

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES
SPECIAL MEETING
MONDAY, FEBRUARY 22, 2016**

PROPOSED MINUTES

Supervisor Price called the meeting to order at 7:10 p.m. and Trustee Curmi led in the Pledge of Allegiance to the Flag.

MEMBERS PRESENT: Shannon Price, Supervisor
Nancy Conzelman, Clerk
Charles Curmi, Trustee
Robert Doroshewitz, Trustee
Michael Kelly, Trustee

MEMBERS ABSENT: Ron Edwards, Treasurer, Excused
Steve Mann, Trustee, Excused

OTHERS PRESENT: Kevin Bennett, Township Attorney
Alice Geletzke, Recording Secretary
22 Members of the Public

D. APPROVAL OF AGENDA

Special Meeting – February 22, 2016

Moved by Ms. Conzelman and seconded by Mr. Kelly to approve the agenda for the Board of Trustees special meeting of February 22, 2016. Ayes all.

E. PUBLIC COMMENTS

Ed Haggerty, Roman Kuzma, and Robert Gall registered their objections to the Township spending additional money to go forward with the City of Detroit lawsuit regarding the 323 acres. Brian Bentley objected to Steve Mann and Ron Edwards being absent from the meeting.

F. DISCUSSION: City Of Detroit Case Re: 323 Acres

With the deadline of February 23 for filing an appeal of the case with the State Supreme Court, Supervisor Price gave a review of what has transpired thus far and what is hoped to be accomplished by filing the appeal. He indicated the City of Detroit originally paid taxes on the entire piece of the property but sold part of it to the DeMattia group without first applying for a land split. Following the sale, neither DeMattia nor the City of Detroit paid taxes on either portion. Governmental units are required by law to pay taxes on property not used for public purposes. The land was then foreclosed by Wayne County and the Township exercised their right, after the State of Michigan, to purchase the 323 acres for the back taxes. Detroit then sued the Township and Wayne County, stating they were not properly notified of the foreclosure by the Wayne County Treasurer.

Negotiations are underway to get Wayne County to reimburse the Township their prorated portion, over \$200,000, of what was paid for the approximately 190 acres Detroit will retain; however,

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Wayne County wants Detroit to agree to pay the amount before the County agrees to refund the Township. The appeal would serve as leverage in negotiations.

Attorneys involved in the case on behalf of the Township, Michael Cox and Kevin Bennett reviewed the legal aspects of the case and how the Township now has full control of 133 acres. They felt close to agreement with the County on reimbursement for the 190 acres; however, the City of Detroit is proposing a dramatically below-market offer to Wayne County and the County doesn't want to lose money in refunding the Township. In addition, if the Township chose not to appeal, leaving the judgment of the Court of Appeals intact, there may not be any way to collect any future delinquent taxes from the City of Detroit. It was the recommendation of the Attorneys to file the application for the appeal to the Supreme Court which will keep pressure on Wayne County and the City of Detroit to negotiate in good faith and potentially overturn the unfavorable decision.

Board members discussed the pros and cons of continuing the appeal or cutting losses and moving on. It was estimated the cost to continue would be \$10,000 to file and an additional \$15,000.

Moved by Ms. Conzelman and seconded by Mr. Kelly to approve filing an application for appeal to the Supreme Court the City of Detroit Case re: 323 Acres, to be reviewed by the Board within 60 days.

ROLL CALL: AYES: Conzelman, Kelly, Price
 NAYS: Curmi, Doroshewitz

Motion carried.

G. ADJOURNMENT

Moved by Ms. Conzelman and seconded by Mr. Kelly to adjourn the meeting at 8:27 p.m.

AYES: Conzelman, Kelly, Price, Curmi
NAYS: Doroshewitz

Nancy C. Conzelman, Township Clerk

Shannon G. Price, Township Supervisor