

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, MARCH 27, 2018**

APPROVED MINUTES

Supervisor Heise called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: Kurt Heise, Supervisor
Mark Clinton, Treasurer
Charles Curmi, Trustee
Robert Doroshewitz, Trustee
Gary Heitman, Trustee
Jerry Vorva, Clerk

MEMBERS ABSENT: Jack Dempsey, Trustee

OTHERS PRESENT: Patrick Fellrath, Dir. of Public Utilities
Dan Phillips, Fire Chief
Jon Brothers, Police Lieutenant
Kevin Bennett, Township Attorney
Sandra Groth, Deputy Clerk
Amy Hammye, Deputy Treasurer
Cynthia Kushner, Accountant
Sue Brams, Executive Assistant to the Supervisor
Sarah Visel, Solid Waste & Public Serv. Coord.
Alice Geletzke, Recording Secretary
54 Members of the Public

B. PLEDGE OF ALLEGIANCE - Led by Foster Yancy

C. APPROVAL OF AGENDA - Tuesday, March 27, 2018

Supervisor Heise asked to reverse the order of Items 7 and 8 and Clerk Vorva noted that the resolution number has been added for Item 4 under New Business.

Moved by Trustee Heitman and seconded by Clerk Vorva to approve the agenda for the Board of Trustees regular meeting of March 27, 2018 as amended. Ayes all.

D. APPROVAL OF CONSENT AGENDA

D.1 Approval of Minutes:

Regular Meeting – Tuesday, February 27, 2018

D.2 Acceptance of Communications, Resolutions, Reports:

Building Department Monthly Report - February, 2018

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Fire Department Monthly Report – February, 2018
Police Department Monthly Report – February, 2018
Planning Department Monthly Report – February, 2018
Planning Department Annual Report - 2018
FOIA Monthly Report – Clerk’s Office – February, 2018
FOIA Monthly Report – Police Department – February, 2018

D.3 Approval of Township Bills:

FUND	ACCT	ALREADY PAID	TO BE PAID	TOTAL:
General Fund	101	\$849,993.24	\$79,685.16	\$929,678.40
Solid Waste Fund	226	7,644.97	102,872.15	110,517.12
Improvement Revolving (Capital)	246	.00	.00	.00
Drug Forfeiture Fund	265	.00	.00	.00
Drug Forfeiture State	266	.00	175.00	175.00
Drug Forfeiture IRS	267	.00	.00	.00
Golf Course Fund	510	3,156.51	702.52	3,859.03
Senior Transportation	588	8,208.49	546.17	8,754.66
Water/Sewer Fund	592	652,417.39	6,864.46	659,281.85
Trust and Agency	701	.00	7,633.75	7,633.75
Police Bond Fund	702	12,735.00	.00	12,735.00
Tax Pool	703	.00	.00	.00
Special Assessment Capital	805	29.65	.00	29.65
TOTALS:		\$1,534,360.25	\$198,304.21	\$1,732,664.46

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Moved by Trustee Heitman and seconded by Trustee Curmi to approve the consent agenda for the Board of Trustees regular meeting of March 27, 2018. Ayes all.

E. PUBLIC COMMENTS AND QUESTIONS

Bob James expressed his appreciation for the transparency of Board members and expressed his displeasure toward efforts of those who lost the election, such as robo-calls.

Doreen Sharpe expressed her hope that the PARC question will go on the ballot so the people can decide and expressed her support for the project.

F. NEW BUSINESS

1. Storm Drain Agreement for DD Helm, LLC, Wayne County Permit M-48693, **Resolution #2018-03-27-08**, Engineer David Richmond

David Richmond of Spalding DeDecker explained that this agreement passes the responsibility for the storm water management systems for the Michigan Manufacturing Technology Center to the owners of the property benefitted by the drainage improvements.

Moved by Trustee Curmi and seconded by Trustee Doroshewitz to adopt **Resolution #2018-03-27-08** authorizing the Township Supervisor to sign the Wayne County Permit M-48693 and approve the Storm Drain Agreement with DD Helm, LLC, and authorize the Township Supervisor and Clerk to execute same. Ayes all on a roll call vote.

2. Planned Unit Development (PUD) Amendment Review and Discussion – Laura Haw and Attorney Bennett

Ms. Haw noted working with the Planning Commission to update the ordinance, their holding of two public hearings, and their recommendation to the Board of Trustees for consideration. The goal would be to return at another Board meeting for one reading for Board approval.

3. Trash, Recycle and Yard Waste Contract for Township Properties, **Resolution #2018-03-27-09** – Sarah Visel, Solid Waste Coordinator

Ms. Visel answered questions regarding the bids received.

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Moved by Supervisor Heise and seconded by Clerk Vorva to accept the low bid for Plymouth Township facilities trash, recycle and yard waste collection as submitted by Advanced Disposal Services on February 20, 2018, **Resolution #2018-03-27-09**, contingent upon approval by the Board of Trustees of a service agreement. Ayes all on a roll call vote.

4. Engineering and Design Services Contract - Patrick Fellrath, Director of Public Services

Moved by Trustee Heitman and seconded by Treasurer Clinton to approve **Resolution #2018-03-27-11**, authorizing the attached proposal from Spalding DeDecker Associates, Inc., for an amount not to exceed \$18,250 for updating the Township's Engineering Design Standards. Ayes all on a roll call vote.

Copies of the Resolutions referred to above are available in the Clerk's office for public perusal.

5. Recreation Master Plan Draft Approval and Setting of 30 Day Public Review and Comment Period – Supervisor Heise

Steve Anderson, Recreation Director of the City of Plymouth, and Leah M. Groya of Living Lab addressed the Board regarding the time line moving forward with the Recreation Master Plan.

Supervisor Heise noted the availability of the plan in the Clerk's office for public perusal, as well as on the web site. Suggestions were also made to place a copy in the library and in the next e-news.

Moved by Clerk Vorva and seconded by Trustee Curmi that the Board of Trustees approve the draft Joint Recreation Master Plan, and release the draft for public review and comment for a period of thirty (30) days commencing April 5, 2018 and ending May 5, 2018. Ayes all on a roll call vote.

6. Solid Waste Budget Review - Accountant Kushner

Board members discussed the proposed budget with Accountant Kushner, which included suggestions for rate increases to increase the fund balance, to be considered later, perhaps when water rates are being considered.

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Moved by Trustee Curmi and seconded by Clerk Vorva to approve the proposed Solid Waste Budget for the 2018 Fiscal Year. Ayes all on a roll call vote.

7. Computer Leasing Agreement with Dell Financial Services, **Resolution #2018-03-27-10** – Treasurer Clinton

Treasurer Clinton advised that the leasing agreement would allow replacement flexibility and more predictable spending.

Moved by Trustee Doroshewitz and seconded by Trustee Heitman that the Board of Trustees approve the Computer Leasing Agreement with Dell Financial Services and authorize the Supervisor and Clerk to sign all necessary agreements and certificates as required, **Resolution #2018-03-27-10**. Ayes all on a roll call vote.

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

8. Fire Pension Dispute Update – Supervisor Heise

Supervisor Heise updated the Board on recent meetings with Mayor Oliver of the City of Plymouth. His last offer to the Mayor was \$1.3 million. The accountants for both the City and the Township had agreed that the best estimate was \$1.45 million. Supervisor Heise noted he is also concerned that the City offer some type of acknowledgement agreement that any future MERS payments attributable to the City be paid by the City. They would also have to drop any claims.

Mayor Oliver's last remaining counter offer was \$800,000 and their 2010 fire engine, valued around \$300,000 for a total of \$1.1 million. Chief Phillips noted that the truck appeared in excellent condition, though he would prefer that the truck be reviewed by the manufacturer for verification.

In light of the cost of litigation and possible statute of limitations issues, Supervisor Heise recommended settlement at \$1.1 million, as did Attorney Bennett, along with a MERS acknowledgement agreement by the City. He would recommend payment by the end of the calendar year.

Board members discussed further various aspects of coming to an agreement and conferred with Attorney Bennett regarding attempting collection. With regard to interest accrual from the date of the settlement, Attorney Bennett indicated the amended agreement did not contain a provision for interest but if the Township gets a

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judgment against the City, post-judgment interest going back to the date of filing the complaint will accrue to the extent the City does not pay after the judgment is entered.

Resident Bill Carter urged agreement rather than going to court.

Susan Bondie had questions about how further involvement with the City in other projects will resonate with residents if this is not settled.

Sandra Groth, speaking as a resident of Plymouth Township and one who lived through the negotiations on the fire contract, urged taking it out of the realm of politics so it can be settled and enable working together.

Moved by Clerk Vorva and seconded by Treasurer Clinton to authorize the Township Supervisor to offer a final settlement to the City of \$1.1 million, a lump sum settlement for the pension dispute, and that the City has until April 3 to respond. If the City does not respond, the Supervisor is authorized to terminate the tolling agreement.

ROLL CALL: AYES: Vorva, Clinton, Heise, Heitman
NAYS: Curmi, Doroshewitz
EXCUSED: Dempsey

Motion carried.

9. Plymouth Arts and Recreation Complex (PARC) Authority Update and Discussion
– Supervisor Heise and Members of the Township Board

Supervisor Heise updated Board members on meetings held and questions asked and concerns raised, especially regarding PARA, the recreation authority. He indicated meetings will continue and information shared, perhaps having an in-depth PARC discussion at the Board meeting on April 24.

Board members continued discussions on make-up of the authority and other issues. It was noted that ballot wording would have to be into Wayne County by May 1 for the August election and July 1 for the November election.

Supervisor Heise explained that the procedure would be to authorize the creation of the authority under the State statute, appoint members to the authority. The authority would then go to Wayne County and request a millage, determining the amount and the language. If the millage fails, the authority would be dissolved. The millage would have to pass in both communities in order to continue.

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Don Soenen spoke, objecting to the misinformation circulated by the robo-calls and clarified that the \$30 million was not just for the theater, but for the entire project.

Ann Lafond, Susan Bondie, Bill Carter, Sheila Pitten, and Judy Mardigian spoke in support of the PARC project and how it will enrich the community. Mary Weidel and Walt Coleman expressed their concerns regarding the project. Eileen Coleman expressed her indecision regarding the project and her need for additional information.

G. SUPERVISOR AND TRUSTEE COMMENTS

Supervisor Heise spoke out regarding misleading information on the robo-calls.

Trustee Doroshewitz gave an update on meetings of the golf course committee.

Trustee Heitman spoke out against the robo-calls.

H. PUBLIC COMMENTS AND QUESTIONS – There were none.

I. CLOSED SESSION

At 10:16 p.m. Clerk Vorva moved that a closed session be called in accordance with OMA Section 8(h) for the purpose of evaluating and discussing an attorney opinion letter relative to options and legal issues regarding the sale of the DPW building. Seconded by Trustee Heitman. All on a roll call vote.

J. RETURN TO OPEN SESSION

At 10:55 p.m. Trustee Heitman moved that the Board return to open session. Seconded by Clerk Vorva. Ayes all on a roll call vote.

K. ADJOURNMENT

Moved by Trustee Heitman and seconded by Clerk Vorva to adjourn the meeting at 10:56 p.m.

Jerry Vorva, Township Clerk

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Minutes approved at Board of Trustees Regular Meeting of April 10, 2018.