negotiations with the Detroit Water and Sewer Department in seeking new contracts from each of the communities to which they supply water. The language the contract seems to be stabilized. As soon as rate information is received, it will be discussed with the Supervisor, then to come back to the Board. They've been asked for the current rate and what they're anticipating the rate to be. They've also been asked if the Township were to sign the contract now, what the rate would be. He's been told there will be a differentiation between the rates if the contract is signed.

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, DECEMBER 16, 2008**

Mr. Reaume also thanked Mr. Anulewicz and Mr. Fellrath for their efforts on the Sheldon Road underpass project.

Mr. Doroshewitz explained that of the options discussed earlier to help meeting financial goals, he preferred the earlier action of cutting AFSCME members' hours because, for now, nobody loses their job, which was very important to him, though challenges must be faced.

Mr. Bridgman informed the Board that the School District moved their yearly election to November, rather than May as is in the calendar. He also said an unexpected bill was received from the County for the recount of the Clerks race in the approximate amount of \$3,374 so the budget may have to be adjusted.

Mr. Edwards said the personnel decision was not an easy one to make. With the economy, there was no other place to go.

He also said he didn't agree with the buyout Mr. Bridgman received for his vacation and sick time, in spite of an attorney's opinion on it and he doesn't think the policies support it.

Mr. Bridgman suggested getting rid of the calendar and the newsletter and making other cuts instead of laying people off. The Deputy Clerk's position has been made part-time without benefits and now another job in the Clerk's department has been made part-time without benefits.

Mr. Mann suggested if Mr. Bridgman has cuts to the budget that he bring those to the Board.

Mr. Edwards asked if Mr. Bridgman has appointed a Deputy Clerk.

Mr. Bridgman said he hadn't yet appointed one.

Mr. Edwards asked that Mr. Bridgman do that soon in case something happens to him. Mr. Edwards also suggested that he would be willing to go with that somewhat if Mr. Bridgman were to take someone from within to put benefits back in. That would allow some adjustment. That would be something that would help this situation.

Mr. Mann asked if the suggestion is if Mr. Bridgman were to appoint someone from the Township already, rather than bringing somebody in.

Mr. Doroshewitz said Mr. Bridgman has to be proactive with money-saving proposals.

Mr. Bridgman said over \$132,000 has been taken out of the Clerks Department Budget.

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, DECEMBER 16, 2008**

M. PUBLIC COMMENT

Mr. Richard Silber commented on the treatment of a member of the audience at one of the prior meetings who picked up on the perception that an insider rather than an outsider was wanted for the Deputy Clerk's job. Now, a negotiation deal has been thrown out that if someone is hired from within, benefits are possible.

He asked if it has been considered how much the services would be affected. Seven people's lives are being affected two weeks before Christmas. He asked if any provisions are being made for transitional assistance programs for these employees.

Mr. Edwards indicated this is no different from what is happening all around. The revenue is no available to support this.

Mr. Silber asked if it was the poor economy or poor management that got the Township into this situation.

Ms. Donna Snell, Township employee, expressed her concern that the cuts are within the AFSCME union.

Mr. Edwards said other cuts have been made.

Mr. Mann cited the layoff of a police officer and not having filled some positions in the Fire Department.

Ms. Pyykkonen noted the cuts were 20% for six employees and 25% for one, but the Board is only willing to return 10% of their pay. She said she felt that to show that we're all in this together, the Board's cut should be 25%. The cuts by the elected officials are for raises they had not yet received. She also recommended the availability of counseling.

N. CLOSED SESSION

At 10:10 p.m., it was moved by Mr. Mann and seconded by Ms. Arnold that a closed session be called for the purpose of

RE: Discussing Pending Litigation – Bosch and CSX

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.

At 10:32 p.m., it was moved by Ms. Arnold and seconded by Mr. Mann to return to open session. Ayes all on a roll call vote.

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, DECEMBER 16, 2008**

Mr. Mann moved to approve the stipulation and final order in the case of CSX vs Charter Township of Plymouth and Ron Edwards, et al, discussed in closed session and authorize the Township Attorney to execute same. Supported by Mr. Edwards. Ayes all.

Mr. Mann moved to settle the tax tribunal appeal with Robert Bosch Corporation, LLC, Docket No. 335118 as discussed in closed session. Supported by Mr. Edwards. Ayes all.

Mr. Edwards asked what limit the Board wished on tax tribunal cases to have brought back before them. Consensus was it would be the amount over \$15,000.

O. ADJOURN

Ms. Arnold moved to adjourn the meeting. Supported by Mr. Edwards. Ayes all.

Mr. Reaume adjourned the meeting at 10:37.

Joseph Bridgman, Clerk
Charter Township of Plymouth

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)-