

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, JANUARY 20, 2009**

Supervisor Reaume called the meeting to order at 7:25 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
Mark Wendel, Assistant Fire Chief
Patrick Fellrath, Township Civil Engineer
Susan Vignoe, Solid Waste & Public Service Coordinator
Timothy Cronin, Township Attorney
Michael Bailey, Dietrich Bailey Associates
Sally Hodges, McKenna Associates
Alice Geletzke, Recording Secretary
38 Members of the Public

D. APPROVAL OF AGENDA

Regular Meeting – Tuesday, January 20, 2009

Mr. Bridgman moved to approve the agenda for the Board of Trustees regular meeting of January 20,2009, as presented. Seconded by Ms. Arnold. Ayes all.

E. CONSENT AGENDA

E.1 Approval of Minutes

Special Meeting – Tuesday, December 16, 2008

Regular Meeting – Tuesday, December 16, 2008

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E.2 Approval of Township Bills – N/A

		Year 2009
General Fund	(101)	\$1,219,351.96
General Fund Loan to Downtown Development Authority	(101)	-
Water/Sewer	(592)	937,164.51
Improvement Revolving	(246)	2,301.18
Solid Waste Disposal	(226)	102,572.23
Trust and Agency	(701)	6,636.92
Tax Pool	(703)	16,597.09
Drug Forfeiture	(265)	3,658.93
Special Assessment Capital Project Fund	(805)	-
Total:		\$2,288,282.82

E.3 Approval of Easements – N/A

E.4 Communications-Resolutions-Reports

a. Communications

Thank you letter to Park Staff, Tim, John, and Phil from Plymouth YMCA

Thank you letter to the Board of Trustees from Carl Anderson
Resolution 2009-01 from the City of Plymouth

c. Resolutions – N/A

d. Reports

Assessing Department, January 2009
Building Department, December 2008
Fire Department, December 2008
Police Department, November 2008
Passport recap, Year 2008
FOIA report, December 2008

Mr. Edwards moved to approve the consent agenda for the Board of Trustees regular meeting of January 20, 2009, as presented. Seconded by Mr. Bridgman. Ayes all.

F. PUBLIC COMMENT AND QUESTIONS

Carol Leroue, 48-year resident and long-time member of the Board of Review, questioned Board members as to whether or not they requested new Board of Review

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members. She indicated she would like reappointment and would like to recommend Maryann Carey and Kendra Barberena for reappointment.

Mr. Edwards indicated his office has had complaints from residents who have appeared before the Board of Review that are upset because their assessments are too high, thus when they sell their houses the new taxable value for their houses becomes their SEV and their houses are not marketable. They believe they have legitimate reason to have their taxes reduced. Their only other avenue for relief is the Michigan Tax Tribunal which has a tremendous backlog of cases. This also increases costs to Plymouth Township for legal representation.

Rick Tefend of the Plymouth Community Fire Department asked which Fire Department rules and regulations were changed.

Mr. Reaume indicated a packet would be available for distribution tomorrow.

Mr. Tefend also had comments and questions regarding ~~arbitrarily~~ changing rules when the contract is up in two months. He appealed to the Board that the station fill-in not be initiated any longer. He maintained there were 10 shift days in 19 days in which there was no fire service in the community. All of the trucks and manpower were committed to either a rescue or a transport or out of the community. Mutual Aid had to be called three or four of those days. He also asked when a new Chief would be hired.

~~Kathy Pumphrey, long time employee of the Township whose hours and benefits were cut just prior to Christmas, made recommendations that the Supervisor, Treasurer, and Clerk lead by example and ask the Compensation Commission to cut their salaries by 20% and to cancel all benefits except for a half day of vacation per month including health care, sick time, car allowance and the rest of their benefits all to be done within 30 days. who was one of the employees affected by the move to part-time status, asked the elected officials to cut their salaries. She also recommended the other Trustees ask the Commission to cancel their salaries as they have other jobs.~~

Roy Banks, member of the Board of Review, indicated he thinks the Board is making a big mistake if Maryann Carey and Kendra Barberena are to be replaced because of their importance to new members on the Board of Review. He said if they are cut, he does not wish to serve.

G. PUBLIC HEARING

G.1 2009 Community Development Block Grant Allocation

Susan Vignoe, Solid Waste and Public Services Coordinator, explained that the 2009 estimated funding allocation for the Township is \$105,000.

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Mr. Mann asked for the status of the investigation into possibly paving roads in low income areas.

It was the consensus of the Board to direct Mr. Anulewicz to proceed with surveying the residents in the areas where it might be possible to use Block Grant Funds for paving.

Mr. Reaume opened the public hearing at 7:57 p.m. There being no comment from the public, the hearing was closed at 7:58 p.m.

Ms. Arnold moved as follows: Wayne County requires that the Board of Trustees approve the expenditure of the 2009 Block Grant Funds with Public Service programs at a maximum level of 19% of the total allocation. Therefore, she moved to approve the expenditure of the 2009 Community Development Block Grant funds as specified in Table A based on the 19% allocation. Further, if Wayne County determines, after all applications are received, that additional funds may be available for Public Service projects beyond the 19%, she moved to approve the expenditure of the 2009 Community Development block Grant Funds as specified in Table B.

TABLE A ALLOCATION BASED ON 19%				TABLE B ALLOCATION BASED ON TOWNSHIP PREFERENCE			
	Allocation	% of Total	% of Allocation		Allocation	% of Total	% of Allocation
PUBLIC SERVICES	\$19,950.00	19%		PUBLIC SERVICES	\$51,450.00	49%	
Senior Services	\$5,440.37		27.28%	Senior Services	\$14,030.44		27.27%
Council on Aging	\$3,489.26		64.14%	Council on Aging	\$11,806.44		84.15%
Senior Alliance	\$1,951.11		35.86%	Senior Alliance	\$2,224.00		15.85%
Transportation	\$14,509.64		72.73%	Transportation	\$37,419.59		72.73%
Disabled Van	\$4,793.99		33.04%	Disabled Van	\$12,384.02		33.10%
Senior Transportation	\$9,715.65		66.96%	Senior Transportation	\$25,035.57		66.90%
ADMINISTRATION	\$10,500.00	10%		ADMINISTRATION	\$10,500.00	10%	
Administration	\$10,500.00		100.00%	Administration	\$10,500.00		100.00%
BRICK & MORTAR	\$74,550.00	71%		BRICK & MORTAR	\$43,050.00	41%	
Multi-year Program: Expansion & Acquisition	\$74,550.00		100.00%	Multi-year program: Expansion & Acquisition	\$43,050.00		100.00%
TOTAL ALLOCATION	\$105,000.00	100%		TOTAL ALLOCATION	\$105,000.00	100%	

Seconded by Mr. Mann. Ayes all.

H. COMMUNITY DEVELOPMENT

H.1 Rezoning from AG, Agricultural District to R-1-E, Single Family Residential District for Application No. 2002/1108

Sally Hodges of McKenna Associates reviewed the recommendation of the Planning Commission regarding the requested rezoning.

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Mr. Mann moved to approve the recommendation of the Planning Commission to rezone Parcel R-78-042-99-0003-004 from AG, Agricultural District, to R-1-E, Single Family Residential District, as described in the amended zoning map. Seconded by Ms. Arnold. Ayes all.

I. UNFINISHED BUSINESS

Attorney Cronin explained the need for repealing the Township building code as the Township now enforces the State Construction Code.

- I.1** An Ordinance repealing Ordinance No. C-97-03, Chapter 20, Building Code, Part II, Building Regulations
Second Reading of Ordinance No. C-2008-03

Mr. Edwards moved to approve the second 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 Ms. Arnold. Ayes all on a roll call vote.

- I.2** An Ordinance repealing Ordinance No. C-94-03, Chapter 22, Energy Conservation Code
Second Reading of Ordinance No. C-2008-04

Mr. Edwards moved to approve the second 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.

- I.3** An Ordinance repealing Ordinance No. C-91-04, Chapter 23, Existing Structures Code
Second Reading of Ordinance No. C-2008-05

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

- I.4** An Ordinance repealing Ordinance No. C-08-01, Chapter 25, Mechanical Code
Second Reading of Ordinance No. C-2008-06

Mr. Edwards moved to approve the second 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.

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- I.5** An Ordinance repealing Ordinance No. C-97-06, Chapter 26, One and Two-Family Dwelling Code
Second Reading of Ordinance No. C-2008-07

Mr. Edwards moved to approve the second 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.

- I.6** An Ordinance repealing Ordinance No. C-98-02, Chapter 27, Plumbing Code
Second Reading of Ordinance No. C-2008-08

Mr. Edwards moved to approve the second 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 Mr. Kelly. Ayes all on a roll call vote.

- I.7** An Ordinance repealing Ordinance No. 25, Chapter 29, Swimming Pool Ordinance
Second Reading of Ordinance No. C-2008-09

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

- I.8** Building Department Fees Ordinance
Second Reading of Ordinance No. C-2008-10

Mr. Mann moved to approve the second reading of Ordinance No. C-2008-10, the Building Department Fees Ordinance. Seconded by Mr. Edwards. Ayes all on a roll call vote.

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

- I.9** Elected Officials Compensation

Letters were presented by Mr. Doroshewitz, Ms. Arnold, and Mr. Mann, requesting that their annual salaries for the calendar year 2009 be reduced from \$11,400 to \$10,260.

Mr. Edwards indicated the letter requesting his 2009 salary reduction has already been forwarded to Human Resources.

Mr. Bridgman stated he felt the salary reductions were beyond the authority of the Board and in violation of Township ordinances. He cited provisions of Section 41.95 (4) of the Revised Statutes of 1846, Compensation to Township Officers. He also said he believes

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the Compensation Commission Ordinance would have to be repealed in order to proceed. He said he believes in it, but feels it should be done legally.

Attorney Cronin stood by his opinion given at the last meeting that it is legal. He cited Section 41.95, the Charter Township Act, Section 42.6 (a), and the Township Compensation Commission Ordinance. He said he would note that the state law reference for the Compensation Commission Ordinance is, in fact, out of the same act. He said he thinks that the Board members have the right to consent, despite the fact that the salary is actually set by the Compensation Commission subject to rejection or approval by the Board.

Mr. Reaume moved to receive and file the compensation reduction letters from Ms. Arnold, Mr. Doroshewitz, and Mr. Mann. Seconded by Mr. Edwards. Ayes all.

J. NEW BUSINESS

J.1 Downtown Development Authority Reappointment

Ms. Arnold moved to approve the reappointment of Joseph Barone to the Downtown Development Authority for a four-year term expiring on January 31, 2013. Seconded by Mr. Doroshewitz. Ayes all.

J.2 Downtown Development Authority Appointment

Mr. Mann moved to approve the appointment of Ken Trefilek to the Downtown Development Authority for a four-year term expiring on January 31, 2013. Seconded by Mr. Edwards. Ayes all.

J.3 Board of Review Reappointments

The Board discussed at length how experienced members and new members could be split among three Boards of Review.

Mr. Mann moved to reappoint Roy Banks, Robert Harris, and Michael Litwin to the Board of Review for two-year terms expiring on December 31, 2010. Supported by Mr. Edwards.

AYES: Reaume, Edwards, Mann,
NAYS: Bridgman, Kelly, Doroshewitz, Arnold

Motion defeated.

Ms. Arnold moved to reappoint six members and to appoint three new members to be divided among three Boards of Review for two-year terms expiring December 31, 2010.

The motion died for lack of support.

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Mr. Doroshewitz verified with Mr. Banks that he no longer wished to serve.

Mr. Mann moved to postpone Item J.3, Board of Review Reappointments for up to 60 days. Seconded by Mr. Edwards. Ayes all.

J.4 Board of Review Appointments

Mr. Mann moved to appoint Jim Harb, Randy Jost, and Anne Musson to the Board of Review with two-year terms expiring on December 31, 2010. Ayes all.

J.5 Water and Sewer Department Vehicle Purchase

Mr. Reaume explained the need for replacement of a vehicle that was totaled in an accident. The Township will receive \$6,100 from MMRMA, the insurance carrier, for the damaged vehicle.

Mr. Mann moved to approve the purchase of a 2009 Ford Escape through the Macomb County Contract for \$18,822, which includes title and free delivery. Seconded by Ms. Arnold. Ayes all.

K. DEPARTMENT REVIEW AND COMMENTS – N/A

L. SUPERVISOR AND TRUSTEE COMMENTS

Mr. Reaume reminded everyone of the Ice Spectacular this weekend.

Mr. Mann asked that Mr. Reaume ask Assistant Chief Wendel for a report on the number of instances where Mutual Aid was required.

Mr. Mann asked Mr. Bridgman to appoint his Deputy Clerk soon.

M. PUBLIC COMMENT

Mr. Tefend had further comments regarding Fire Department issues and requested that the Board set in motion the procedure for testing and hiring a new Fire Chief.

N. ADJOURN

Mr. Mann moved to adjourn the meeting. Seconded by Ms. Arnold. Ayes all.
Mr. Reaume adjourned the meeting at 9:10 p.m.

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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)-