

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, JANUARY 08, 2019**

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
Jack Dempsey, Trustee
Robert Doroshewitz, Trustee
Gary Heitman, Trustee
Jerry Vorva, Clerk

MEMBERS ABSENT: None

OTHERS PRESENT: Patrick Fellrath, PE, Dir. Of Public Services
Dan Phillips, Fire Chief
Thomas Tiderington, Police Chief
Kevin Bennett, Township Attorney
Sue Brams, Executive Assistant to the Supervisor
Alice Geletzke, Recording Secretary
11 Members of the Public

B. PLEDGE OF ALLEGIANCE – Police Chief Thomas Tiderington

C. APPROVAL OF AGENDA
Tuesday, January 8, 2019

Moved by Clerk Vorva and seconded by Treasurer Clinton to approve the agenda for the Board of Trustees regular meeting of January 8, 2019. Ayes all.

D. APPROVAL OF CONSENT AGENDA

D.1 **Approval of Minutes:**
Regular Meeting – Tuesday, December 17, 2018

D.2 **Acceptance of Communications, Resolutions, Reports:**
N/A

D.3 **Approval of Township Bills:**

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FUND	ACCT	ALREADY PAID	TO BE PAID	TOTAL:
General Fund	101	\$1,116,438.91	\$114,001.32	\$1,230,440.23
Solid Waste Fund	226	6,619.33	16.04	6,635.37
Improvement Revolving (Capital)	246	.00	.00	.00
Drug Forfeiture Fund	265	.00	.00	.00
Drug Forfeiture State	266	.00	.00	.00
Drug Forfeiture IRS	267	.00	.00	.00
Golf Course Fund	510	37,951.38	2,746.84	40,698.22
Senior Transportation	588	8,379.70	25.60	8,405.30
Water/Sewer Fund	592	285,368.07	549,732.80	935,100.87
Trust and Agency	701	51,937.95	.00	51,937.95
Police Bond Fund	702	1,260.00	.00	1,260.00
Tax Pool	703	16,765.40	.00	16,765.40
Special Assessment Capital	805	38.01	16,732.50	16,770.51
TOTALS:		\$1,524,758.75	\$683,255.10	\$2,208,013.85

Moved by Clerk Vorva and seconded by Trustee Heitman to approve the consent agenda for the Board of Trustees regular meeting of January 8, 2019. Ayes all.

E. PUBLIC COMMENTS AND QUESTIONS (Limited to 3 minutes)

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Duane Zantop encouraged the Board to vote in favor of the Marijuana "Opt-Out" Ordinance on tonight's agenda and cited his reasons.

A resident of Tavistock Drive expressed his concerns regarding speed control on Tavistock Drive, referring to a recent accident. Supervisor Heise noted the decades-long attempts to work with Wayne County in obtaining traffic calming devices in that area. He indicated the signs on every corner placed by the Township and the police patrols in the area, and he suggested reaching out to the new County Commissioner.

F. NEW BUSINESS

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

1. Rolling Oaks Special Assessment District (SAD) Engineering Services, **Resolution #2019-01-08-01**, *DPW Director Patrick Fellrath*

Dir. Of Public Services Fellrath and George Tsakoff, PE, of OHM Advisors answered questions from the Board regarding obtaining preliminary engineering for a proposed Special Assessment District for road improvements in Rolling Oaks Subdivision. Petitions have been validated, with 60.5% petitioning based on total frontage and 62.3% based on total number of units.

Moved by Clerk Vorva and seconded by Trustee Heitman to approve **Resolution #2019-01-08-01**, authorizing the engineering firm OHM Advisors to prepare plans showing the improvement, location and estimate of cost for the proposed Rolling Oaks Road Rehabilitation S.A.D. project as submitted and described on the received petitions for a cost not to exceed Seven Thousand dollars (\$7,000.00). Ayes all on a roll call vote.

2. 2019 Meeting Schedule for the Charter Township of Plymouth Board of Trustees, **Resolution #2019-01-08-02**, *Clerk Jerry Vorva*

Board members considered their meeting schedule for the year, with dates as follows:

January 8 & 22	February 12 & 26	March 12 & 26	April 9 & 23
May 14 & 28	June 11 & 25	July 9 & 23	August 13 & 27
Sept. 10 & 24	October 8 & 22	Nov. 12 & 26	Dec. 10

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Moved by Clerk Vorva and seconded by Treasurer Clinton to approve **Resolution #2019-01-08-02** authorizing the formal scheduling and publication of the Charter Township of Plymouth Board of Trustees meeting schedule for Calendar Year 2019. Ayes all.

3. Marihuana Opt-Out Ordinance #1016, Amendment #21, First Reading, **Resolution #2019-01-08-03**, *Attorney Kevin Bennett and Police Chief Tom Tiderington*

Attorney Bennett gave an overview of the ordinance, as well as what the Board's options are. Section 6 of the Michigan Regulation and Taxation of Marihuana Act permits a municipality to completely prohibit or limit the number of marihuana establishments within its boundaries. This is different than the Medical Marihuana Act. Under the recreational marihuana act, if a municipality does not adopt an ordinance of prohibition or limitation, it has no control over the number of establishments that may be licensed within their boundaries. Marijuana is still a controlled substance under Federal law and is illegal.

Moved by Clerk Vorva and seconded by Trustee Heitman to adopt **Resolution #2019-01-08-03**, authorizing the first reading of the Charter Township of Plymouth Prohibition of Marihuana Establishments Ordinance #1016, Amendment #21. Ayes all on a roll call vote.

4. Criminal Code Revisions, Ordinance #1016, Amendment #22, First Reading, **Resolution #2019-01-08-04**, *Attorney Kevin Bennett and Police Chief Tom Tiderington*

The Board discussed at length the proposed Criminal Code Supplementation Ordinance with Attorney Bennett and Police Chief Tiderington. Attorney Bennett noted the title of the ordinance should be changed on the first page to "Criminal Code Supplementation Ordinance". The ordinance would cover controlled substances and paraphernalia, open house parties, use of chemical agents for intoxication, misrepresenting age to obtain liquor, possession or use of tobacco and vapor products or alternative nicotine products by minors, breach of peace, animal cruelty and public intoxication. It would also update the Criminal Code to comply with the Michigan Regulation and Taxation of Marihuana Act. Adoption of the ordinance would allow cases to be tried locally through the 35th District Court, rather than having to go through Wayne County Prosecutor.

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Moved by Trustee Curmi and seconded by Clerk Vorva to postpone action on **Resolution #2019-01-08-04**, first reading of the Criminal Code Supplementation Ordinance, Amendment #22.

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

Motion defeated.

Moved by Trustee Heitman and seconded by Treasurer Clinton to approve **Resolution #2019-01-08-04**, authorizing the first reading of the Criminal Code Supplementation Ordinance, Amendment #22.

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

Motion carried.

G. SUPERVISOR AND TRUSTEE COMMENTS

Supervisor Heise reminded the Board of the study session to be held next week, January 15, with the next regular meeting on January 22.

Trustee Heitman expressed his pleasure at seeing the roll calls done randomly.

Clerk Vorva informed the Board of the upcoming "goodbye" party for the Courthouse Grill closing, remembering the past restaurants at that site. Also, an election meeting will be held on January 16.

Trustee Dempsey asked for confirmation that the settlement from the City of Plymouth was taken care of properly. Treasurer Clinton confirmed that the funds were transferred into the pension fund for the Fire Department. He also had questions about the PARC meeting to be held regarding their future plans.

Trustee Curmi had questions about whether PARA had any bills to be paid and he also had questions about standards for 5G and band width.

H. PUBLIC COMMENTS AND QUESTIONS (Limited to 3 Minutes)

H. ADJOURNMENT

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Moved by Trustee Heitman and seconded by Clerk Vorva to adjourn the meeting at 8:34 p.m. Ayes all.

Jerry Vorva, Township Clerk

Minutes approved at Board of Trustees regular meeting of January 22, 2019.