



Plymouth City Commission

Regular Meeting Agenda

Monday, November 16, 2020 7:00 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 – Meeting ID 822 5452 1706

Join Zoom Meeting - <https://us02web.zoom.us/j/82254521706> Passcode – 473418

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**
 - a. Pledge of Allegiance
 - b. Roll Call
2. **CITIZENS COMMENTS**
3. **APPROVAL OF THE AGENDA**
4. **ENACTMENT OF THE CONSENT AGENDA**
 - a. Approval of November 02, 2020 City Commission Regular Meeting Minutes
 - b. Special Event – Sun & Snow Ski and Board Swap – Nov 21 & 22, 2020
5. **COMMISSION COMMENTS**
6. **OLD BUSINESS**
7. **NEW BUSINESS**
 - a. Snow & Ice Control Policy 20-21
 - b. Tree Ordinance First Reading/Annual Report
 - c. Delinquent Charges/Transfer to 2020 Winter Tax Roll
 - d. Design Phase Authorization for 2021 Street Improvement Project
8. **REPORTS AND CORRESPONDENCE**
 - a. Liaison Reports
 - b. Appointments
9. **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 place making

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



City of Plymouth
City Commission Regular Meeting Minutes
Monday, November 2, 2020 - 7:00 p.m.
Zoom Meeting

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

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

1) CALL TO ORDER

- a. Mayor Wolcott called the meeting to order at 7:08 p.m., followed by the Pledge of Allegiance.
- b. Roll call

Present: Mayor Oliver Wolcott, Mayor Pro Tem Nick Moroz, Commissioners Suzi Deal, Ed Krol, Kelly O'Donnell, Marques Thomey, Tony Sebastian

Also present: City Manager Paul Sincock, Attorney Robert Marzano, and various members of the City administration

2) CITIZENS COMMENTS

There were no citizen comments.

3) APPROVAL OF THE AGENDA

Krol offered a motion, seconded by Moroz, to approve the agenda for Monday, November 2, 2020.

There was a roll call vote.

Yes: Deal, Krol, Moroz, O'Donnell, Thomey, Sebastian, Wolcott

MOTION PASSED 7-0

4) ENACTMENT OF THE CONSENT AGENDA

- a. Approval of October 19, 2020 City Commission Regular Meeting Minutes
- b. Special Event – Holiday Greens Market – Nov 28, 2020
- c. Special Event – Walk of Trees 2020 – Nov 20, 2020 through Jan 3, 2021
- d. Special Event – Ladies Holiday Shopping Day – Nov 19, 2020
- e. Special Event – Plymouth Goodfellows Paper Sale – Dec 5, 2020
- f. Special Event – Shamrock Race – June 13, 2021
- g. Special Event – Wicked Halloween Run – Oct 31, 2021
- h. Special Event – Guernsey Chocolate Run – Nov 21, 2021

O'Donnell asked that items 4a, 4f, 4g and 4h be moved to the regular agenda.

O'Donnell offered a motion, seconded by Krol, to approve items 4b, 4c, 4d and 4e on the consent agenda.

There was a roll call vote.

Yes: Deal, Krol, Moroz, O'Donnell, Thomey, Sebastian, Wolcott

MOTION PASSED 7-0

5) COMMISSION COMMENTS

Wolcott said he appreciated the staff's work on the election. Krol asked whether there were any problems on Halloween in the City, and Director of Public Safety Cox said there were none.

6) OLD BUSINESS

There was no old business.

7) NEW BUSINESS

a. Wayne County Emergency Management Hazard Mitigation Plan

The following resolution was offered by Thomey and supported by Sebastian.

RESOLUTION # 2020-83

WHEREAS The mission of the City of Plymouth includes the charged to protect the health, safety, and general welfare of the people of Plymouth; and

WHEREAS The City of Plymouth is subject to flooding, tornadoes, winter storms and other natural, technological, and human hazards; and

WHEREAS The Wayne County Department of Homeland Security and Emergency Management and the Wayne County Local Emergency Planning Committee, comprised of representatives from the County, municipalities, and stakeholder organizations, have prepared a recommended Hazard Mitigation Plan that review the options to protect people and reduce damage from these hazards; and

WHEREAS The City of Plymouth has participated in the planning process for development of this plan, providing information specific to local hazard priorities, encouraging public participation, identifying desired hazard mitigation strategies, and reviewing the draft Plan; and

WHEREAS The Wayne County Department of Homeland Security and Emergency management, with the Wayne County Local Emergency Planning Committee (LEPC), has developed the WAYNE COUNTY HAZARD MITIGATION PLAN ("the Plan") as an official document of the County and establishing a County Hazard Mitigation Coordinating Committee, pursuant to the Disaster Mitigation Act of 2000 (PL-106-390) and associated regulations (44CFR 210.6); and

WHEREAS The plan has been widely circulated for review by the County's residents, municipal officials, and state, federal, and local review agencies and has been revised to reflect their concerns.

NOW THEREFORE BE IT RESOLVED THAT The Wayne County Hazard Mitigation Plan (or section(s) of the Plan specific to the City of Plymouth is hereby adopted as an official plan of the City of Plymouth. The City Manager is charged with supervising the implementation of the Plan's recommendations, as they pertain to the City of Plymouth and within the funding limitations as provided by the Plymouth City Commission or other sources. The City Manager shall give priority attention to Section 5.2.27 of the Plan, with respect to the City of Plymouth.

There was a roll call vote.

Yes: Deal, Krol, Moroz, O'Donnell, Thomey, Sebastian, Wolcott

MOTION PASSED 7-0

b. Youth Sports Policy Update - Soccer

The following motion was offered by Krol and seconded by Thomey.

RESOLUTION # 2020-84

WHEREAS The City of Plymouth offers a Youth Soccer program to help promote the public health, safety, and welfare; and

WHEREAS The City has a number of policies for this program and from time to time, they need to be updated; and

WHEREAS The Recreation Director has proposed several changes to the current policies.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby adopt the Revised Youth Soccer Program Policies as of October 26, 2020 as presented.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby directed to place a copy of the adopted policies in the Meeting Minutes for this City Commission Meeting.

City of Plymouth Recreation Department

Adopted by City Commission on 11/2/2020

Youth Soccer Program Policies

The City of Plymouth Recreation Department reserves the right to remove a child from the program if the child or child's parent / guardian display inappropriate conduct at games, practices and or tournaments as determined by the Recreation Director or Program Coordinator.

To participate in the youth soccer program, all participants and their parents are required to follow all league rules, policies and/or directives set by the City of Plymouth Recreation Department, or any other governing body of youth soccer (US Youth Soccer, Michigan State Youth Soccer Association or Western Suburban Soccer League)

All requests to drop from the program will processed with the following fee structure:

1. Requesting to drop prior to the upcoming seasons registration deadline - \$15.00 cancellation fee

2. Requesting to drop more than 30 days prior to the first possible game date of the season - \$50.00 cancellation fee

3. Requesting to drop within 30 days of the first possible game date of the season – No Refund

4. After a Select Player / Parent signs a WSSL Contract for the remainder of the MSYSA Soccer Year – No Refund

If the season is cancelled by the City Recreation Department, a full refund will be issued.

All fees shall be set by the City Manager or Recreation Director.

All in-office registrations require a completed registration form. It is the responsibility of the Parent or Guardian to have this form completed in its entirety. Registration may be denied if any part of the form is incomplete.

It shall be the responsibility of the parent to inform the coach or instructor of any pertinent medical information required as part of this activity

All divisions are separated according to date of birth. Girls and Boys must play in their own Divisions. No Exceptions!

The Recreation Department will not guarantee any requests for coaches. Requests for players to be placed together will be taken but are not guaranteed.

New players in the Spring will be placed on existing teams from the Fall season or if enough new players exist, they may be placed together to form a new team.

Unless requested otherwise by a child's parent, players / teams will remain together from the Fall into the Spring.

Request from parents for new team placements in the Spring are not guaranteed.

Combined age divisions from the Fall season that receive enough players to reform their own age divisions may be split in the Spring.

Teams that are capped by WSSL roster limits may not exceed that designated roster number at any time.

Allowances for late registration are up to the sole discretion of the City of Plymouth Recreation Dept.

The City of Plymouth Recreation Department reserves the right to amend the rules, game times, practice times or policies if deemed to be in the best interest of the league or in the spirit of youth recreation.

Players may play up in an older age division but may not play down in a younger age division. Players may not play more than two age divisions above their true age.

Players may be moved up an age division or brought back to their appropriate division if needed to complete a division or resolve surplus players in a division. See "Priority of Placement" listed below.

Players shall use the same uniforms issued in the Fall for both the Fall and Spring Seasons. Players new to the program in the Spring shall be issued a new uniform.

Players that lose their uniform may be charged for the replacement.

No Jewelry is allowed to be worn during play as describe in the FIFA Laws of the Game.

Players must use Soccer Cleats if they choose to wear cleats. No Football or Baseball cleats are allowed (squared off cleat) as described in the FIFA Laws of the Game.

Recreational teams may not pursue financial sponsorships or advertise on team uniforms or warm ups.

Pre-Registration, Open Registration Periods and Late Registration Policies –

The open registration period for the Fall Season will be June 1st thru 30th.

The pre-registration period (if offered) for the Spring Season will be Dec. 1st thru Dec. 31st.

The open registration period for the Spring Season will be Jan. 1st thru Jan. 31st.

Registration periods may be adjusted as required by MSYSA, WSSL, MSPSL or any other governing body.

All late registrations may be taken at the discretion of the Program Coordinator.

In-Office registration availability based upon normal business days and times.

On-line registration may be extended by one or two days based upon how the calendar falls (e.g. last day of registration falls on a weekend). On-line extensions are at the complete discretion of the Program Coordinator.

The Recreation Department is not responsible for any missed registrations based upon computer or "On-line" technical issues.

Coaches have no authority to override departmental registration policies.

School Teams requesting to play Spring Soccer in the City Recreational Program-

For any public, charter or private school team that played in a non-MSYSA League in the Fall and then would like to stay completely or partially intact and participate in the Spring City Recreational Soccer Program; the Head Coach and/or Manager must complete the following requirements to participate:

The Head Coach or Team Manager must notify the Program Coordinator of their intent (by email) to place a Spring team prior to January 15th.

The Head Coach or Team Manager must provide a player/team roster to the Program Coordinator prior to Jan 30th. The player roster must fulfill the following requirements:

1. No player on the roster can have played on any other City, WSSL or MSPSP team during the Fall season within the same soccer year.
2. Players on the roster must meet all WSSL and MSYSA rules and policies for participation.
3. Team must have three more players than the WSSL minimum of the requested age division.
4. Team must have no more players than the maximum players allowed of the requested age division.
5. No player listed can be playing up more than two age divisions of the requested age division.
6. All players on the roster must be registered according to City policy by Jan. 31st.

Spring School Teams will provide their own soccer balls, corner flags and any other training equipment.

Teams must wear the provided City uniforms and not school uniforms.

The Head Coach and all MSYSA Required team officials must have a completed the GOT SOCCER Risk Management certification prior to Feb. 15th of that season.

The Program Coordinator shall have complete discretions on the WSSL Division placement.

If the Head Coach or Manager fails to fulfill the listed requirements, all new Spring players from that group will fall under the same policies and procedures as any other new Spring players.

The Program Supervisor has the right to deny placement of any Spring only School Teams.

Priority of Player Selection –

In the case of a surplus of players within an age division due to roster maximums or the lack of available teams, the following listing will be the “Priority of Player Selection” within the division.

Fall season players returning for the Spring season cannot be "bumped" off their returning team roster or out of an age division by a new Spring player regardless of the priority of placement.

If two or more returning Fall players must be removed from a Spring age division due to WSSL / MSYSA roster maximums, the “Priority of Player Selection” will be used.

1. Child of a Head Coach that is coaching the team that the child will play on during the current season.
2. Child of a Head Coach coaching another team within the City Soccer Program during the current season.
3. Child of a City Resident that played in the City Recreational program the previous soccer season.
4. Child of a City Resident.
5. Child of a P.C.C.S. Resident that played in the City Recreational program the previous soccer season.
6. Child of a P.C.C.S. Resident.
7. Child of a Wayne County Resident that played in the City Recreational program the previous soccer season.
8. Child of a Wayne County Resident.
9. Child of a Non -Wayne County Resident that played in the City Recreational program the previous soccer season.
10. Child of a Non -Wayne County Resident.
11. Chronological order of registration.

- Proof of residency may be requested by the Recreation Department to verify child's true residency status. Failure of the parent or guardian to provide proof of residency within five business days of the department's request will drop the child to the lowest verifiable priority.

Requirements for City Select Team Sponsorship –

The City of Plymouth Recreation Department will sponsor Select Teams into the Western Suburban Soccer League if the Team / Head Coach fulfills the following conditions:

The Head Coach must have been a Head Coach within the City Recreational Program for no less than four (4) seasons immediately prior to requesting a Select Team sponsorship.

The Head Coach must have coached the same age group and gender as the requested Select placement during the previous and immediate four seasons.

No adults, coaches, trainers or managers may receive any compensation (monetary or otherwise) for involvement with the team.

The Program Supervisor will determine all Select team division placements. Division placement requests can be taken but may not be granted.

All Club Pass Carding and Guest Players will be allowed within current WSSL rules. Pass Carding and Guest Players must be from within the Plymouth City Soccer Program only.

Starting Fall 2021, Select Teams must roster no less than 10 players in the 7v7 format, 12 players in the 9v9 format and 15 players in the 11v11 format. Teams without enough rostered players will not be accepted for the season.

The Recreation Director or Program Supervisor has the right to deny placement of any adult as a Head Coach of a Select Team placement at any time.

City sponsored Select Teams shall receive no special considerations above and beyond what is supplied to recreational teams of the same age (uniforms, equipment, ref. fees, field usage).

Sponsored City Select teams are responsible for any Referee Fees above and beyond the Rec. Dept. Ref pay scale.

Sponsored City Select teams may vary the standard issued City jerseys and logos with prior City Program Supervisor approval. However, no additional funding will be given by the City Soccer Program.

Players added to a Select Team in the Spring will only be allow ½ the standard jersey funding.

City Select teams may pursue team financial sponsorship only with prior approval from the City Soccer Program Supervisor.

No financial sponsorship / advertising logos may be placed on City Select Team uniforms.

Violation of City Select Team Policies will void all Select Team sponsorship for following soccer seasons. All WSSL / MSYSA rules will also apply to mid-year team termination.

The City will not Sponsor any teams in to the Michigan State Premier Soccer Program.

Policies regarding changes in team structure during a soccer year (Fall & Spring) or from one soccer year to the next (Spring to Fall).

Scenario #1

A team that has their Head Coach leaves or is removed during a current soccer year may remain sponsored in a Select Division for the remainder of the current soccer year if they fulfil the following requirements:

A currently rostered assistant coach, manager or a current parent of a rostered player becomes the head coach after fulfilling all WSSL / MSYSA coaching requirements.

50% (rounded down), of the rostered players remain on the team for the new head coach. The players on the team roster used at the team's last WSSL league game will be the official roster of determination.

Scenario #2

A team that has their Head Coach leave or removed after completing a soccer year but before a new soccer year begins may remain sponsored in a Select Division for the upcoming soccer year if they fulfil the following requirements:

A rostered assistant coach from the previous Spring season becomes head coach of the team.

The Fall Team Roster retains 50% (rounded down), of the rostered players from the Spring season. The players on the team roster used at the team's last WSSL league game will be the official roster of determination.

Scenario #3

A team that has participated as a sponsored Select Team during the previous soccer year with a split age roster may divide into two separate age division teams for the new soccer year (Fall Only) if they fulfil the following requirements:

A rostered coach (head or assistant) from the previous Spring season must become a head coaches of each new Fall team.

One individual cannot be the head coach of both new teams.

The Fall Team Roster of each team retains 30% (rounded down), of the rostered players from the Spring season. The players on the team roster used at the team's last WSSL league game will be the official roster of determination.

Scenario #4

A team that has participated as a sponsored Select Team during the previous soccer year may divide into two teams within the same age division for the new soccer year (Fall ONLY) if they fulfil the following requirements:

The rostered Head Coach from the previous Spring season must be the Head Coach of each new Fall team.

The Fall Team Roster of each team retains 30% (rounded down), of the rostered players from the Spring season. The players on the team roster used at the team's last WSSL league game will be the official roster of determination.

The new teams will be designated as an "A" Team and a "B" Team. Teams will not be placed in the same division and the "B" team will have to play no more that two division below the "A" team. This policy may be changed by the Program Supervisor based on WSSL rules for Pass Carded Players.

There was a roll call vote.

Yes: Deal, Krol, Moroz, O'Donnell, Thomey, Sebastian, Wolcott

MOTION PASSED 7-0

c. Electronic Meeting Procedures

The following resolution was offered by Moroz and seconded by Thomey.

RESOLUTION # 2020-85

WHEREAS The City of Plymouth has various boards and commissions that conduct the business of the City and there is a need to comply with the Open Meetings Act as well as PA 228 of 2020 related to electronic meeting procedures; and

WHEREAS The City Commission wants to update its policies related to electronic meetings.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby adopt the following policy.

City of Plymouth
Electronic Meeting Procedures
November 2, 2020
This policy is adopted pursuant to PA 228 of 2020

- All deliberations and decisions of a public body must be made at a meeting open to the public.
- Members of the legislative (or other) City body may participate in public meetings via remote electronic means provided that all members of the body can see and hear each other and hear and be heard and seen by the public. Exceptions to attending a meeting in person shall only be permissible if the member is absent due to military duty, a medical condition, or a statewide or local state of emergency or state of disaster declared pursuant to law or charter by the governor or a local official or local governing body that would risk the personal health or safety of members of the public or the public body if the meeting were held in person.
- Each member of the legislative (or other) City body must, at the outset of each meeting, verbally certify that they are attending remotely and must declare their physical location (City & State/Country).
- The presider of the meeting must state clearly, for the record, the reason some or all members may be participating in the meeting remotely.
- Meetings to be held with some or all members participating remotely by electronic means shall be so noticed a minimum of 18 hours in advance of the meeting on City website in location immediately accessible to all members of the public.
- Each member of the legislative (or other) City body must consent to having their email address and/or phone number displayed on the City web site so that interested members of the public may communicate with them regarding agenda items to be covered at the meeting.
- Any member of the public may attend any electronic meeting by logging into Facebook or other live streaming platform and all members of the public shall be afforded ample opportunity to comment, verbally or in writing, during the meeting. Members of the public shall state or write their name and address in order to address the public body.

- A person shall not be excluded from a meeting otherwise open to the public except for a breach of the peace actually committed at the meeting.

There was a roll call vote.

Yes: Deal, Krol, Moroz, O'Donnell, Thomey, Sebastian, Wolcott

MOTION PASSED 7-0

d. 1st Quarter Budget Amendments

The following motion was offered by Thomey and seconded by Sebastian.

RESOLUTION # 2020-86

WHEREAS Certain expenditures require allocation to departments differently than originally projected in the 2020-2021 City Budget, as adopted; and

WHEREAS Revenue forecasts and expenditure patterns require modifications to the original budgetary allocations as established in June 2020.

NOW, THEREFORE BE IT RESOLVED, that the 2020-2021 City Budget is hereby amended as indicated in the 1st quarter amendments column of the attached Budget Adjustment Summary which is hereby made a part of this resolution.

BE IT FURTHER RESOLVED, that the Finance Director is hereby authorized to make the line item changes necessary to implement these budgetary amendments.

There was a roll call vote.

Yes: Deal, Krol, Moroz, O'Donnell, Thomey, Sebastian, Wolcott

MOTION PASSED 7-0

e. Approval of the October 19, 2020 Minutes

O'Donnell asked that the minutes from the October 19, 2020 meeting item 7.a be changed to read, "Thomey, O'Donnell and Moroz all said they are not considering this lot to be permanent, in keeping with the Master Plan."

Moroz offered the motion, seconded by O'Donnell

There was a roll call vote.

Yes: Deal, Krol, Moroz, O'Donnell, Thomey, Sebastian, Wolcott

MOTION PASSED 7-0

f. Special Event – Shamrock Race – June 13, 2021

g. Special Event – Wicked Halloween Run – Oct 31, 2021

h. Special Event – Guernsey Chocolate Run – Nov 21, 2021

It was agreed that Items 7.f, 7.g and 7h be considered under one motion.

Moroz offered a motion, seconded by Krol, to approve the events.

O'Donnell said residents had told her they dislike these events because of the disruption of traffic and the negative impact of the large tent at Kellogg Park as it relates to the trees. After a discussion, which included the possibility of the group using The Gathering instead of a tent, it was agreed that the events be allowed to proceed as requested this year, and that changes to the Special Events Policy could address tent usage.

There was a roll call vote.

Yes: Deal, Krol, Moroz, O'Donnell, Thomey, Sebastian, Wolcott

MOTION PASSED 7-0

8) REPORTS AND CORRESPONDENCE

a. Liaison Reports

Wolcott reminded members that there was a DDA meeting scheduled for November 9 at 7 p.m.

Krol said the ZBA would be considering two items at their November 5 meeting.

b. Appointments

There were no appointments.

9) ADJOURNMENT

Hearing no further discussion, Wolcott asked for a motion to adjourn at 7:36 p.m. A motion to adjourn was made by Krol and seconded by Sebastian.

There was a roll call vote.

Yes: Deal, Krol, Moroz, O'Donnell, Thomey, Sebastian, Wolcott

MOTION PASSED 7-0

OLIVER WOLCOTT
MAYOR

MAUREEN A. BRODIE, CMC, MiPMC
CITY CLERK



Special Event Application

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

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

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b

Complete this application in accordance with the City of Plymouth Special Events Policy, and return it to the City Manager's Office at least 21 calendar days prior to the starting date of the event.

FEES WILL BE CHARGED FOR ALL SPECIAL EVENTS. SEE ATTACHMENT B.

Sponsoring Organization's Legal Name Sun & Snow Sports, Inc.

Ph# 7346639515 Fax# _____ Email heidi@sunandsnow.com Website sunandsnow.com

Address 388 S. Main Street City plymouth State mi Zip 48170

Sponsoring Organization's Agent's Name _____ Title _____

Ph# _____ Fax# _____ Email _____ Cell# _____

Address _____ City _____ State _____ Zip _____

Event Name Sun & Snow Ski and Board Swap

Event Purpose To sell skis and boards to customers

Event Date(s) November 21-22 (need area on nov. 19-23 for set up and tear down)

Event Times Saturday November 21 9am-6pm Sunday November 22 11am-5pm

Event Location Plymouth Gathering

What Kind Of Activities? Selling new and used gear

What is the Highest Number of People You Expect in Attendance at Any One Time? 50

Coordinating With Another Event? YES NO If Yes, Event Name: _____

Event Details: *(Provide a detailed description of all activities that will take place. Attach additional sheets if necessary.)*

we will begin set up in the gathering on Thursday afternoon. The sale will take place on Saturday and Sunday and we will be torn down Monday am. Customers will enter the area to purchase gear. We will be using the space within the gathering only.

1. **TYPE OF EVENT:** Based on Policy 12.2, this event is: *(Weddings Ceremonies – Please Review Section 12.2 f.)*
City Operated Co-sponsored Event Other Non-Profit Other For-Profit Political or Ballot Issue

2. **ANNUAL EVENT:** Is this event expected to occur next year? YES NO

If Yes, you can reserve a date for next year with this application (see Policy 12.15). To reserve dates for next year, please provide the following information:

Normal Event Schedule (e.g., third weekend in July): _____

Next year's specific dates: _____

See section 12.13 for license & insurance requirements for vendors

3. **FOOD VENDORS/ CONCESSIONS?** YES NO **OTHER VENDORS?** YES NO
4. **DO YOU PLAN TO HAVE ALCOHOL SERVED AT THIS EVENT?** YES NO
5. **WILL ALCOHOL BE SERVED ON PRIVATE PROPERTY AS PART OF THIS EVENT?** YES NO
6. **WILL YOU NEED ELECTRICITY AND/OR WATER?** YES NO

CITY SERVICES REQUIRED? If needed, please attach a letter indicating all requests for City Services.
(see Attachment B)

We just need the space in the gathering blocked from parking

7. **AN EVENT MAP** IS IS NOT attached. If your event will use streets and/or sidewalks (for a parade, run, etc.), or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also show any streets or parking lots that you are requesting to be blocked off.

8. **EVENT SIGNS:** Will this event include the use of signs? YES NO

If Yes, refer to Policy 12.8 for requirements, and describe the size and location of your proposed signs: **Please complete a sign illustration / description sheet and include with the application.**

Signs or banners approved by the City of Plymouth for Special Events shall be designed and made in an artistic and workman like manner. **THE CITY MANAGER MUST APPROVE ALL SIGNS. SIGNS CANNOT BE ERECTED UNTIL APPROVAL IS GIVEN.**

Signs and/or Banners may be used during the event only. Please refer to Special Event Policy for information related to the installation of banners on Downtown Street Light Poles in advance of event. **NO SIGNS ARE ALLOWED IN THE PARK IN ADVANCE OF THE EVENT.**

9. **UNLIMITED PARKING:** Are you requesting the removal of time limits on parking (see Policy 12.5)?

YES NO

If Yes, list the lots or locations where/why this is requested:

10. **CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that
- a. a Certificate of Insurance must be provided which names the City of Plymouth as an additional named insured party on the policy. (See Policy 12.10 for insurance requirements)
 - b. Event sponsors and participants will be required to sign Indemnification Agreement forms (refer to Policy 12.12).
 - c. All food vendors must be approved by the Wayne County Health Department, and each food and/or other vendor must provide the City with a Certificate of Insurance which names the City of Plymouth as an additional named insured party on the policy. (See Policy 12.13)
 - d. The approval of this Special Event may include additional requirements and/or limitations, based on the City's review of this application, in accordance with the City's Special Event Policy. The event will be operated in conformance with the Written Confirmation of Approval. (see Policy 12.11 and 12.16)
 - e. The sponsoring organization will provide a security deposit for the estimated fees as may be required by the City, and will promptly pay any billing for City services which may be rendered, pursuant to Policy 12.3 and 12.4.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with City's Special Event Policy, the terms of the Written Confirmation of Approval, and all other City requirements, ordinance and other laws which apply to this Special Event.

10/29/20

Date

Heidi Pascoe

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least twenty (21) days prior to the first day of the event to: City

**Manager's Office
City Hall
201 S. Main Street
Plymouth MI 48170**

Phone: (734) 453-1234 ext. 203

11. INDEMNIFICATION AGREEMENT

INDEMNIFICATION AGREEMENT

The Sun & Snow (*organization name*) agree(s) to defend, indemnify, and hold harmless the City of Plymouth, Michigan, from any claim, demand, suit, loss, cost of expense, or any damage which may be asserted, claimed or recovered against or from the Ski and Board Swap (*event name*) by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss, cost of expense is caused in whole or in part by the negligence of the City of Plymouth or by third parties, or by the agents, servants, employees or factors of any of them.

Signature Heidi Pascoe Date 10/29/20
Witness [Signature] Date 10/29/2020

EVENT REVIEW FORM

MUNICIPAL SERVICES:	<u>Approved</u>	Denied	(list reason for denial)	Initial	CP
WILL DROP OFF CONES / BARRICADES - EVENT TO SET UP / TAKE DOWN NO OTHER SERVICES NEEDED					
\$250 Bathroom Cleaning Fee Per Day of Event? YES NO					
Labor Costs:	\$	Equipment Costs:	\$	Materials Costs	\$
POLICE:	<u>Approved</u>	Denied	(list reason for denial)	Initial	Jec
NO SERVICES NEEDED					
Labor Costs	\$	Equipment Costs	\$	Materials Costs	\$
FIRE:	<u>Approved</u>	Denied	(list reason for denial)	Initial	JAO
NO SERVICES NEEDED					
Labor Costs	\$	Equipment Costs	\$	Materials Costs	\$
HVA:	<u>Approved</u>	Denied	(list reason for denial)	Initial	CP
NO SERVICES					
DDA:	Approved	Denied	(list reason for denial)	Initial	SRP
NO SERVICES					
Labor Costs	\$	Equipment Costs	\$	Materials Costs	\$
RISK MANAGEMENT:	Approved	Denied	(list reason for denial)	Initial	
Class I – Low Hazard					
Class II – Moderate Hazard					
Class III – High Hazard					
Class IV – Severe Hazard					

EVENT NAME: _____ TOTAL ESTIMATED FEE: _____
 (Note: All fees are only initial estimates and can increase upon assessment of services after the close of the event).

SITE FEE APPLIED TO ALL EVENTS IS \$100 PER DAY. TOTAL EVENT SITE FEE \$ _____ APPROVED _____ NOT APPROVED _____ DATE _____
--



Administrative Recommendation

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

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

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To: Mayor & City Commission
From: Paul J. Sincock, City Manager
CC: S:\Manager\Sincock Files\Memorandum - Snow and Ice Control Policy Adoption 2020 - 11-16-20.docx
Date: November 9, 2020
RE: Snow & Ice Control Policy 20 - 21

Background

Annually, the City Commission restates its Snow and Ice Control Policy, which contains the priorities for snow and ice control measures. The City Commission has been adopting this policy on an annual basis since 1996.

Under the terms of this policy, the City will plow all residential streets anytime that there are four (4) or more inches of snow. In addition, the policy clearly indicates how the City will begin to respond to any snow event and the responsibilities of the various departments for that response. The policy outlines the responsibilities of our Municipal Service Employees as well as our Police Officers and the Community Dispatch Center in a snow event. The City has had a long-standing practice of responding aggressively to snow events and this policy will help continue that tradition of response. The policy also establishes training requirements for the Municipal Services Staff.

Historically, responding to a snow event was a reactive measure and in many respects it still is; however, with the inclusion of brine; Municipal Services is moving towards a proactive approach. The ability to make and apply brine prior to a snow event will help eliminate or severely decrease the moisture bonding to the road surface prior to crews responding; especially in the overnight hours. With a smaller snow event, the application of brine ahead of the snow fall may be all that's needed to keep the road way clear. In other snow events, applying brine may provide the extra time crews need to respond in the middle of the night to clear roadways and do so without having to apply a significant amount of salt to break the bond between the ice and roadway. While last year was relatively mild in terms of snowfall, the use of brine proved a success for the overall operation in our response to our snow and ice control approach.

This policy also addresses the "emergency response" of Municipal Services Crews to handle emergency situations on County or State highways as requested by our Police or Fire Departments. It also addresses the needs of our Fire Services Operations and the need to keep both City Fire Stations clear of snow and ice.

The policy also serves as a reminder to our property owners that in the event that the City has to remove or hire contractors to remove snow from sidewalks that our minimum billing is \$150 per hour with a one hour minimum and increases with each offense. Failure to remove snow from sidewalks is the biggest complaint generators for our Code Enforcement, Municipal Services and the City Manager's Office. This also takes a tremendous amount of time processing each address.

RECOMMENDATION:

The City Administration recommends the annual adoption of the attached Snow and Ice Control Policy. The policy is mainly a departmental operational policy, but because it involves a major city service, it is appropriate that the City Commission take action on this matter. This policy also sets certain legal standards that the City operates under when it comes to snow and ice control measures.

We have provided a proposed resolution for the City Commission to consider regarding this matter. Should you have any questions regarding this matter please feel free to contact either Chris Porman or myself. Once the City Commission adopts the policy, we will place the Policy on our Web Site.



**CITY OF PLYMOUTH
DEPARTMENT OF MUNICIPAL SERVICES
SNOW & ICE CONTROL POLICY**

Revised: November 2020

ORIGINALLY ADOPTED BY THE CITY COMMISSION 12/2/96

Z:\Main DMS\Personnel\Manuals and policies\Snow Ice Control Policy 2020.docx

The City of Plymouth has developed this policy in the interest of protecting the health, safety, and welfare of the residents, businesses, visitors, and employees of the City of Plymouth. This policy has been developed to address known hazards under normal and ideal conditions. It is not practical to attempt to cover every possibility that may arise. While this policy sets minimum standards, the policy does not preclude the use of common sense and additional measures to respond to snow and ice storms. Employees are encouraged to anticipate adverse conditions in any particular area of the City and make an appropriate response to those conditions. Employees are authorized to change the priority list as particular situations arise. *(An example of changing the priorities would be to keep the Cultural Center Parking Lot salted on at night while they have activities taking place. A second example would be to drop the school route priority on a weekend.)*

All or parts of this policy may be affected by at least; one or more of the following conditions, which will delay all or some of the services, provided:

- * Equipment Breakdowns
- * Vehicles disabled in deep snow or blocking roadways
- * Weather so severe as to cause crews to be called in from streets; i.e. White out Conditions.
- * Equipment rendered inadequate by the depths of the snow or drifts.
- * Crew Breaks and breaks required for safety, refueling, refilling of material spreaders and equipment repairs.
- * Unforeseen emergencies

ADVERSE CONDITIONS TO BE MONITORED:

It shall be the duty of the Municipal Service Supervisors to monitor winter weather conditions and to advance plan for particular storm conditions. Winter storm monitoring shall include gathering data from the National Weather Service, Weather Channel, College or University Weather Information Centers, actual observations, internet links to Doppler radar, weather service radar, television or radio reports and other sources that may contain information vital to advance planning.

During regular hours, the Municipal Services Supervisors, in cooperation with the Police Department on duty staff, shall determine a need for snow and ice control measures. After regular hours, the Police Department on duty staff shall have the responsibility of notifying the Plymouth Community Dispatch Center to make contact with the Municipal Services On-Call employee of a possible need for snow and ice control measures. The Police Department should

be aware of the need to begin snow and ice control measures early in the storm period in order to obtain maximum effectiveness of road salt and other measures.

CREWS WORKING AFTER HOURS:

It shall continue to be the policy of the Department of Municipal Services to make radio contact with the Plymouth Community Dispatch Center when they sign on or off the air. The Municipal Services staff will call the Dispatch Center via radio using the call sign "City DMS." The Municipal Services staff will then inform the Dispatch Center that they are beginning snow & ice response. When signing off after the snow & ice response, the DMS staff will again contact the Dispatch Center to inform them that they are signing off from the detail. The Dispatcher must enter the time that the crews came on the air and when they leave into the daily log. This will allow for a legal documentation should that information be needed in the future.

Making radio contact with the Community Dispatch Center as the crews go on the air will also help add a measure of safety for the employees. The radio will provide employees with a direct contact to the Dispatch Center in the event of an equipment break down or in the event that the salt crew comes across some hazardous situation needing police, fire or medical response.

If Municipal Services crews are not able to contact the Dispatch Center via radio, they will attempt to make contact via the non-emergency phone number at 734-453-8600. If they are unsuccessful in their multiple attempts to make radio contact, they shall note this information on their daily job assignment log, including the approximate time that they attempted contact with dispatch. In addition to noting on daily job assignment log, Municipal Services Supervisory Staff will be notified the next business day of the unsuccessful radio contact with the Dispatch Center. The Municipal Services Department Supervisory Staff shall make the Police Chief and the City Manager aware of the lack of radio contact with dispatch.

After hours crews are also issued cell phones to allow them the ability to stay in contact with Municipal Services Supervisors, Police Department and/or the Community Dispatch Center as an additional safety measure.

SNOW & ICE CONTROL PRIORITY ROUTES:

This policy shall set up a total of six priority routes for snow and ice control measures, those areas shall be known as:

- * PRIORITY ROUTE 1 - Major Streets, including; Main, Penniman, Ann Arbor Trail, and Starkweather, City Hall to include PD & FD.
- * PRIORITY ROUTE 2 - Secondary Streets, including; Harvey, Farmer, Junction, Industrial Drive, Church, Union, Fire Station #3 (Old Village)
- * PRIORITY ROUTE 3 - School Routes, including; Smith School, East Middle School, OLG
- * PRIORITY ROUTE 4 - City Parking Lots and Contracted Service Parking Lots, Including; East Central, Penniman, Tonquish Creek Manor, Cultural Center, Library, Harvey & Wing Lot, Saxton's.
- * PRIORITY ROUTE 5 - Hills, including; Amelia, Rose, Holbrook, Evergreen, Pacific, New England Village area @ Sheldon
- * PRIORITY ROUTE 6 - Spot salt all other streets in the City System.

When it becomes necessary to dispatch a road salt truck to respond to snow and ice conditions, the crew responding to salt shall work Priorities 1 - 4 as conditions dictate. Typically, priorities 5 & 6 are responded to during regular work hours, after priorities 1 through 4 have been completed.

City Hall has been added to Priority Route 1 as we need to be able to protect our staff; especially the Police and Fire departments to be able to respond in poor weather conditions, as they are both 24 hour operations. Fire Station #3 was added to Priority Route 2.

This policy shall not prohibit employees from completing any combination of Priority Routes at the same time; providing that conditions allow the mixing of Priority Routes. A specific example of mixing priority routes would include allowing employees who are driving the salt truck to spread salt at the Cultural Center while salting on Farmer St.

Hours of operations of various facilities will also dictate Salt Priority Routes. Employees operating the salt truck should be aware of various city operations including, but not limited to; special events, Ice Arena or Room Rentals at Cultural Center, Library Hours of Operations, and merchant's hours of operations. The schedule for schools is also important; obviously it is not necessary to complete the school routes during the Christmas Holiday Break period.

If an employee is working in a single salt truck after hours and in the employee's opinion, additional equipment and manpower may be needed to address the snow and ice control measures, the employee shall make contact with the on-call staff via phone or by contacting the Plymouth Community Dispatch Center to ask them to call the Municipal Services On-Call staff to indicate a possible need for additional manpower and equipment. Community Dispatch will then be responsible for making the necessary notifications. The Municipal Services On-Call

staff will then be responsible for calling in additional manpower as needed based on the review of the storm situation.

SALT/BRINE:

In the last year, DMS staff has integrated salt brine into the snow & ice control response. The ability to make/store salt brine was installed inside the DMS garage, as well as the purchase of a brine attachment and a pre-wet attachment for the new Swaploader. In addition, two of the other front-line trucks used for snow & ice control were retro fitted to be able to apply brine for parking lots and other smaller areas.

Rock salt is simply crystals of sodium chloride, or table salt, just not as refined. Until rock salt has been formulated into brine, it will do nothing to stop snow from freezing to the roadway. Agencies that use rock salt in their winter maintenance activities are doing so to create brine on the road surface by having rock salt mix with snow, ice or freezing rain.

Salt brine is a solution of salt and water that has a freezing point lower than water alone. In turn, salt brine can reduce snow and ice adhering to road surfaces. As temperatures dip, either the amount of rock salt or the frequency of application must be increased. Anti-icing, which is spraying brine on roadways before the storm arrives, requires approximately one-third to one-fourth the material of deicing, making it the more cost-effective option. This is proactive approach in dealing with a snow and ice event by treating the road surface before the snow falls. By doing so, you are preventing the formation of ice on the road surface and providing additional time for crew(s) to respond with other measures.

SNOW PLOWING:

It shall continue to be the policy of the City of Plymouth to plow all residential streets in the City when more than four (4) inches of snow has fallen. In addition, the Municipal Services Supervisory Staff has the authority to plow all streets if conditions exist where it would seem reasonable to plow streets due to snow conditions or density.

The Department shall not remove snow from alleyways, unless there is an extreme and critical health and safety issue. Alleyways must have snow removed by private contractors if the adjoining property owners desire that service.

In accordance with the Plymouth City Code Section 70-111, the City Manager, as supervisor and director of the public parking system, shall be deemed to have the authority to order the restriction of on-street and municipal parking lot parking by declaring a "Snow Emergency." The declaration of a "Snow Emergency" shall authorize the City Manager to declare that all on street parking or municipal parking lot parking as being prohibited. This authority will allow crews to plow side streets without the hazards of parked cars on the streets. The Snow Emergency Advisory should be issued to area electronic media and distributed on the City's Email and Fax Alert System.

CONTRACTS AUTHORIZED:

The Department of Municipal Services is authorized to render snow and ice control services to other governmental units or public agencies as manpower and equipment allows and providing that the City Priorities can be maintained. Contracting of City services to other governmental units or public agencies (ie-HVA) must be for either fair compensation or in exchange for similar use of the other agency' s equipment and manpower (*mutual aid*).

EMERGENCY HEALTH & SAFETY RESPONSE:

The Department of Municipal Services is authorized to render snow and ice control services on an emergency basis to other governmental agencies including, but not limited to police, fire and emergency medical response agencies. Services can be delivered when requested and only on a time available basis and should only be rendered to protect the public health, safety and welfare. This authorization is for emergency situations only. (*i.e. County salt crew has not responded to Sheldon Road and our Police and/or Fire Department has a call for service.*)

STORM UPDATES:

Whenever possible, the Department of Municipal Services shall provide, to various public agencies, information on the storm and road conditions in the City. This may be accomplished using the City FAX UPDATE and/or E-Mail Programs. These programs are an informational fax or e-mail that is prepared and is computer faxed or e-mailed to agencies including; School Transportation Office, City Police, Community Dispatch Center, Community Fire Department, Chamber of Commerce, Tonquish Creek Manor and others who have requested this service.

TRAINING:

All Department of Municipal Services employees will annually be trained on the use of the salt and plow trucks and will be made aware of this policy. Employees operating snowplows and salt trucks should be tested annually with documentation in order demonstrate a working knowledge of safe work practices and procedures for snow and ice control.

ADMINISTRATION:

This policy is to be administered by the City Manager and the Supervisory Staff of the Municipal Services Department.

WORST STORMS:

According to the National Weather Service some of the worst snowstorms that have hit the Metro Area have included the following:

- April 6, 1886 - more than 24 inches
- December 1 – 2, 1974 - 19.3 inches
- December 31, 2013 – January 2, 2014 – 11.1 inches
- January 4-5, 2014 – 10.6 inches
- February 1, 2015 – 16.7 inches

RESIDENTIAL OR COMMERCIAL SIDEWALK SNOW REMOVAL REQUIRED:

The Code of Ordinances for the City of Plymouth Sections 62-89 and 62-90 requires that “Every owner or occupant of any lot or parcel of land adjoining any street or public place in the city along or across which there shall be a sidewalk shall, **within 24 hours after** the same has fallen or formed, remove or cause to be removed any snow or ice which may have fallen or accumulated...and in case of neglect or refusal so to do the City Manager may forthwith cause the removal of same and the expense thereof shall be a lien upon such premises.”

Failure by a property owner or occupant to clear the sidewalks shall cause the City or a City contractor to clear the sidewalks and bill for the removal. This policy hereby establishes the following fee schedule:

First offense = Minimum billing of \$150.00

Second offense = Minimum billing of \$200.00

Third offense & subsequent offenses = Minimum billing of \$250.00

Actual billing will be based on the current hourly rates for manpower, equipment and material; however, in any case, the billing shall not be less than \$150.00 for the first offense, \$200.00 for the second offense and \$250.00 for the third and any subsequent offenses. The determination of the number offenses will be tallied from the date of this policy and will end with the adoption of this policy for the next season. Failure to pay the billing will result in the bill being placed on the tax roll and as a lien against the property.

DUMPING OR PUSHING OF SNOW ONTO THE STREETS IS NOT ALLOWED:

Sections 62-39 and 62-40 of the City of Plymouth Code of Ordinances do not allow the pushing or dumping of snow from any privately owned premises into or onto any street. Most commonly, a private contractor may push snow from a parking lot into the street. These sections of the City of Plymouth Code of Ordinances forbid this type of action. If violations must be corrected by the City the minimum charge for this service shall be \$150.00. Actual billing will be based on the current hourly rates for manpower, equipment and material; however, in any case, the billing shall not be less than \$150.00. Further, violators may be subject to violations of various traffic laws and would be subject to ticketing as deemed appropriate by the Police Department.

RESOLUTION

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

WHEREAS The City of Plymouth completes snow and ice control measures in order to protect the Public health, safety and welfare, and

WHEREAS The City annually reviews and updates its Snow and Ice Control Policy that directs and gives Responsibilities to various city departments.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby adopt the City of Plymouth Department of Municipal Services Snow & Ice Control Policy as reviewed and revised on November 2020.

BE IT FURTHER RESOLVED THAT the City Commission of the City of Plymouth does hereby establish that the minimum billing for the City or its contractors removing snow as a result of violations of Section 62-39 and 62-40 of the Plymouth City Code shall be a minimum of \$150.00 and the hourly rate shall not be less than \$150.00 per hour.



Administrative Recommendation

City of Plymouth
201 S. Main
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: S:\Manager\Sincock Files\Memorandum - Tree Ordinance Annual Report and First Reading 11-16-2020.docx
Date: 06-27-19
RE: Tree Ordinance Annual Report and Tree Ordinance First Reading 11-16-2020

Background

The City Commission last updated and adopted the current version of the Tree Ordinance in July of 2019 and has been in effect since September 2019, as well as a rate card which is not part of the Ordinance (which was done to allow for easy updates).

The Ordinance was enacted to provide for the protection, preservation, and reforestation of trees in the city. Since that time, staff has spent a tremendous amount of time educating residents, businesses, builders, developers, and others on the rules, regulations, and process by which to adhere to the new ordinance. Through this effort, 33 properties have submitted tree removal permit applications and 89 trees were removed on private property. As noted in the attached Tree Report, there were a substantial number of the 89 trees which fell in to the categories of prohibited; dead, dying, or diseased; or were simply smaller than the protection size for either heritage or front yard trees as defined in the ordinance. To accommodate the 36 trees that require replacement, it is anticipated that some combination of 224 inches of trees and/or \$32,587.50 will be paid into the tree fund at the conclusion of development/redevelopment/construction. More information on the Tree Report can be found in the attached information from Chris, John, Adam, and Greta.

The proposed updates to the Tree Ordinance are administrative in nature with the most significant being placing the responsibility of the Tree Ordinance into a single department: DMS. Previously, Community Development and DMS both had responsibility for different parts of the inspections, enforcement, and education, while Community Development was the sole source for permitting. The revision to the ordinance is aimed at eliminating any confusion on which department to work with on tree related questions and improves the customer service experience by being able to one stop shop for all questions, permits, fees, etc. with one department.

The other changes in the ordinance reflect questions and scenarios that have been brought to our attention over the last year including providing a credit toward replacement requirement for a tree that

was transplanted, as well as clarifying the steps necessary to obtain a tree removal permit and submission of the required tree replacement plan.

Recommendation

The City Administration recommends the City Commission pass the First Reading of the proposed ordinance amendments. As this would be a First Reading of the proposed Ordinance; if it passes, then we would schedule a Public Hearing and Second Reading for the next Regular City Commission meeting. We would also have the City Commission adopt the attached Rate Card as a separate item, outside of the Ordinance to allow for easy changes in the rate card. The proposed Tree Ordinance Rate Card is included in the packet with the information from Chris, John, Adam, and Greta for reference, although no action on the rate card is required at this time.

The proposed Ordinance Amendment would delete the current sections Chapter 34, Sections 34-1 through 34-28 and replace with the proposed version. In addition, the proposed amendment would also remove Chapter 18, Buildings and Building Regulations, Article XIV. -Vegetation, by deleting Division 1 and Division 2. The language in Chapter 18 proposed to be removed so, any and, all language related to trees is in the same Chapter. Should you have any questions in advance of the meeting please feel free to contact either Chris Porman or myself.

ADMINISTRATIVE RECOMMENDATION

To: Paul Sincock
From: Chris Porman, John Buzuvis, Adam Gerlach, and Greta Bolhuis
Date: November 5, 2020
Re: Tree Ordinance Annual Report and Proposed Ordinance Changes

Background

As requested by the City Commission at the original adoption of the tree ordinance, we have compiled an annual report with tree related data. Additionally, we are proposing changes to the ordinance that are primarily administrative in nature.

Annual Tree Report

As you are aware, the tree ordinance was drafted after concerns about tree removal throughout the City. As you may recall, the ordinance was intended to provide for the protection, preservation, and reforestation of trees in the City. The first reading was July 1, 2019 and the second reading was July 15, 2019. The tree ordinance has been in effect since September 15, 2019. Since the enactment of the ordinance, 33 properties have submitted tree removal permit applications for street and private trees.

- In total, 89 trees were removed in response to a tree removal permit application.
- Of the total trees removed, 18 were prohibited (Silver Maples, Siberian Elms, Tree of Heaven), per Sec. 34-3 of the ordinance.
- Of the total trees removed, 28 were dead, diseased, or dying.
- Of the total trees removed, 29 were not protected under the ordinance (less than heritage size requirement or less than front yard size requirement).
- Of the total trees removed, 1 tree was transplanted.
- As a response to the tree replacement requirement, 3 trees have been confirmed to be planted as of this writing. (It should be noted that some pending removal applications were apart of new construction projects and still require replacement trees to be planted, as of this writing.)
- As a response to the tree replacement requirement, \$1,050 has been contributed to the tree fund as of this writing. (It should be noted that some pending removal applications were apart of new construction projects and still require payment into the tree fund, as of this writing.)
- It is projected that a combination of 224 inches of trees will be planted and/or \$32,587.50 will be paid into the tree fund to account for the 36 trees that require replacement.

City staff have removed 31 dead, diseased, or dying street and park trees since the ordinance was enacted. During the 2020 planting season DMS crews planted 71 street trees. Of those trees planted, 53 were planted in conjunction with grants and organizations like Keep Plymouth Leafy. These partnerships enhance efforts to reforest the City's tree canopy.

Since the enactment of the ordinance, DMS staff have met with and have had phone conversations with many homeowners, builders, and neighbors to educate them on tree-related permitting. To assist with education and outreach, staff developed webpages with detailed information and print materials that were mailed to every address in the City.

Proposed Changes to the Tree Ordinance

The proposed changes in the ordinance are primarily administrative in nature and aim to clarify some questions that have been raised over the last year and further clarify departmental responsibilities. Revisions to the ordinance include the credit of any transplanted tree towards replacement requirements. Other changes include the steps for obtaining a tree removal permit and submission of the required replacement plan.

Administration of the ordinance through multiple departments has proved challenging. The proposed revisions assign responsibilities to a single department with the intention of streamlining the administration and improving customer service. Municipal Services is proposed to be responsible for all tree-related activities and payments. This will eliminate confusion residents have been experiencing with the street tree program and the tree ordinance permitting.

The most significant change is likely the change in how fees are assessed. We are suggesting changing from a straight percentage of DBH to a location based, sliding scale of fees. This would give some flexibility to trees located in or near a building/building footprint and give flexibility to trees that are in fair or poor health but are not qualified as dead, diseased, or dying. The sliding scale also considers trees that are in good or excellent condition and are outside the buildable envelope.

The City Attorney has reviewed the proposed changes.

Recommendation

The Administration recommend that the City Commission adopt the proposed changes to the tree ordinance. Additionally, staff recommends the City Commission approves the proposed changes to the rate card.

Should you have any questions, please contact Adam Gerlach or Greta Bolhuis directly.

RATE CARD

This rate card is separate from the ordinance and shall be reviewed by the City Commission annually.

Rate Description	Cost
Heritage tree replacement (Sec. 34-18(a))	\$150.00 per inch required to be replaced
Non-heritage tree replacement (Sec. 34-19(a))	\$100.00 per inch required to be replaced
Dead tree removal on private property, if owner fails to comply with requirements, after proper notification (Sec. 34-20)	Cost of work plus \$500 fine
Diseased tree removal or treatment on private property if owner fails to comply with requirements, after proper notification (Sec. 34-21)	Cost of work plus \$500 fine
Installation of street tree for new construction (Sec. 34-22(a))	\$400.00
Cash bond to ensure street tree planting for new construction (Sec. 34-22(b)(3))	\$400.00
Trees removed without first obtaining a permit (Sec. 34-26)	Depending on the location: Replacement cost of 18" DBH tree in excellent condition plus \$500 fine
Tree removal permit (Sec. 34-24)	\$25.00
Tree planting permit (Section 34-24)	\$25.00
Tree replacement plan permit (Section 34-24)	\$25.00
Tree protection plan permit (Section 34-24)	\$25.00
Discretionally removed or damaged trees (Section 34-26)	Depending on the location: Replacement cost of 18" DBH tree in excellent condition plus \$500 fine

Tree Replacement Sliding Scale

This matrix replacement schedule is based on the results of the ISA Basic Tree Risk Assessment Form and a building envelope and setback analysis.

		Tree Condition			
		Excellent	Very Good	Good	Fair/Poor
Tree Location	Within Building Envelope	50% DBH	50% DBH	25% DBH	25% DBH
	Outside Buildable Envelope	100% DBH	75% DBH	50% DBH	25% DBH
	Outside Required Setbacks	125% DBH	100% DBH	75% DBH	50% DBH

RESOLUTION

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

WHEREAS The City Commission of the City of Plymouth has responsibility to adopt all City Ordinances and changes to the Plymouth City Code, and

WHEREAS It has been determined that there needs to be an update to the Plymouth City Code related to the Tree Ordinances, and

WHEREAS Trees are a natural resource and the City of Plymouth finds that trees will provide a number of benefits to the community as a whole.

NOW THEREFORE BE IT RESOLVED THAT THE City Commission of the City of Plymouth does hereby adopt the following changes to the Plymouth City Code at its First Reading:

This is an Ordinance to Amend the Plymouth City Code of Ordinances, Chapter 18, Buildings and Building Regulations, Article XIV. -Vegetation, by deleting Division 1 and Division 2

This is an Ordinance to Amend the Plymouth City Code of Ordinances, Chapter 34, Environment, Article 1, Trees, Division 1, Generally, by deleting Sections 34-1 through 34-28 and inserting the new Sections 34 - 1 through 34-28

Chapter 18 – BUILDINGS AND BUILDING REGULATIONS, Article XIV. - Vegetation, Division 1. – Generally and 2. - Trees NEEDS TO BE REMOVED

Chapter 34 - ENVIRONMENT

ARTICLE I. - Trees

DIVISION 1. - Generally

Sec. 34-1. - Intent

The purpose of this chapter is to provide for the protection, preservation, and reforestation of the City of Plymouth's tree canopy, trees, and woodlands.

Sec. 34-2. - Definitions.

The following words, terms, and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dead Tree means any tree that has no visible growth (within the appropriate growing season for all deciduous trees), no visible buds, twigs that do not exhibit flexibility, and twigs that do not appear green at the cambium layer when outer bark has been physically removed.

Diameter Breast Height (DBH) means the diameter, in inches, of a tree measured at four and one-half (4½) feet above the existing grade.

Dripline means the imaginary vertical line, which extends downward from the outermost tips of the tree branches to the ground.

Front Yard Tree means any tree located in the open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the foundation of the main building.

Heritage Tree means any tree that meets the size and species requirements in the table below, or any tree not listed in the table below that is 18 inches DBH or greater.

Common Name	Scientific Name	DBH
Arborvitae	<i>Thuja occidentalis</i>	18"
Ash	<i>Fraxinus species</i>	18"
American Basswood (Linden)	<i>Tilia americana</i>	18"
American Beech	<i>Fagus grandifolia</i>	18"
American Chestnut	<i>Castanea dentata</i>	8"

American Elm	<i>Ulmus americana</i>	18"
Birch	<i>Betula species</i>	18"
Black Alder	<i>Alnus glutinosa</i>	12"
Black Tupelo	<i>Nyssa sylvatica</i>	12"
Black Walnut	<i>Juglans nigra</i>	18"
White Walnut	<i>Juglans cinerea</i>	18"
Buckeye (Horse Chestnut)	<i>Aesculus species</i>	18"
Cedar, Red	<i>Juniperus species</i>	12"
Crabapple (Cultivar)	<i>Malus species</i>	12"
Douglas Fir	<i>Pseudotsuga menziesii</i>	18"
Eastern Hemlock	<i>Tsuga canadensis</i>	12"
Flowering Dogwood	<i>Cornus florida</i>	8"
Ginkgo	<i>Ginkgo biloba</i>	18"
Hickory	<i>Carya, species</i>	18"
Kentucky Coffeetree	<i>Gymnocladus dioicus</i>	18"
Larch/Tamarack	<i>Larix laricina (Eastern)</i>	12"
Locust	<i>Gleditsia triacanthos</i>	18"
Sycamore (London plane tree)	<i>Platanus species</i>	18"
Maple	<i>Acer species (except negundo)</i>	18"
Oak	<i>Quercus species</i>	18"
Pine	<i>Pinus species</i>	18"

Sassafras	Sassafras albidum	15"
Spruce	Picea species	18"
Tulip Tree	Liriodendron tulipifera	18"
Wild Cherry	Prunus species	18"

Large tree means any tree larger than 40 feet in height at maturity.

Licensed tree professional means a Nurseryman or an ISA certified arborist.

Medium tree means any tree between 25 feet and 40 feet in height at maturity.

Park tree means any tree located in public parks having individual names, and all publicly owned land, or to which the public has free access as a park.

Private tree means any tree located on land that is owned by an individual or group having a vested or financial interest in the subject property.

Protected Area means the area contained within the dripline of the tree.

Protective Barrier means a physical obstruction that encloses the protected area of a tree and limits vehicular, material, and equipment access.

Small tree means any tree less than 25 feet in height at maturity.

Street tree means any trees planted or located within a public street or road right-of-way.

Topping means the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the trees.

Transplant means the digging up of a tree and the planting of that tree in another place on the same property or off-site property.

Tree means a woody perennial plant, typically having a single stem or trunk which at maturity is 13 feet or more in height and which has a definite crown of foliage.

Tree Fund means the budget account located in the Solid Waste/Recycling fund to be used for activities associated with public tree inventory, protection, maintenance, and planting.

Tree planting permit means the permit application reviewed and approved by the Administration that shows the location, species, and size of trees that will be planted or transplanted.

Tree protection plan means the plan reviewed and approved by the Administration that shows how trees will be protected from construction activities.

Tree replacement plan means the permit application reviewed and approved by the Administration that shows how the requirement for replacing removed tree(s) will be satisfied.

Tree removal permit means the permit application reviewed and approved by the Administration that shows the location, species, and size of trees that will be removed.

Sec. 34-3. – Prohibited Trees.

The following trees are prohibited to be planted or re-planted:

Common Name	Scientific Name
Ash	Fraxinus species
Autumn and Russian-Olive	Elaeagnus species
Boxelder	Acer negundo
Buckthorn	Rhamnus species
Mulberry	Morus species
Poplar	Populus species
Siberian Elm	Ulmus pumila
Silver Maple	Acer saccharinum
Tree of Heaven	Ailanthus altissima
Willow	Salix species

Sec. 34-4. - Tree Care.

- a. All trees shall be planted, pruned, maintained, and removed, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds.
- b. The City reserves the right to remove or cause to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, is blocking street or sidewalk clearance, or is blocking the spread of light or view of traffic control devices.
- c. If any owner, occupant or person having charge of any land within the city shall refuse or neglect to resolve public safety issues caused by private trees as provided in this chapter, then the City Manager or his/her designee shall cause the land to be entered upon by city employees or a city contractor for the purpose of pruning, or removing said trees at the sole cost to the property owner and such entering upon shall not be deemed a trespass.

Sec. 34-5. - Pruning.

Trees shall be pruned so that branches do not obstruct the light from any street light or obstruct the view of any street intersection. A clear space of fifteen feet above the surface of the street and eight feet above the surface of the sidewalk shall be maintained. The City shall have the right to prune or cause to be pruned any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light or interferes with visibility of roadway, sidewalk, traffic control devices, and/or signs.

Sec. 34-6. – Corner Clearance.

Within the required corner clearance area as defined in Section 78-207, all trees and limbs, including dead, diseased or dangerous trees or broken or decayed limbs which constitute a menace to the safety of the public, shall be removed by the property owner upon which the tree is located.

Sec. 34-7. - Tree Topping.

It shall be prohibited for any person to top any tree. Trees severely damaged by storms, an act of God, or other causes out of the City's or property owner's control, may be exempted from this section at the determination of the City Manager or his/her designee. This section does not apply to a utility company who may be required to top a tree for purposes of public safety or valid equipment issues.

Sec. 34-8. - Removal of Stumps.

All stumps of street, park, and front yard trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground. The stump excavation site shall be backfilled to match existing grade as defined in Section 78-21.

Sec. 34-9. - Tree Fund.

This section establishes the City's tree fund. The purpose of the tree fund shall be to maintain and reestablish the City's public tree canopy. The City Commission shall review the rate structure annually as part of their budget process.

Sec. 34-10. - Installation and Planting

All trees shall be planted according to ANSI Standards A300.

Sec. 34-11. - Maintenance Provisions.

All trees shall be maintained in a safe, healthy, neat and orderly state free from refuse and debris.

DIVISION 2. – PUBLIC TREES

Sec. 34-12. Permitted Street Trees

The following list constitutes the official street tree species for the city. No species other than those included in this list may be planted unless approved, in writing, by City Manager or his/her designee.

(a) *Small trees:*

Common Name	Scientific Name
Cherry, Flowering	Prunus species & hybrids
Crabapple, Flowering	Malus species & hybrids
Dogwood	Cornus species & hybrids
Goldenrain Tree	Koelreuteria paniculata
Hawthorn	Crataegus species
Lilac, Japanese Tree	Syringa reticulata
Magnolia	Magnolia hybrids
Magnolia, Star	Magnolia stellata
Maple, Amur	Acer ginnala
Maple, Paperbark	Acer griseum
Maple, Tatarian	Acer tataricum

Maple, Trident	Acer buergeranum
Peach, Flowering	Prunus species & hybrids
Plum, Flowering	Prunus species & hybrids
Redbud, Eastern	Cercis canadensis
Serviceberry	Amelanchier species & hybrids

(b) *Medium trees:*

Common Name	Scientific Name
Amur Maackia	Maackia amurensis
Corktree, Amur, Fruitless Male	Phellodendron amurense
Hophornbeam, American	Ostrya virginiana
Hornbeam, American	Carpinus caroliniana
Hornbeam, European	Carpinus betulus
Horsechestnut, Red	Aeculus x carnea
Maple, Bigtooth	Acer grandidentatum
Maple, Hedge	Acer campestre
Maple, Shantung	Acer truncatum
Mountain Ash	Sorbus species
Mulberry, Red Fruitless Male	Morus rubra, fruitless varieties
Osageorange, Thornless Male	Maclura pomifera
Pagodatree (Scholartree)	Styphnolobium (Sophora) japonicum

Paw Paw	Asimina triloba
Pear, Flowering	Pyrus species & hybrids
Sassafras	Sassafras albidum
Yellowwood	Cladrastis kentukea

(c) *Large trees:*

Common Name	Scientific Name
Baldcypress	Taxodium distichum
Beech, American	Fagus grandifolia
Beech, European	Fagus sylvatica
Blackgum (Tupelo)	Nyssa sylvatica
Catalpa, Northern	Catalpa speciosa
Chestnut	Castanea hybrids
Coffeetree, Kentucky	Gymnocladus dioicus
Elm, American Dutch Elm resistant varieties	Ulmus hybrids
Filbert, Turkish	Corylus colurna
Ginkgo (Maidenhair Tree), Fruitless Male	Ginkgo biloba
Hackberry	Celtis occidentalis
Hardy Rubber Tree	Eucommia ulmoides
Hickory	Carya species
Honeylocust	Gleditsia triacanthos

Horsechestnut	Aesculus species
Katsura Tree	Cercidiphyllum japonicum
Linden, American	Tilia Americana
Linden, Littleleaf	Tilia cordata
Linden, Silver	Tilia tomentosa
Maple, Black	Acer nigrum
Maple, Freeman Hybrid	Acer x freemanii
Maple, Miyabe	Acer miyabei
Maple, Norway	Acer platanoides
Maple, Red	Acer rubrum
Maple, Sugar	Acer saccharum
Maple, Sycamore	Acer pseudoplatanus
Oak, Bur	Quercus macrocarpa
Oak, Chinkapin	Quercus muehlenbergii
Oak, English	Quercus robur
Oak, Northern Red	Quercus rubra
Oak, Pin	Quercus palustris
Oak, Sawtooth	Quercus acutissima
Oak, Scarlett	Quercus coccinea
Oak, Shingle	Quercus imbricaria
Oak, Shumard	Quercus shumardii

Oak, Swamp White	Quercus bicolor
Oak, White	Quercus alba
Planetree, London	Platanus x acerifolia
Redwood, Dawn	Metasequoia glyptostroboides
Sweetgum	Liquidambar styraciflua
Sycamore	Platanus occidentalis
Tuliptree	Liriodendron tulipifera
Walnut, Black	Juglans nigra
Zelkova	Zelkova serrata

Sec. 34-13. - Distance from street corners, driveways, curbs, and sidewalks.

No tree shall be planted closer than 35 feet of any street corner, measured from the point of nearest intersecting curbs or curb lines. No tree shall be planted closer than ten feet from any driveway or approach. Trees planted in the area between the curb or curb lines and sidewalks shall be in accordance with the three species size classes listed in Section 34-12. No trees may be planted within any area between the curb or curb line and sidewalk other than the following: Small trees: two (2) feet; Medium trees: three (3) feet; and Large trees: four (4) feet.

Sec 34-14. - Distance from utilities, signs, and hydrants.

No trees, other than those species listed as small trees in section 34-12(a), may be planted under or within ten lateral feet of any overhead utility wire, or over or within five lateral feet of any underground water line, sewer line, transmission line, or other utility. No trees shall be planted closer than 10 feet from any manhole structure. No tree shall be planted closer than ten feet from any hydrant. No tree shall be planted closer than ten feet from any streetlight pole. No tree shall be planted closer than ten feet from any traffic control device.

Sec. 34-15. - Distance between trees.

Trees shall be planted a sufficient distance away from other trees. The distance between small trees as listed in section 34-12(a) shall be 20 feet. The distance between medium trees as listed in section 34-12(b) shall be 30 feet. The distance between large trees as listed in section 34-12(c) shall be 40 feet.

Sec. 34-16. – Tree Size.

The minimum size for a street tree or park tree shall be one-and-a-half (1.5) inches in caliper DBH. All trees planted must be of the tree form variety, have a single stem with branching limbs, and branches must be at least eight feet off the ground at maturity, as predicated by the size definitions in Section 34-2.

Sec. 34-17. Removal and Replacement of Street Trees.

- a. Should a property owner wish to have the street tree adjacent to his or her property removed, he or she shall submit a request, in writing, to the City Manager or his/her designee. Within 10 business days of the receipt of the request an ISA certified arborist, provided by the City, will perform a condition and risk assessment. The cost for this service shall be borne by the property owner making the request. Following the condition and risk assessment by the ISA certified arborist, if the street tree is found to be dead, diseased, or dying the City shall remove the street tree at the City's cost. Following the condition and risk assessment by the ISA certified arborist, if the street tree is not found to be dead, diseased, or dying, the tree shall remain.
- b. Only in extenuating circumstances, as determined by the City Manager or his/her designee, shall a healthy street tree be removed or caused to be removed. Such extenuating circumstances shall include but are not limited to catastrophic event, repair, replacement, or maintenance of underground utilities, or an act of God.
- c. When a street tree is removed every effort shall be made to replace the tree within one year of removal with one (1) replacement tree that meets the requirements in section 34-12 through 34-16, above.

DIVISION 3. - PRIVATE TREES

Sec. 34-18. - Removal and Replacement of Heritage Trees

This section shall apply to all private heritage trees. Each heritage tree that is removed shall be replaced in a manner consistent with the following subsections.

- a. Heritage trees shall be replaced at a sliding scale rate set by the City Commission annually for each tree removed. Replacement tree(s) shall be located on the parcel(s) where each heritage tree is removed or in the right-of-way adjacent to the affected property. The City Manager or his/her designee may consider alternate locations on a case by case basis. Replacement trees shall be shown on a tree replacement plan.
- b. If trees cannot be reasonably planted on the property, the property owner shall pay into the tree fund at a rate defined by the City Commission and stated on the Rate Card, rounded up to the nearest one (1) inch of DBH required to be replaced by Section 34-18(a).
- c. If the requirements of Section 34-18(a) and (b) cannot be met, a combination of paying into the tree fund and replacement trees shall be used. Replacement trees shall be shown on a tree replacement plan.
- d. When required, a tree replacement plan shall be submitted within 90 days of the removal of heritage tree(s). The City Manager or his/her designee may consider an extension on a case by case basis.
- e. When a tree from the subject property is transplanted and saved from removal, that DBH shall be added as a credit to the property owner's replacement requirements. Trees shall be relocated by a licensed tree professional. The property owner shall ensure the tree's successful establishment in new location.
- f. Trees that are dead, diseased, or dying with no visible growth as determined by an ISA certified arborist are exempt from replacement requirements.
- g. The minimum size for a replacement tree shall be one-and-a-half (1.5) inches in caliper DBH. All trees planted must be of the tree form variety.

Sec. 34-19. – Removal and Replacement of Front Yard Trees.

This section shall apply to any front yard trees with a DBH of six (6) inches or greater but less than the heritage tree standard for that species. Each tree that is removed shall be replaced in a manner consistent with the following subsections.

- a. Front yard trees shall be replaced at a sliding scale rate set by the City Commission annually for each tree removed. Replacement front yard tree(s) shall be located on the front yard of the parcel(s) where each front yard tree is removed or in the right-of-way adjacent to the affected property. The City Manager or his/her designee may consider alternate locations on a case by case basis. Replacement trees shall be shown on a tree replacement plan.
- b. If trees cannot be reasonably planted on the property, the property owner shall pay into the tree fund at a rate defined by the City Commission and stated on the Rate

Card, rounded up to the nearest one (1) inch of DBH required to be replaced by Section 34-19(a).

- c. If the requirements of Section 34-19(a) and (b) cannot be met, a combination of paying into the tree fund and replacement trees shall be used. The City Manager or his/her designee may consider alternate locations on a case by case basis. Replacement trees shall be shown on a tree replacement plan.
- d. When required, a tree replacement plan shall be submitted within 90 days of the removal of a front yard tree(s). The City Manager or his/her designee may consider an extension on a case by case basis.
- e. When a tree from the subject property is transplanted and saved from removal, its DBH shall be added as a credit to the property owner's replacement requirements. Trees shall be relocated by a licensed tree professional. The property owner shall ensure the tree's successful establishment in new location.
- f. Front yard trees that are dead, diseased, or dying with no visible growth as determined by an ISA certified arborist are exempt from replacement requirements.
- g. The minimum size for a replacement tree shall be one-and-a-half (1.5) inches in caliper DBH. All trees planted must be of the tree form variety.

Sec. 34-20. - Dead Tree Removal on Private Property.

The City shall have the right to cause the removal of any dead tree on private property within the City when such trees constitute a hazard to life or property. The City will notify, in writing, the owners of such trees. Removal shall be done by such owners at their own expense within 30 days after the date of service of notice. Upon the owner's failure to comply with such provisions, the City shall have the authority to remove such trees at a rate set by the City Commission. The City Manager or his/her designee shall keep an accurate account of expense incurred for each lot or parcel of land in carrying out the provisions of this section and such expense shall be charged against such lot or parcel and collected by giving notice thereof to the owner of the lot or parcel. If such expense or charge shall not be paid the same shall be assessed against the lot or parcel and collected as provided by Section 12.22 of the City Charter.

Sec. 34-21. - Diseased Trees on Private Property.

The City shall have the right to cause the removal or treatment of any diseased tree on private property within the City when such tree constitutes a hazard to life or property or harbors deadly insects or disease which constitutes a potential threat to other trees within the City. Treatment of a diseased tree shall include chemical treatment to render the disease or affliction non-threatening to any affected tree. The City will notify, in writing, the owners of such trees. Treatment or removal shall be done by such owners at their own

expense within 30 days after the date of service of notice. Upon failure of owners to comply with such provisions, the City shall have the authority to treat or remove such trees and charge the cost of treatment or removal at a rate set by the City Commission. The City Manager or his/her designee shall keep an accurate account of expense incurred for each lot or parcel of land in carrying out the provisions of this section and such expense shall be charged against such lot or parcel and collected by giving notice thereof to the owner of the lot or parcel. If such expense or charge shall not be paid the same shall be assessed against the lot or parcel and collected as provided by Section 12.22 of the City Charter.

Sec. 34-22. – Installation of Street Trees for New Residential Construction.

- a. Residential property owners shall install a minimum of one (1) new street tree at the effected property when a new construction home is built. If the right-of-way adjacent to the residential property is not suitable for the long-term health requirements of a tree based on Sec. 34-13 through Sec. 34-15, the property owner shall pay into the tree fund at a rate set by the City Commission.
- b. Residential property owners must choose one of the following tree replacement processes from the following three options:
 1. Plant a tree before any Certificate of Occupancy is issued.
 2. Pay into the tree fund prior to the issuance of any Certificate of Occupancy at a rate approved by the City Commission.
 3. Property owner plans to plant a tree within one year of Final Certification of Occupancy issuance. Property owner pays a cash bond at a rate approved by the City Commission before any Certificate of Occupancy is issued. The bond will be refunded once the tree is planted and the property owner notifies the City in writing of planting. If the tree is not planted within one year, the bond is forfeited to the Tree Fund.

Sec. 34-23. - Tree Protection Standards during Construction.

- a. A tree protection plan shall be submitted and approved with the new construction building permit.
- b. During construction, a protective barrier shall be placed at the drip line of the street, park, and/or front yard or heritage private tree(s). The ground area within the drip line shall be maintained undisturbed from its pre-construction state.
- c. Vehicles, materials, and equipment are prohibited from being stored in, staged in, or driven through the protected area of the front yard or heritage tree. Practical difficulties shall be dealt with by the Administration on a case by case basis.

d. If the protected area of the front yard or heritage tree falls within the building envelope, every precaution shall be taken to preserve and protect the affected tree(s).

DIVISION 5. - ADMINISTRATION AND ENFORCEMENT

Sec. 34-24. Permits required

- a. A tree removal permit is required when any tree is planned for removal.
 1. Permits shall be obtained from the Department of Municipal Services (DMS) on a form provided.
 2. DMS shall review the application for compliance with this Chapter.
 3. DMS shall perform a site visit to measure and document the affected tree(s).
 4. DMS shall provide a report to the applicant detailing the trees planned for removal and any required replacement.
 5. After review, DMS shall issue a permit to applications that meet the requirements of this Chapter.
 6. If replacement trees are required see (c).
- b. A tree planting permit is required when trees are transplanted or planted.
 1. Permits shall be obtained from the Department of Municipal Services (DMS) on a form provided. The application shall include a scaled site plan or boundary survey or scaled drawing that shows all property lines, pavement, hard surfaces, and the size, species, and location of the proposed tree(s) to be planted.
 2. DMS shall review the application for compliance with this Chapter.
 3. After review, DMS shall issue a permit to applications that meet the requirements of this Chapter.
- c. A tree replacement plan is required when replacement trees are required to be planted after tree(s) have been removed.
 1. Permits shall be obtained from the Department of Municipal Services (DMS) on a form provided. The application shall include a scaled site plan or boundary survey or scaled drawing that shows all property lines, pavement, hard surfaces, and the size, species, and location of the proposed tree(s) to be planted.
 2. DMS shall review the application for compliance with this Chapter.

3. DMS shall provide a report to the applicant detailing how the replacement requirement shall be met.
 4. After review, DMS shall issue a permit to applications that meet the requirements of this Chapter.
- d. A tree protection plan is required when a qualifying construction project is planned for a property.
1. Permits shall be obtained from the Department of Municipal Services on a form provided.
 2. The tree protection plan shall be submitted at the time that building plans are submitted to the Community Development Department for review. The tree protection plan shall include a topographic boundary survey that shows which tree(s) are being protected during construction and the location and type of protective barrier that will be used to protect the trees throughout construction.
 3. After review, DMS shall issue a permit to applications that meet the requirements of this Chapter.
 4. No building permit shall be issued until an approved tree protection plan permit has been issued.
- e. No tree shall be removed, replaced, transplanted, or planted unless a tree permit has been first issued for such work.
- f. When a building permit is required for any work that includes changes to lot coverage, floor area ratio, or hardscaping of the property, existing front yard and heritage trees shall be indicated on a boundary survey. The boundary survey shall include property boundaries; topography; the size, location, and species of each tree; existing and proposed structure(s); and building envelop. The survey shall be submitted to the City in a compatible digital format.
- g. The permit fees shall be set and reviewed annually by the City Commission.

Sec. 34-25. Notice.

The City Manager or his/her designee shall notify, by first class mail or by posting notice in a conspicuous location on the property, the owner, agent or occupant of any lands on which a violation of this chapter is found to exist. Such notice shall require that the person having charge of such land to resolve any violations of this chapter; and shall contain a summary of the provisions of this chapter. Failure of the City Manager or his/her designee to give notice shall not, however, constitute a defense to any action to enforce the payment of any penalty provided for, or debt created under, the provisions of this chapter. If the property

is not in compliance with this article at the end of the period specified in the notice of violation, an appearance ticket may be issued.

Sec. 34-26. Penalty and Enforcement.

(a) The City shall have the right to enter property to investigate the removal of front yard or heritage trees on private property. The penalty for removal of front yard or heritage tree(s) without a required permit shall be a civil infraction plus a \$500.00 fine, per tree. In addition to the fine, the offender shall pay fair market replacement per front yard or heritage tree removed based on a minimum size of 18 inch DBH.

(b) A person who violates any provision of this Chapter 34 or the terms or conditions of a permit is responsible for municipal civil infraction; and shall be subject to payment of not less than \$500.00, plus costs and other sanctions, for each infraction.

(c) Discretionally removed trees or trees that are intentionally damaged that are not replaced according to the provisions of this chapter require payment into the tree fund at the rate established by the City Commission.

Sec. 34-27. Appeals

Any appeals to this chapter shall be submitted, in writing, on a form provided by the City Manager or his/her designee within 21 days of the administration's determination. Appeals cannot be made when a determination includes a healthy, safety, welfare concern.

Sec. 34-28. Severability

The various parts, sentences, paragraphs, sections, and clauses of this chapter 34 are hereby declared to be severable. If any part, sentence, paragraph, section, or clause of this chapter 34 is adjudged unconstitutional or invalid by any court or administrative agency of competent jurisdiction, the unconstitutionality or invalidity shall not affect the constitutionality or validity of any remaining provisions of this chapter 34.



Administrative Recommendation

City of Plymouth
201 S. Main
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: S:\Manager\Sincock Files\Memorandum - Delinquent Charges on the Winter Tax Roll 11-16-20.docx
Date: November 12, 2019
RE: Delinquent Charges transferred to the Tax Bill

Background

Each year the City Administration is required to present to the City Commission a listing of delinquent charges that have gone unpaid and are eligible to be placed on the tax rolls. Much of this listing is for delinquent sidewalk bills.

These bills represent mainly people who had sidewalk repairs completed in the construction season but did not pay for those required repairs. This action will roll those bills onto the winter tax bill.

RECOMMENDATION:

The City Administration recommends that the City Commission adopt the attached proposed Resolution which would allow the City to collect on delinquent accounts by rolling these over to the tax bills. The City is authorized through a variety of City Ordinances to complete this procedure.

Should you have any questions regarding this matter please feel free to contact me.



CITY OF PLYMOUTH

www.plymouthmi.gov

201 S. Main
Plymouth, Michigan 48170-1637

Phone 734-453-1234
Fax 734-455-1892

MEMORANDUM

Date: November 11, 2020
To: Paul Sincock, City Manager
From: John Scanlon, Finance Director
Subject: Delinquent Charges/Transfer to 2020 Winter Tax Roll

Issue: Delinquent Sidewalk and Weed Removal Invoices

Analysis: Attached are the delinquent charges that have been invoiced/billed that remain unpaid at this time. The City Charter and various ordinances provide the necessary vehicle to place these items on the tax roll to the property benefited.

The resolution for consideration by the City Commission is attached. This resolution facilitates the delinquent transfers to the 2020 winter tax roll.

Please feel free to contact me should additional information is needed.

Requested Action: Approve the resolution to transfer of the delinquent sidewalk and weed removal invoices to the 2020 Winter Tax Roll

Attachment(s): Resolution and list of outstanding invoices

<u>INVOICE DATE</u>	<u>INVOICE NO</u>	<u>AMT</u>	<u>6% PENALTY</u>	<u>TRANSFER</u>	<u>DESCRIPTION</u>	<u>SERVICE ADDRESS</u>
6/17/2020	20000	\$ 140.00	\$ 8.40	\$ 148.40	SIDEWALK	300 E. ANN ARBOR TRAIL
6/17/2020	20006	\$ 160.00	\$ 9.60	\$ 169.60	SIDEWALK	305 FARMER
6/17/2020	20008	\$ 200.00	\$ 12.00	\$ 212.00	SIDEWALK	313 FARMER
6/17/2020	20024	\$ 440.00	\$ 26.40	\$ 466.40	SIDEWALK	993 N HOLBROOK
6/17/2020	20038	\$ 987.50	\$ 59.28	\$ 1,046.75	SIDEWALK	464 N MILL
6/17/2020	20056	\$ 180.00	\$ 10.80	\$ 190.80	SIDEWALK	259 E PEARL
6/17/2020	20088	\$ 250.00	\$ 15.00	\$ 265.00	SIDEWALK	160 PLYMOUTH RD
6/17/2020	20068	\$ 435.00	\$ 26.10	\$ 461.10	SIDEWALK	685 STARKWEATHER
6/17/2020	20069	\$ 1,952.00	\$ 117.12	\$ 2,069.12	SIDEWALK	748 STARKWEATHER
6/17/2020	20074	\$ 262.50	\$ 15.75	\$ 278.25	SIDEWALK	885 STARKWEATHER
		\$ 5,007.00	\$ 300.42	\$ 5,307.42		
6/29/2020	4636	\$ 210.00	\$ 12.60	\$ 222.60	WEEDS	1078 SUTHERLAND
10/21/2020	*4740	\$ 310.00	\$ 18.60	\$ 328.60	WEEDS	225 AMELIA
		\$ 520.00	\$ 31.20	\$ 551.20		

* Notes invoice not delinquent until 11/20/2020

Revised 11/11/20

RESOLUTION

The following resolution was offered by Commissioner _____ and
Seconded by Commissioner _____.

WHEREAS, the City Administration has reported delinquent sidewalk charges in the amount of \$5,007.00 and weed removal invoices of \$520.00;

WHEREAS, these delinquent charges totally \$5,527.00 have remained unpaid and are transferable by City Charter and applicable Ordinances to the winter taxes

AND WHEREAS, per City Ordinance a penalty of six percent be added to the outstanding invoice

NOW, THEREFORE BE IT RESOLVED that the delinquent charges described above be assessed against the property benefitted and placed on the 2020 Winter Tax Roll.



Administrative Recommendation

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

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

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To: Mayor & City Commission
From: Paul J. Sincock, City Manager
CC: S:\Manager\Sincock Files\Memorandum - 2021 Street Paving Design Phase Authorization - 11-16-20.docx
Date: November 11, 2020
RE: Design Phase Authorization for 2021 Street Improvement Project(s)

Background

The 2020 Infrastructure Projects are wrapping up with work ongoing on Junction as well as the final installation of crosswalk signals on Main St. The City has invested significantly on a number of projects with funding from the voter approved Street Bonds from November 2019, Major and Local Street Funds, as well as the Water/Sewer Fund. To recap:

- **Dewey Street** reconstruction and new water main between Ross and Byron
- **Evergreen Street** resurfacing from Farmer to Blanche.
- **Farmer Street** pavement reconstruction and new water main between the railroad tracks and Blunk.
- **Main Street** resurfacing from Church to Wing.
- **Main St. bikes lanes** – from Ann Arbor Road to Ann Arbor Trail
- **Enhanced crosswalk improvements at Main and Hartsough** – This former school crossing was previously an unsignalized intersection
- **Enhanced crosswalk improvements at Main and Ann Arbor Trail**
- **Junction pavement rehabilitation** – From Blunk to Karmada. This is a continuation of the projects of joint replacement and crack sealing that we have been working on for the past two years.
- **Crack sealing** on a variety of local streets

As the 2020 projects are being completed, it is time to turn our attention towards the 2021 Infrastructure projects. Each year the City Administration presents to the City Commission an opportunity to select streets for the upcoming Infrastructure Improvement Program. By selecting streets in advance of the summer season it gives the Department of Municipal Services and the Consultant Engineers time to review and recommend, and ultimately, design the final scope of work. This process includes the review of the video on the sanitary and storm sewers in the area, as well as historical perspective of water main breaks, and any other utility issues. All of that is weighed against the PASER value of the road condition.

The proposed areas of work for the 2021 Infrastructure Improvement Program are as follows:

The areas of proposed work are:

- **Harvey Street** - pavement reconstruction and new water main between Ann Arbor Trail and Penniman (approximately 820 linear feet). This section has PASER ratings of 4.
- **Pedestrian Crosswalks** – evaluate opportunities for pedestrian crosswalk upgrades at Harvey and Ann Arbor Trail, as well as pedestrian crosswalk installation at Harvey and Penniman. This would likely be a City/DDA partnership.
- **Jener Street** – reconstruction and new water main between Wing and Linden (approximately 650 linear feet) This section of asphalt roadway has a PASER rating of 3.
- **Hartsough Street** – reconstruction and new water main between Harvey and McKinley (approximately 640 linear feet). This section of asphalt roadway has PASER rating of 2.
- **Retaining Walls** – evaluation and upgrade of retaining walls on Penniman and Ann Arbor Trail
- **Crack sealing** on a variety of local streets

It is important that we begin some of the preliminary work to gather survey work and to determine the scope of the projects. There are a lot of moving pieces to getting the projects on the calendar for 2021 and it starts now. The City Engineer has provided a very detailed letter which outlines each of the projects and the design costs for the project. We are seeking an authorization of up to \$294,500.00 for the scope of services outlined in the attached letter from the Engineer.

Funding for preliminary work by the Engineer will be from a variety of sources, including the voter approved Bond Sales, Water/Sewer Fund and the Street Funds. Depending on the scope of work approved, there will need to be discussions with the Downtown Development Authority to gauge their interest in participating with the installation of crosswalk signals. It would seem prudent for the DDA to contribute funds to projects which directly enhance their streetscape.

If the City Commission wants to change the scope of the work, we can simply eliminate the proposed work and still move forward with the rest of the authorization. Then we can come back to the City Commission with the changes that they requested at a future meeting.

RECOMMENDATION:

The City Administration recommends that the City Commission designate the planned projects for the 2021 Infrastructure Plan and authorize design work in an amount not to exceed \$294,500.00. This will allow the Municipal Services Department and the Engineer to begin to move forward with obtaining and reviewing the video work in the sewers in the project areas as well as survey & design.

As we do each year, the Design phase will encompass the preliminary work with the other utility companies to ensure that we do not pave something that they are going to tear out in a following year.

The Design authorization is the first of several steps that the City Commission will need to make prior to the final authorization of the project. All the work in the Design phase can be used at a later time in the event that the City Commission chooses not to proceed with the entire project this year. The entire scope of the proposed work on the design phase of the project is outlined in the attached City Engineer's letter.

We have attached a proposed Resolution for the City Commission to consider regarding this matter. Should you have any questions in advance of the meeting please feel free to contact me.

RESOLUTION

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

WHEREAS The City of Plymouth has an on-going voter approved Street Improvement Program, Voters approved a new Street Bond Issue in November of 2019, and

WHEREAS The 2021 Plan has been outlined in a letter from the City Engineer based on Information presented to the City Commission prior to the November 2019 election Where voters approved the new Street Bond Issue, and

WHEREAS The City Engineer and City Administration recommends that the City continue with Proposed work for the summer 2021 season, and

WHEREAS The areas of proposed work are:

- **Harvey Street** - pavement reconstruction and new water main between Ann Arbor Trail and Penniman (approximately 820 linear feet). This section has PASER ratings of 4.
- **Pedestrian Crosswalks** – evaluate opportunities for pedestrian crosswalk upgrades at Harvey and Ann Arbor Trail, as well as pedestrian crosswalk installation at Harvey and Penniman. This would likely be a City/DDA partnership.
- **Jener Street** – reconstruction and new water main between Wing and Linden (approximately 650 linear feet) This section of asphalt roadway has a PASER rating of 3.
- **Hartsough Street** – reconstruction and new water main between Harvey and McKinley (approximately 640 linear feet). This section of asphalt roadway has PASER rating of 2.
- **Retaining Walls** – evaluation and upgrade of retaining walls on Penniman and Ann Arbor Trail
- **Crack sealing** on a variety of local streets

WHEREAS The City Administration has requested to move to the design phase of the projects.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize City Engineer Wade Trim to proceed with the Design Phase of the 2021 Street Infrastructure Improvement Plan. The City Commission hereby authorized an amount not to exceed \$294,500.00 for Design Phase Services as outlined by the City Engineer.



Wade Trim Associates, Inc.
25251 Northline Road • Taylor, MI 48180
734.947.9700 • www.wadetrim.com

November 12, 2020

City of Plymouth
201 South Main Street
Plymouth, MI 48170

Attention: Mr. Chris Porman
Director of Municipal Services

Re: City of Plymouth - 2021 Infrastructure Improvement Program
Proposed Program Description and Initial Design Proposal

Dear Mr. Porman:

As a follow-up to our recent conversations, we have prepared this letter as a proposed program description for the City's 2021 Infrastructure Improvement Program. This letter also serves as a proposal for City Commission consideration to authorize the initial design phase services for Wade Trim to assist the City with the preparation of these projects. The 2021 Infrastructure Improvement Program focuses on a combination of reconstruction, resurfacing, traffic signal/pedestrian crossing upgrades, drainage improvement and maintenance projects that can be paid for from the City's recent Street Bond that was passed on November 5, 2019. The proposed 2021 Infrastructure Improvement Program also plans for water and sanitary sewer improvements in select project locations. The water and sewer improvements would be paid for by the City's water and sewer fund. As in the past, the sanitary sewer repairs would be based on current sewer system televising and evaluation.

With that information in mind, we have developed the following preliminary program description and preliminary cost estimate for the 2021 Infrastructure Improvement Program and are seeking approval to begin the design phase so that we can begin to coordinate our effort with the City to plan next year's program.

2021 Program Description

The proposed 2021 Infrastructure Improvement Program will include the following projects:

Local Street Projects – Local street projects have been selected, in part based on the City's PASER ratings conducted initially in 2017 and recently updated in 2020:

- Jener Street reconstruction and new water main between Wing and Linden (approximately 650 linear feet). This section of asphalt roadway has a PASER rating of 3.
- Hartsough reconstruction and new water main between Harvey and McKinley (approximately 640 linear feet). This section of asphalt roadway has a PASER rating of 2.
- Crack sealing of various local streets.

Major Street Projects:

- Harvey Street pavement reconstruction and new water main between Ann Arbor Trail and Penniman (approximately 820 linear feet). One goal of this project is to evaluate opportunities for traffic signal and pedestrian crossing upgrades at the Harvey/Penniman

intersection and the Ann Arbor Trail intersection. We will assist the City staff in approaching the DDA for participation in the traffic signal and pedestrian crosswalk upgrades. As part of this effort, we also plan to review potential funding assistance from the Transportation Alternative Program (TAP), which is a competitive grant opportunity through SEMCOG for upgrades to bicycle facilities, pedestrian safety improvements, green infrastructure and safe routes to school. This composite section of asphalt over concrete base has a PASER rating of 4.

- Evaluation and upgrade of retaining walls on Ann Arbor Trail and Penniman.
- Crack sealing of various major streets.

Please note PASER stands for Pavement Surface Evaluation Rating. The PASER system rates roadway surfaces on a scale from 1 to 10, with 10 representing a brand-new roadway. The roadway surfaces are evaluated based on the frequency and type of visible defects. It is generally recommended that the City should be rating their streets every two years, so the next set of PASER rating data is anticipated to be collected in 2022.

In the paragraphs that follow, we have presented a more detailed description of the proposed Infrastructure Improvement Program for 2021 as we envision it today. Where possible, we have provided some high-level cost estimates based on some very preliminary information. These estimates are planning level only and will be refined as additional information becomes available and the design progresses.

Jener Street Pavement Reconstruction (Local Street)

Jener Street has a current PASER rating of 3, which indicates a pavement in poor condition with many surface deficiencies. Jener Street will be reconstructed as a new asphalt roadway with new concrete curb and gutter. Water system improvements will consist of new water main along this segment with new water services within the right of way. The new eight-inch water main will connect to newer water main at the intersection of Wing/Jener that was installed in 2014 and newer water main that was installed along Linden in 2013. New concrete drive approaches and some small concrete sidewalk improvements are also envisioned. As part of this program, the City will televise the existing sanitary sewer and storm sewers within this corridor, and they will be evaluated for potential repairs. We anticipate approximately \$400,000 in road reconstruction costs along with approximately \$160,000 to \$200,000 in water system upgrades.

Hartsough Street Pavement Reconstruction (Local Street)

Hartsough, between Harvey and McKinley, currently has a PASER rating of 2, which indicates a pavement in poor condition with many visible surface deficiencies. This section of roadway is proposed for reconstruction as a new asphalt roadway with new curb and gutter. Water system improvements will consist of new eight-inch water main along this segment with new water services within the right of way for each resident. As part of this program, the City will televise the existing sanitary sewer and storm sewers within this segment of roadway, and they will be evaluated for potential repairs. Hartsough road reconstruction is estimated at \$400,000 with another \$160,000 to \$200,000 in water system upgrades.

Harvey Street Reconstruction from Ann Arbor Trail to Penniman (Major Street)

The Harvey Street corridor within the downtown area extends from Wing Street on the south end to Church Street on the north end. The Harvey Street corridor consists of three distinct roadway segments:

- Wing to Ann Arbor Trail (PASER rating of 4)

- Ann Arbor Trail to Penniman (PASER rating of 4)
- Penniman to Church (PASER ratings of 4 from Penniman to Fralick, 5 from Fralick to Church)

All three segments are an important part of the City's roadway system, especially as they relate to bringing traffic (residential and commercial) and people (pedestrian and bicyclists) to downtown Plymouth. In 2021, we have been asked to focus our infrastructure design and evaluation of traffic signal and pedestrian upgrades on the section of Harvey between Ann Arbor Trail and Penniman.

Harvey Street is a three-lane roadway between Ann Arbor Trail and Penniman. This section of roadway has sidewalk adjacent to the existing curb and gutter on both sides of the corridor. Reconstruction of this roadway segment will include new curb and gutter, new drive approaches, new sidewalk on both sides of the roadway, new deep strength asphalt pavement and new water main to replace the existing water main in this area. This section of roadway is very busy as it provides access to the St. Joseph Mercy Arbor Health Center, the City's public parking deck, Fleet Street and the Post Office. We will need to work closely with all of these entities to develop a plan that allows construction to progress while maintaining access as much as possible. The complexity of this design is high and will involve much thought, coordination, and cooperation.

Enhancing the pedestrian and bicyclist experience along this corridor is one of the goals of the project. Harvey Street was proposed as a north-south route for bicyclists as part of the Downtown Development Authority Master Plan. The intersections of Harvey/Ann Arbor Trail and Harvey/Penniman are both envisioned for Mast Arm Traffic Signals to match the ones along Main Street. Currently, there are overhead traffic signals on wires. Harvey and Penniman currently lacks pedestrian crossing signals. The sidewalk along the west side of Harvey is not ADA compliant due to the driveways cutting through the sidewalk at various locations. Our team will evaluate the use of the public right of way and look for ways to improve the roadway corridor for all users. It is likely that the City may need to discuss and consider some easements or small property acquisitions in order to place traffic signal poles and crosswalk signals at the Penniman/Harvey intersection. New traffic signals with push button activated crosswalks are estimated at approximately \$250,000 per intersection.

The City will need to televiser the existing storm sewer and sanitary sewers within this section so that we can determine if any additional underground repairs are required. As part of this year's program, we are planning to obtain a full topographic survey of Harvey from Wing to Church so that we can conceptually plan the improvements throughout this corridor as the detailed design progresses on the block from Ann Arbor Trail to Penniman.

The preliminary construction cost estimate for the street improvements on Harvey has been estimated at \$500,000. Water system and sanitary sewer improvements will likely cost an additional \$250,000. Pavement cores and soil borings will be obtained along this stretch of Harvey as part of the design process. Wade Trim's partner for all geotechnical work will be SME.

Retaining Wall Upgrades

The City maintains two significant retaining walls within their major street network. The first retaining wall is located on the south side of Ann Arbor Trail between Harvey and Jener Place. The second retaining wall is located on the north side of Penniman and runs from Church almost all the way to Harvey. We will work with the City to evaluate upgrades to these walls, as the Ann Arbor Trail wall has a slight lean in it to the north. The wall on Penniman contains significant landscaping and step features and is eroding from the exposure to salt used during the winter months. The Penniman wall also sits over/near an existing water main along the north side of Penniman. Wade Trim will assist the City in the evaluation of options for improving/upgrading or possibly reducing the length of retaining walls. We will also evaluate the requirements for potential safety railings. Geotechnical information will be collected in each area. Once the evaluation has been completed, a design

recommendation and proposal will be brought forth for further approval. We are still researching estimates for the cost of retaining wall upgrades and will share this with the City when we develop them.

Crack Sealing Program (Various Local and Major Streets)

Crack sealing of roadways that are in good or better condition is a proven maintenance technique for asphalt and concrete roadways. Generally, this treatment is best applied to pavement surfaces that have PASER ratings of 7/8 or higher. The crack sealing program would be a separate bid document from the above-described road reconstruction and/or resurfacing project. Wade Trim will assist the City in preparing bid documents, including technical specifications and bid items, as appropriate to obtain bids for crack sealing. Crack sealing needs to be completed during the warm season months. We understand that the City has budgeted \$50,000 for this City-wide program.

Preliminary 2021 Infrastructure Program Design Fee Estimate

We have prepared the following initial design phase fee estimate for the City's consideration based on the description of the work described above:

<u>Design Engineering Services Allowances</u>	<u>Estimated Fee</u>
Jener Street Reconstruction and Water Main Design	\$ 39,000
Hartsough Street Reconstruction and Water Main Design	\$ 45,000
Harvey Street Reconstruction & Water Main Design	\$ 88,000
Traffic Signal Evaluation & Design	\$ 42,000
Retaining Wall Evaluation only	\$ 10,000
Topographic Survey Data Collection (Estimated at 23 days)	\$ 23,000
Crack Sealing Program Bid Documents	\$ 7,500

Wade Trim Engineering Services Subtotal: \$254,500

Geotechnical Allowance (1%): \$ 32,000

Harvey Traffic Counts Allowance: \$8,000

2021 Infrastructure Program Initial Design Fee Estimate: \$294,500

Please note that we have not presented any construction phase engineering fees at this time. Those will be presented once bids are received and the actual duration of the future construction projects has been defined.

2021 Design Phase – Scope of Services

Following City Commission authorization to begin work on the design phase, Wade Trim will begin providing design phase services for the proposed project. We will hold a kickoff meeting with the City Department of Municipal Services' staff to review the proposed program and available program funds. We will review the known deficiencies identified within each project area and coordinate with the City for any unique aspects of the project beyond what is described above. Following the kickoff meeting, residents within the project areas will be notified of the upcoming project. As always, a public information meeting for the residents will be held as we get closer to the construction start date to describe the project and learn about individual homeowner concerns. This has been a highly successful step on past projects and allows the City and our team to introduce ourselves to the residents. We intend to share a preliminary schedule with the City and the residents at the public information meeting as soon as it is developed.

A summary of our specific design phase scope of services for the 2021 Program is presented below:

- Topographic survey for the various project areas will be completed and used as the basis for our design and presentation of plan sheets for the project.
- We will review videotapes (provided by the City) of the sanitary sewer and storm sewers throughout the project areas. We will make recommendations based on the condition assessment data that is collected.
- We will design the new water main and water services along Jener, Hartsough and Harvey. Utility improvements are a very important part of the City's comprehensive infrastructure improvement program. While the street improvements bring a smooth, clean look to the project area, it is essential that the infrastructure beneath the streets is structurally sound and in good condition.
- We will design new pavement within each project area. Reconstruction projects involve removal of the old roadway, the old curb and gutter, and the old road base. Our plans will include a removal plan, a proposed plan with top-of-curb elevations, and detailed elevations for storm structures along the roadway. Whenever possible, new roadway will be designed to improve driveway slopes and improve drainage. New edge drain is designed in areas with poorly draining soils to help get the water out from under the roadway. For resurfacing plans, we will show the areas to be milled and resurfaced, along with any minor concrete repairs that are identified.
- All designs are reviewed to improve pedestrian and bicycle safety and for compliance with the American Disability Association (ADA) requirements, including the design of new sidewalk ramps at all intersections within the project area that meet the maximum slope requirements.
- Our plans will include a proposed construction detour plan for each project area.
- For the potential traffic signals, pedestrian activated signal and crosswalk improvements along Harvey, we will start by preparing concept plans to illustrate the impact of adding these improvements. We will need to obtain some current traffic counts at these intersections and will review the State's Guidelines for Installing Pedestrian Crosswalks document with the City to evaluate the improvements at each intersection. We will then prepare design documents and incorporate them into the bid documents for Harvey Street. We will need to design new handholes, conduits and foundations for the Mast Arms and crosswalk signals, which may be able to be located on the Mast Arms in some cases.
- We will prepare permit applications as required to support the designs including, but not limited to, the Michigan Department of Environment, Great Lakes, and Energy (for public water main on Jener, Hartsough & Harvey) and the City of Plymouth / Wayne County (for Soil Erosion and Sedimentation Control).
- We will meet and/or communicate with the City often during the design to review progress, permit applications and our recommended design. City comments will be incorporated into the plans as requested. On past projects, we have sought input from DMS to review things such as gate valve and hydrant location for new water main, existing and proposed driveway slopes, and to confirm final design elements.
- Following all plan revisions and incorporation of City comments, Wade Trim will prepare complete plans and specifications in the form of contract documents and assist the City in publicly bidding the project.

- We will assist the City by reviewing all bids received, checking Contractor references, and preparing a bid tabulation.
- We will provide a letter of recommendation of award to the City Commission for the construction phase. The letter will include a complete outline of expected construction costs based on the bids received and a comprehensive recommendation for the Commission packet.

At this time, we are requesting that the City Commission authorize Wade Trim to formally begin the 2021 Design Phase Services and Geotechnical Services, as described above, for a Not to Exceed Fee of **\$294,500**. As always, our team's actual effort will be billed monthly in accordance with the actual hours worked and our current Rate Schedule. If extra work is required beyond the scope of this contract, we will notify the City Manager and Director of Municipal Services immediately and provide an estimate for any additional work at that time.

Please do not hesitate to contact me directly at any time at 734.947.2622 with any questions you may have. We appreciate the opportunity to help the City with their infrastructure program again this year and look forward to working with your team on this project.

Very truly yours,

Wade Trim Associates, Inc.



Shawn W. Keough, PE
Senior Vice President

SWK:efa
PLY 1000-20T
2021 PLY INFRASTRUCTURE PRGM PROP LTR.DOCX

cc: Mr. Adam Gerlach, Department of Municipal Services, City of Plymouth
Mr. John Scanlon, Finance Director, City of Plymouth
Mr. Paul Sincoc, City Manager, City of Plymouth

ZBA Liaison Report for November 16, 2020

A meeting of the Zoning Board of Appeals was held on Thursday November 5, 2020 at 7 PM online via zoom to consider the following variance requests:

a) Z 20-08 non-Use Variance Request for 388 S. Main

Two wall signs on the Main street façade

Zoned: B-2, Central Business District

Applicant: Mark Chalou

Vote: approved 5 to 0 with restrictions/conditions

b) Z 20-09 non-Use variance request for 304 W. Liberty

Fence exceeding 30 inches in front yard on Davis Street side

Zone: R-1, Single family residential district

Applicants: Kyle Bowen

Votes: approved 5 to 0 with restrictions/conditions