



Plymouth City Commission

Special Meeting Agenda

Monday, November 30, 2020 2:00 p.m. ONLINE

City of Plymouth
201 S. Main
Plymouth, Michigan 48170-1637

www.plymouthmi.gov
Phone 734-453-1234
Fax 734-455-1892

Meeting will be held online at Zoom.us

Join Zoom Meeting <https://us02web.zoom.us/j/89932585710>

Meeting ID 899 3258 5710 Passcode – 130679

Find your local number: <https://us02web.zoom.us/j/89932585710>

Statement on explanation of the reason why the public body is meeting electronically:

On March 10, 2020, the Governor of the State of Michigan declared a State of Emergency across the State of Michigan. As a part of the response to that emergency certain changes were deemed to be reasonable and necessary to protect the public health, safety, and welfare. Due to the on-going emergency situation the Michigan Department of Public Health and Human Services has recently made certain rules about gathering in groups of people. Further, the Michigan Legislature passed legislation to temporarily suspend certain rules, regulations and procedures related to the physical presence at meetings and hearings of public bodies and other governmental entities in Michigan. These public bodies and entities must continue to conduct public business during this emergency. Recently passed legislation has made it possible for public boards to meet electronically. Due to the Public Health declarations the City of Plymouth will have its Boards and Commissions meet electronically as permitted under the newly enacted law that is known as SB1108.

1. CALL TO ORDER

2. NEW BUSINESS

- a. Authorization of temporary rules and regulations related to the use of patio space due to Covid-19 Emergency

3. ADJOURNMENT

Citizen Comments - This section of the agenda allows up to 3 minutes to present information or raise issues for items not on the agenda. Upon arising to address the Commission, speakers should first identify themselves by clearly stating their name and address. Comments must be limited to the subject of the item.

Persons with disabilities needing assistance with this should contact the City Clerk's office at 734-453-1234 Monday through Friday from 8:00 a.m.-4:30 p.m., at least 24 hours prior to the meeting. An attempt will be made to make reasonable accommodations.

Consent Agenda- The items on the Consent Agenda will be approved by one motion as Agenda Item #4. There will be no separate discussion of these items unless a Commissioner or citizen so requests, in which case that item will then be placed on the regular agenda.

City of Plymouth Strategic Plan 2017-2020

GOAL I - QUALITY OF LIFE

OBJECTIVES

1. Support the neighborhoods with high-quality customer service
2. Engage in collaboration with private entities and surrounding municipalities to implement the [Joint Recreation Master Plan](#)
3. Improve communication with the public across multiple platforms
4. Maintain a high level of cleanliness throughout the City
5. Support and host a diverse variety of events that foster community and placemaking

ONE YEAR TASKS 2020-21

- Liquor/marijuana license review
- Rooftop seating review
- Adopt Downtown Development Authority (DDA) Master Plan and identify funding sources for implementation
- Begin implementation of Kellogg Park Master Plan with fountain replacement
- Establish format & requirements for public parks sponsorship
- Resident education programs on zoning basics, ordinance change and update, services, and recycling
- City webpage - create city-wide F.A.Q. "Index" page and push out link
- Increase social media presence – 1k new followers/subscribers/etc.
- Review and evaluate City truck routes
- Complete update to Special Events Policy

GOAL II - FINANCIAL STABILITY

OBJECTIVES

1. Approve balanced budgets that maintain fiscal responsibility
2. Advocate for increased revenue sharing with the State of Michigan
3. Encourage and engage in partnerships, both public and private, to share costs of services and equipment
4. Address the issue of legacy costs
5. Seek out and implement efficient and effective inter-departmental collaboration
6. Market our successes to attract new economic and investment opportunities

ONE YEAR TASKS 2020-21

- Actively promote and participate in the 2020 census
- Explore internal and external supplemental funding of legacy costs
- Target revenue enhancements for large-scale capital projects, including grants and millage
- Assist the Michigan Municipal League (MML) in facilitating and increasing support for state revenue sharing initiatives
- Redesign Capital Improvement Plan and evaluate future funding process for Equipment Fund
- Create a rate card for payment in lieu of paid parking
- Develop financial plan for public safety model
- Identify cost estimates, timeframe and potential funding sources for central parking deck
- Complete road bond sale – phase one

GOAL III - ECONOMIC VITALITY

OBJECTIVES

1. Continue to support and improve active, vibrant downtown branding
2. Support community and economic development projects and initiatives
3. Support a mix of industrial, commercial and residential development
4. Reference the [Master Plan](#) in economic decision-making

ONE YEAR TASKS 2020-21

- Continued administration of development projects and proposals including Wilcox Mill, Saxton's, Pulte, Starkweather School, Lumber Mart, and various residential builds
- Branding – consistency across all communications (email, letterhead, agenda)
- Provide annual process and risk-management training to all boards and commissions
- Continue implementing Redevelopment Ready Community (RRC) plan to achieve certification
- Develop list of transitional properties and utilize Michigan Economic Development Corporation (MEDC), Wayne County, others to market
- Explore marketing partnerships (schools, Chamber, hotels, available publications etc.)

GOAL IV - SERVICE AND INFRASTRUCTURE

OBJECTIVES

1. Support administration and staff by providing professional development opportunities, supplying resources, and maintaining a commitment to recruitment, retention and succession planning
2. Support and deliver safe and responsive emergency services
3. Maintain a sophisticated and responsive technology to communicate and manage data
4. Continually record, maintain, update, and improve City infrastructure

ONE YEAR TASKS 2020-21

- Administration to make parking recommendation to City Commission by end of first quarter
- Implement updates to parking system according to direction given by City Commission
- Actively engage employees for further career development for succession planning with special focus on the depth of Cultural Center staffing
- Continue Asset Management Plan
- Review Insurance Services Office (ISO) Report and International City/County Management Association (ICMA) Study & begin meeting to discuss viable options for the future delivery of emergency services
- Approve third version of agreement on sanitary sewer with Western Township Utilities Authority (WTUA) based on delay by Wayne County
- Develop multi-modal transportation policy to City Commission
- Implement 2020 street repairs
- Restore Commercial Motor Vehicle (CMV) enforcement
- Continue geographic information system (GIS) mapping of the City
- Define process/educate citizenry/pursue adoption/Implement form-based codes



Administrative Recommendation

City of Plymouth
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Plymouth, Michigan 48170-1637

www.plymouthmi.gov
Phone 734-453-1234
Fax 734-455-1892

To: Mayor & City Commission
From: Paul J. Sincock, City Manager
CC: *C:\Users\pjs\Documents\Memorandum - Authorization for Changes due to Covide Emergency 11-30-20.docx*
Date: May 14, 2020
RE: Authorization for temporary rule & regulation changes due to Covid Emergency

Background

The issuance of the latest round of orders from the State Department of Health (MDHHS) has resulted in some liquor serving establishments requesting to continue with outdoor patio seating during the winter months. It is the City Administration's understanding that the City Commission would like to allow the use of existing sidewalk patios, on a temporary basis for the month of December.

Previously, the City Commission authorized those businesses with patios on private property to use that space on a temporary basis until March 31, 2021. This would include locations who have a MLCC permit for permanent outdoor service space on private property. The City's temporary authorization is only valid until March 31st as a Covid Emergency action. Starting April 1, 20221 those establishments with MLCC permits, who wish to continue outdoor private property service, would have to go through the normal Special Land Use Permit process to comply with local Ordinance. Compliance with local Ordinance is required under the MLCC Permit for permanent outdoor service area.

The City Commission has been working with State regulators and the Michigan Municipal League and our restaurant and business community on possible alternatives for the winter season during the Covid Emergency. In mid-September, a meeting with restaurant owners was held to discuss options for winter operations. The consensus of the restaurant owners at that time, was that while tents or other structures may be an option, the cost and effort required to heat those structures would outweigh the money generated from the few tables. There was interest in keeping the sidewalk cafes and outdoor patios up as long as possible and at that time the State authorized the patio extensions through November. Owners expressed concern about investment levels, possible platforms and avoiding water and ice issues. The owners also expressed interest in having extended patios, similar to those permitted this summer for the summer of 2021. The city indicated that there would be additional costs due to additional barricading that would be required and that the parking issues would have to be addressed and that these issues should be reviewed after the first of the year.

Closing our streets regularly for the season or even every weekend is not a good option for us. Our Downtown has two one-way streets, and a wide mix of establishments from restaurants, to retail, to service, to office, to residential. While that mix can usually withstand a couple weekends a year of shutdowns, any prolonged extension of that becomes very problematic. For example, if we closed Penniman from Harvey to Main, we would be limiting access not only to all on street parking, but also access to the Penniman Parking Lot. Further, the Post Office lot exits onto Penniman, the Westborn Lot is designed to enter off of Penniman, there are also residents on Penniman and several offices. We anticipate similar issues on every street/block.

The City Administration has been working with stakeholders to allow us to set up temporary designated carry out parking options. For some, the private property patio option is a possibility, as this would be temporary in nature, and as previously authorized by the City Commission the City Administration has developed some temporary rules in place for this winter season, Again, those authorizations are only valid until March 31, 2021.

Anytime you expand seating capacity or business operations you must consider the parking issue. More people at an establishment requires more parking. Winter parking is already restricted at times due to the stockpiles of snow from sidewalks and streets that must be hauled out by DMS Crews in the days after the snow event.

Based on our understanding of what the City Commission would like to do, we would suggest that they authorize the City Administration to develop rules and regulations that would allow outside patio seating on public sidewalks, with no allowances for temporary structures of any kind on public property as a pilot program through December 31, 2020. This authorization would allow the liquor serving establishments to continue outdoor seating, but they would be responsible for snow and ice control measures, including after hours. This would allow establishments to gain approvals for a time limited basis and avoid having the expense of going through the Planning Commission as well as potentially the Historic District Commission. Further, we anticipate that there will be additional costs to the DDA as their sidewalk snow contractor will now have to work around several obstacles and this may require additional "hand" work, versus using equipment to clear the sidewalks.

The previous authorization for the City Administration to develop the carry out parking zones remains in place. The rules and regulations for that program have already been distributed.

Recommendation

The City Administration recommends that the City Commission provide emergency authorization to the City Administration to administratively approve rules and regulations to allow patio seating on the public sidewalks in accordance with local, state and health department rules and regulations through December 31, 2020.

It would be up to the establishment to obtain any additional permits or licenses from Wayne County Health Services, State of Michigan Liquor License Control Commission and/or other regulatory agency as may be needed. Further, establishments would need to comply with various Executive Orders, Health Orders, rules, and regulations of various federal, state, county, and local governments.

It should be noted that this authorization will not be able to encompass all restaurants and it will not resolve the many issues facing these establishments because of the Covid-19 Emergency.

R E S O L U T I O N

The following Resolution was offered by Comm. _____ and seconded by Comm. _____.

WHEREAS The entire State of Michigan has been under a State of Emergency For several months and this Emergency Situation have caused the State to issue several emergency orders, and

WHEREAS The City Commission is desirous to take emergency action to allow Restaurants to use private or public property for the enhancement of their business within the scope of the various emergency rules and orders.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby provide an emergency authorization as a result of the Covid-19 State of Emergency and current State Orders to authorize the City Administration make changes in the city's various rules and regulations for private or public space available for the use by restaurants, within the scope of the rules and regulations of the State of Michigan.

BE IT FURTHER RESOLVED THAT the City Administration is authorized to make rules and regulations related to the use of outdoor patios, with no temporary structures or coverings on public property for restaurants through December 31, 2020. Under this special temporary authorization order the regulations shall clearly state and require that the restaurants be responsible for snow/ice removal in the patio area and shall be responsible for ice removal outside of the patio on the public walkway areas and that the City shall be named held harmless, indemnified and, listed as an additional insured on the establishment's insurance policy.

BE IT STILL FURTHER RESOLVED THAT the City Commission authorized temporary emergency approval outdoor patio use for restaurants on private property through March 31, 2021. If there is anticipated continued use of the private property outdoor use past March 31, 2021 the ownership would have to seek Special Land Use Permit in accordance with the city's ordinances for expansion of liquor serving establishments. The City Administration shall notify all temporary permit holders for private property patio use of the requirement for a Special Land Use Permit in order to comply with local Ordinances and continue to use that space past March 31, 2021.

BE IT STILL FURTHER RESOLVED THAT these are temporary emergency authorizations, unless revoked in accordance with the rules and regulations established by the City or prohibited by the State of Michigan. Further, the emergency rules and use of the private or public space under the terms of this Resolution shall NOT be renewable unless there is further action by the City Commission.