



# Plymouth City Commission

## Regular Meeting Agenda

Monday, January 18, 2021 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 as a Zoom Webinar

Join Zoom Webinar -<https://us02web.zoom.us/j/82296091242> Passcode – 799761  
International numbers available: <https://us02web.zoom.us/u/kDvTtzBu0>

#### 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 December 2020 Bills
- b. Approval of January 4, 2021 City Commission Regular Meeting Minutes
- c. Special Event: Plymouth Ice Festival, February 12, 13, 14, 2021
- d. Special Event: Plymouth Community Band Concerts in the Park, Thursday Evenings June/July 2021

#### 5. COMMISSION COMMENTS

#### 6. OLD BUSINESS

#### 7. NEW BUSINESS

- a. Community Development Block Grant Cooperation Agreement with Wayne County
- b. 2021 Annual Wayne County Right of Way Maintenance Permits
- c. 2021 MDOT Annual Permit

#### 8. REPORTS AND CORRESPONDENCE

- a. Liaison Reports
- b. Planning Commission Annual Report

#### 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 placemaking

### ONE YEAR TASKS 2020-21

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

## GOAL II - FINANCIAL STABILITY

### OBJECTIVES

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

### ONE YEAR TASKS 2020-21

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

## GOAL III - ECONOMIC VITALITY

### OBJECTIVES

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

### ONE YEAR TASKS 2020-21

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

## GOAL IV - SERVICE AND INFRASTRUCTURE

### OBJECTIVES

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

### ONE YEAR TASKS 2020-21

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



City of Plymouth  
City Commission Regular Meeting Minutes  
Monday, January 4, 2021 - 7:00 p.m.  
In-Person at 525 Farmer and Online Webinar

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 7:00 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, and Tony Sebastian

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

**2) CITIZENS COMMENTS**

Eric Nemeth, 140 S. Union, said he thinks new crossing lights and pedestrian markings are needed at the intersection of Main St. and Church St.

**3) APPROVAL OF THE AGENDA**

Krol offered a motion, seconded by Thomey, to approve the agenda for Monday, January 4, 2021.

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 December 21, 2020 City Commission Regular Meeting Minutes

Moroz offered a motion, seconded by Sebastian, to approve 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**

Krol reminded residents to shop local. Thomey described the Plymouth Police Department's vacation check program and encouraged residents to use it. He asked Sincok to address the citizen comment regarding the intersection of Main St. and Church St. Sincok said he expects pedestrian crossing striping to be done this spring or summer, but that crossing lights are costly and they haven't yet been budgeted. Moroz offered a happy new year wish, and Wolcott praised staff and asked them to keep up the good work.

**6) PUBLIC HEARING**

a. Truck Route Ordinance and Final Reading

Wolcott opened the public hearing at 7:14 p.m.

Hearing no public comments, Wolcott closed the public hearing at 7:15 p.m.

Krol offered the following motion, which was seconded by Sebastian

**RESOLUTION 2021-01**

WHEREAS The City of Plymouth has an Ordinance to regulate truck traffic in the City; and

WHEREAS It has been many years since this Ordinance has been updated and the City Commission made updating this Ordinance as a one-year task on the City's Strategic Plan.

NOW THEREFORE BE RESOLVED THAT the City Commission amends the Truck Route Ordinance, Sections 70-61 through 70 – 67 at its Final Reading.

DIVISION 2. - TRUCK ROUTES

Sec. 70-61. - Intent.

The intent and purpose of this division is to protect the surfacing and pavements of the public streets, highways and alleys in the city and to such end same shall be liberally construed.

The purpose of this Section is to regulate the orderly operation of trucks on the streets of the City. The primary objectives are to facilitate the transfer of goods and services by trucks to businesses and to preserve the quality of life of the neighborhoods. Prime considerations involved with the purpose of this Section are: (1) the safety of our citizens; (2) avoidance of unreasonable or unnecessary disturbance or reduction in property values due to truck noise, vibration, and/or air pollution; (3) protection against the deterioration of those streets not designated for truck traffic, and (4) adequate truck service to businesses and residences in an expeditious manner, having due regard for economical vehicle operation.

Where density of traffic, protection of life and property, construction and condition of the roadway, or any hazardous condition make it advisable, the direction of traffic flow, and routing of buses, trucks and heavy vehicles, may be made by the Proper Authority by duly posted traffic control devices and it shall be unlawful to drive or cause to be driven, any vehicle in violation of such direction and routing.

Sec. 70-62. - 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:

*Commercial vehicle* includes all motor vehicles used for the transportation of passengers for hire, or constructed or used for the transportation of goods, wares or merchandise, and/or motor vehicles designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

Local Streets: All streets not designated herein as Truck Routes or major streets.

Major Streets: Those street segments, other than Truck Routes, contained herein the table below

<u>Major Streets</u>		
<u>Street Name</u>	<u>From</u>	<u>To</u>
<u>Amelia St</u>	<u>N Mill St</u>	<u>W Liberty St</u>
<u>Ann Arbor Trail</u>	<u>S Sheldon Rd</u>	<u>General Dr</u>
<u>Arthur Ave</u>	<u>Junction Ave</u>	<u>End (North of Junction Ave)</u>
<u>Cherry St</u>	<u>W Pearl St</u>	<u>Dunn St</u>
<u>Deer St</u>	<u>Wing St</u>	<u>Ann Arbor Trail</u>
<u>Dunn St</u>	<u>Cherry St</u>	<u>Starkweather Ave</u>
<u>E Liberty St</u>	<u>N Holbrook Ave</u>	<u>York St</u>
<u>E Pearl St</u>	<u>N Mill St</u>	<u>York St</u>
<u>E Spring St</u>	<u>N Mill St</u>	<u>N Holbrook Ave</u>
<u>Farmer St</u>	<u>N Harvey St</u>	<u>N Mill St</u>
<u>Forest Ave</u>	<u>Wing St</u>	<u>Ann Arbor Trail</u>

<u>Goldsmith Ave</u>	<u>N Sheldon Rd</u>	<u>Lena Ave</u>
<u>Hamilton St</u>	<u>Ann Arbor Trail</u>	<u>S Union St</u>
<u>Irvin Ave</u>	<u>Junction Ave</u>	<u>End (North of Junction Ave)</u>
<u>Junction Ave</u>	<u>N Sheldon Rd</u>	<u>Karmada St</u>
<u>Karmada St</u>	<u>Farmer St</u>	<u>Junction Ave</u>
<u>N Harvey St</u>	<u>Church St</u>	<u>Junction Ave</u>
<u>N Holbrook Ave</u>	<u>Wilcox Rd</u>	<u>Plymouth Rd</u>
<u>N Industrial Dr</u>	<u>Plymouth Rd</u>	<u>End (South of Plymouth Rd)</u>
<u>N Main St</u>	<u>Church St</u>	<u>N Mill St</u>
<u>Penniman Ave</u>	<u>S Sheldon Rd</u>	<u>S Union St</u>
<u>S Harvey St</u>	<u>Ann Arbor Rd</u>	<u>Church St</u>
<u>S Main St</u>	<u>Ann Arbor Rd</u>	<u>Church St</u>
<u>S Union St</u>	<u>Ann Arbor Trail</u>	<u>Main St</u>
<u>Starkweather Ave</u>	<u>N Main St</u>	<u>N Mill St</u>
<u>W Church St</u>	<u>N Harvey St</u>	<u>S Union St</u>
<u>W Liberty St</u>	<u>Amelia St</u>	<u>Starkweather Ave</u>
<u>W Pearl St</u>	<u>N Mill St</u>	<u>End (West of Cherry St)</u>
<u>Wing St</u>	<u>S Harvey St</u>	<u>Deer St</u>
<u>York St</u>	<u>E Pearl St</u>	<u>W Liberty St</u>

*Through commercial vehicle routes or through truck routes are those which must be used by trucks and commercial vehicles not beginning, terminating or delivering to or from any point within the city.*

*Truck means every motor vehicle designed, used, or maintained primarily for the transportation of property.*

*Truck Routes: Those streets specifically designated herein as Truck Routes.*

Sec. 70-63. - Enforcement.

The chief of police and other officers of the city shall enforce all weight, size and other vehicle and load limitations imposed by the Motor Vehicle Code, being Act No. 300 of the Public Acts of Michigan of 1949 (MCL 257.1 et seq., MSA 9.1801 et seq.), as amended.

It shall be the duty of any person driving or in charge or control of any buses, trucks or heavy vehicles, other than vehicles carrying or designed to carry passengers upon any roadway not a designated Truck Route upon the request of a police officer to stop and answer any questions regarding the weight of the truck, its destination, and its point of origin; and such person shall also present log book, weight slips, delivery slips and other written evidence of destination or point of origin, for the officer's examination.

Sec. 70-64. - Exception; permit.

The restrictions imposed under this division upon the use of certain public streets, highways and alleys in the city shall not apply to any vehicle the weight of which, loaded or unloaded, is 5,000 pounds or less, and shall not prevent the delivery of any person or property to any place within the city or prevent

a vehicle from receiving any person or property within the city, provided that the chief of police, in his discretion, may issue a permit for the operation of any truck to use any street other than herein provided.

Sec. 70-65. - Truck routes.

No person shall operate, or cause to be operated a commercial vehicle or truck on any of the public streets, highways or alleys in the city, except as herein otherwise provided, except upon the following public streets or highways which are hereby designated as through commercial vehicle routes or through truck routes:

- (1) Ann Arbor Road, from east city limits (Mill Street) to west city limits (Sheldon Road),
- (2) Mill Street, from Northville Road to south city limits (Ann Arbor Road),
- (3) Northville Road, from north city limits to Mill Street,
- (4) Plymouth Road, from east city limits to North Mill Street,
- (5) Sheldon Road, from south city limits (Ann Arbor Road) to CSX & O Railroad,

The above list of streets is subject to the weight restrictions of the board of county road commissioners.

Motor vehicles of the restricted class as used herein are defined as all motor vehicles having a weight of ten thousand (10,000) pounds or more including the load therein, except vehicles carrying or designated to carry passengers, all governmentally owned or leased vehicles, public utility vehicles, and vehicles used for private refuse handling.

Travel into or out of the City. Motor vehicles of the restricted class, which do not have a pickup, delivery or service within the City, are required to enter and exit the City of Plymouth on Truck Routes only.

Sec. 70-66. - Local deliveries.

~~The operation of commercial vehicles and trucks upon all public streets, highways or alleys, except as herein otherwise provided, in the city, is hereby prohibited; except, however, none of the restrictions herein imposed shall prevent the delivery or pickup of goods or persons any place within the city as provided in section 70-62; nor shall the restrictions herein imposed be construed to prevent any vehicle from going to and returning to the property where it is stored, maintained or serviced.~~

Travel within the City. Motor vehicles of the restricted class, while in the City of Plymouth, are required to travel on Truck Routes only, except as follows:

- (a) The operation of Authorized Emergency Vehicles may occur on any roadway in the City.
- (b) The operation of recreational vehicles as defined by State law, which are of the restricted class may use any roadway in the City.
- (c) The operation of motor vehicles of the restricted class is permitted on any roadway in the City for pickup, delivery or service where the destination is not on a Truck Route, provided that ingress and egress thereto or therefrom is accomplished in the following manner:
  - (1.) Vehicles of the restricted class must utilize designated Truck Routes to the point closest to delivery, pickup, or service.
  - (2.) Upon leaving or returning to the Truck Route, vehicles of the restricted class must utilize the shortest route available via major streets whenever possible and then utilize local streets only when necessary for the completion of the delivery, pickup or service.

(3) If any designated Truck Route or portion thereof shall be under repair or otherwise temporarily out of use, motor vehicles within the restricted class shall use such other temporary Truck Routes as may be designated by the Proper Authority.

(4) In case of emergency, a temporary permit allowing exceptions to this Section may be issued by the City Manager or designee.

Sec. 70-67. - Notice.

Notice of the prohibitions and limitations of this division shall be given by the posting of appropriate and legible signs such as may be seen by an ordinarily observant person upon or at the entrance to such highways or parts thereof affected by the provisions hereof.

Truck route signage. The roadways designated as Truck Routes may be posted with signs at reasonable intervals and at intersections where the truck route turns. Such signs shall consist of the words "Truck Route," below which may be placed an appropriate type arrow indicating the direction of the route.

No Trucks signage. Non-truck Route streets may be posted with signs at reasonable intervals where appropriate. Such signs shall indicate "No Trucks" or "Not a Truck Route."

Secs. 70-68—70-90. - Reserved.

There was a roll call vote.

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

MOTION PASSED 7-0

**7) OLD BUSINESS**

There was no old business.

**8) NEW BUSINESS**

a. Emergency Purchase of Pump Replacement

Moroz offered the following resolution, which was seconded by Thomey.

RESOLUTION 2021-02

WHEREAS The City maintains a variety of buildings to help with the public health, safety, and welfare and from time to time there is a need to make emergency repairs to systems which operate those buildings; and

WHEREAS The City administration did inform the City Commission of the emergency repair authorization on November 17, 2020 to make repairs to the heating systems at the Plymouth Cultural Center.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby confirm the Emergency Purchase/Repair Authorization for repairs to the Plymouth Cultural Center



heating system in the amount of \$10,545.77 and further authorizes payment to Goyette Mechanical for the repairs. Funding for this purchase is authorized from the City Equipment Fund.

There was a roll call vote.

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

**MOTION PASSED 7-0**

**b. Wayne County Parks Grant**

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

**RESOLUTION 2021-03**

**WHEREAS** The City of Plymouth and the County of Wayne are two separate governmental units; and

**WHEREAS** They have chosen to enter into an Intergovernmental Agreement for improvements to City's Recreational facilities; and

**WHEREAS** Funding for this project is from the Wayne County Parks Tax Millage and the county is returning a small portion of the tax money generated by City of Plymouth properties to the City for improvements to Parks and Recreation facilities.

**NOW THEREFORE BE IT RESOLVED THAT** The City Commission of the City of Plymouth does hereby authorize the Mayor to execute the documents titled Agreement between the County of Wayne and the City of Plymouth for Improvements to lighting system at Don Massey Field. This agreement is to have the County provide \$17,749.00 to assist the City with those improvements.

There was a roll call vote.

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

**MOTION PASSED 7-0**

**c. Authorization for Payment – Fire Academy**

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

**RESOLUTION 2021-04**

**WHEREAS** The City of Plymouth and the City of Northville participate in a joint fire department that is managed by the City of Northville; and

**WHEREAS** The department did engage in offering a fire academy which did result in several new members coming on as fire fighters in the fire department paid on call ranks; and

**WHEREAS** The cost of putting on the fire academy was paid in part by a state grant and student fees; and

WHEREAS Costs over revenues were \$12,786.78 and there is a need for the City Commission to confirm the Plymouth share of these costs in the amount of \$7,416.33, which is based on the cost sharing formula for fire operations between the two cities.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby confirm the expense of \$7,416.33 for the Northville Fire Academy and those expenses should be charged to the Fire Department Budget.

There was a roll call vote.

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

MOTION PASSED 7-0

**9) REPORTS AND CORRESPONDENCE**

a. Liaison Reports

O'Donnell reported the Plymouth District Library is extending curbside pickup hours and has added more slots for pickup. The Library Board will meet on January 19.

Krol said the Zoning Board of Appeals will hear three petitions on January 7.

Wolcott said the DDA Board will meet on January 11.

b. Appointments

There were no appointments.

**10) ADJOURNMENT**

Hearing no further discussion, Wolcott asked for a motion to adjourn at 7:32 p.m. A motion to adjourn was offered by Thomey and seconded by Moroz.

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

# City of Plymouth SPECIAL EVENT APPLICATION

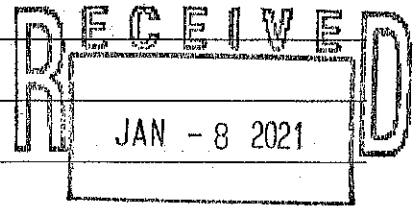
**>> FEES WILL BE CHARGED FOR ALL SPECIAL EVENTS <<**

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.

ITEM 4 C

<b>Sponsoring Organization's Legal Name</b>		JAG Entertainment			
Ph#	248 817-8836	Fax#	248-817-8836	Email	James@myjagentertainment.com Website Plymouthicefestival.co...
Address	127 N. Wixom Rd	City	Wixom	State	MI Zip 48393
<b>Sponsoring Organization's Agent's Name</b>		James Gietzen		<b>Title</b> Owner	
Ph#	248-817-8836	Fax#	248-817-8836	Email	James@myjagentertainment.com Cell# 248-863-7043
Address	127 N. Wixom Rd	City	Wixom	State	MI Zip 48393

<b>Event Name</b>	Plymouth Ice Festival	
<b>Event Purpose</b>	To bringing people to the community so they can experience and explore all downtown Plymouth has to offer.	
<b>Event Date(s)</b>	February 12, 13 and 14, 2021	
<b>Event Times</b>	Feb 12th 5 to 10pm, Feb 13th 10am to 10pm Feb 14th 10am to 6pm	
<b>Event Location</b>	Downtown Plymouth side walks	
<b>What Kind Of Activities?</b>	Ice carving displays in front of downtown businesses	
<b>What is the Highest Number of People You Expect in Attendance at Any One Time?</b>	2500	
<b>Coordinating With Another Event?</b>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If Yes, Event Name:	
<b>Event Details:</b>	(Provide a detailed description of all activities that will take place. Attach additional sheets if necessary.)	



The 2021 Plymouth Ice Festival will focus the attention on the storefronts. To do this we will once again turn to the business community to sponsor ice carvings and place them around town on the sidewalks instead of Kellogg Park. To further maximize the benefit to businesses we are moving the event to February 12th 13th and 14th.

\*\*\*COVID-19\*\*\* The 2021 Plymouth Ice Festival will be following COVID-19 restrictions and protocols of the time.

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:

February 11 - 13, 2022

\*\*\*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)

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.

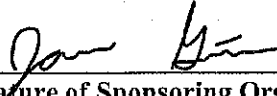
9. **UNLIMITED PARKING:** Are you requesting the removal of time limits on parking (see Policy 12.5)? YES  NO   
If Yes, list the lots or locations where/why this is requested:

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.

1-6-2021

Date



Signature of Sponsoring Organization's Agent

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

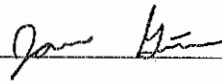
**City Manager's Office  
City Hall  
201 S. Main Street  
Plymouth MI 48170**

**Phone: (734) 453-1234 ext. 203**

11. INDEMNIFICATION AGREEMENT

**INDEMNIFICATION AGREEMENT**

The JAG Entertainment LLC (*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 Plymouth Ice Festival (*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 

Date January 6, 2021

Witness \_\_\_\_\_

Date \_\_\_\_\_

**EVENT REVIEW FORM**

<b>MUNICIPAL SERVICES:</b>	<input checked="" type="radio"/> <b>Approved</b>	<input type="radio"/> <b>Denied</b>	(list reason for denial)	Initial	<i>CP</i>
<i>No SERVICES NEEDED</i>					
\$250 Bathroom Cleaning Fee Per Day of Event? <input checked="" type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b>					
Labor Costs: \$	Equipment Costs: \$	Materials Costs	\$		
<b>POLICE:</b> <input checked="" type="radio"/> <b>Approved</b> <input type="radio"/> <b>Denied</b> (list reason for denial)      Initial <i>guc</i>					
<i>No SERVICES REQUIRED</i>					
Labor Costs \$	Equipment Costs \$	Materials Costs	\$		
<b>FIRE:</b> <input checked="" type="radio"/> <b>Approved</b> <input type="radio"/> <b>Denied</b> (list reason for denial)      Initial <i>JCO</i>					
<i>N/A</i>					
Labor Costs \$	Equipment Costs \$	Materials Costs	\$		
<b>HVA:</b> <input checked="" type="radio"/> <b>Approved</b> <input type="radio"/> <b>Denied</b> (list reason for denial)      Initial <i>[Signature]</i>					
<b>DDA:</b> <input checked="" type="radio"/> <b>Approved</b> <input type="radio"/> <b>Denied</b> (list reason for denial)      Initial <i>TB</i>					
Labor Costs \$	Equipment Costs \$	Materials Costs	\$		
<b>RISK MANAGEMENT:</b> <input checked="" type="radio"/> <b>Approved</b> <input type="radio"/> <b>Denied</b> (list reason for denial)      Initial					
Class I – Low Hazard					
Class II – Moderate Hazard					
Class III – High Hazard					
Class IV – Severe Hazard					

*CERTIFICATE OF INSURANCE Required naming  
CITY OF PLYMOUTH as additional Insured in  
Description Box. \*Food vendors and Higher Risk vendors*

*should also provide this \**

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 _____



# Special Event Application

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

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

ITEM 4 d

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 Plymouth Community Band

Ph# 734-635-9046 Fax# - Email info@ → Website plymouthcommunityband.org

Address PO Box 700745 City Plymouth State MI Zip 48170

Sponsoring Organization's Agent's Name Carl Battishill Title Director

Ph# \_\_\_\_\_ Fax# \_\_\_\_\_ Email battishill@AOC.com Cell# 734-635-9046

Address 525 Blunk City Plymouth State MI Zip 48170

Event Name Concerts in the Park

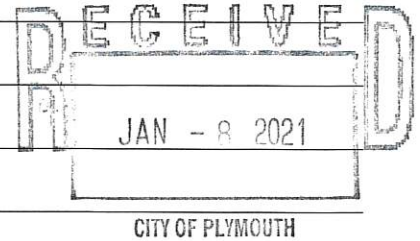
Event Purpose Concerts by the Plymouth Community Band

Event Date(s) June 3, 10, 17, 24 July 1, 15, 22, 29 2021

Event Times 7:30 pm

Event Location Kullogg Park

What Kind Of Activities? Band Concert



What is the Highest Number of People You Expect in Attendance at Any One Time? 1000

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.)

Band shall set up in advance. Lighting and sound included with band shall. We arrive to set up at 6:45pm. Concert begins at 7:30pm, Ends at 9:00pm. Clean up and departure by 9:30pm



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):

*Thursday nights in June and 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)

*Band shell open, lit, and sound. Parking on Penniman reserved from 6:00 -  
Public bathrooms opened. Clean up. Police presence.*

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:

*Penniman near the Theater reserved parking for band vehicles*

- 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.

1/8/2021  
Date

Carl E. Bartlett  
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 Plymouth Community Bank (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 Concerts in the Park (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 Carl E. Butcher III

Date 1/8/2021

Witness \_\_\_\_\_

Date \_\_\_\_\_

**EVENT REVIEW FORM**

<b>MUNICIPAL SERVICES:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial <i>CP</i>
<i>COSTS BASED ON 4HR PER CONCERT</i>				
\$250 Bathroom Cleaning Fee Per Day of Event? <u>YES</u> <span style="margin-left: 100px;">NO</span>				
Labor Costs: \$	<i>250</i>	Equipment Costs: \$	<i>50</i>	Materials Costs \$ <i>100</i>
<b>POLICE:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial <i>acc</i>
<i>1 - OFFICER @ 16 HAS</i>				
Labor Costs \$		Equipment Costs \$	<i>1216-</i>	Materials Costs \$
<b>FIRE:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial <i>JW</i>
<i>No Services Required</i>				
Labor Costs \$		Equipment Costs \$		Materials Costs \$
<b>HVA:</b>	Approved	Denied	(list reason for denial)	Initial
<b>DDA:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial <i>TB</i>
Labor Costs \$	<i>0</i>	Equipment Costs \$		Materials Costs \$
<b>RISK MANAGEMENT:</b>	<u>Approved</u>	Denied	(list reason for denial)	Initial <i>MB</i>
Class I - <u>Low Hazard</u>	<i>Certificate of insurance required, naming CITY OF PLYMOUTH as Additional Insured in Description Box.</i>			
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

To: Mayor & City Commission  
From: Paul J. Sincock, City Manager  
CC: S:\Manager\Sincock Files\Memorandum - Block Grant Cooperative Intergovernmental Agreement 01-18-21.docx  
Date: January 13, 2021  
RE: Block Grant Intergovernmental Agreement

---

### Background

The City has participated in the Wayne County Community Development Block Grant program for several years. Our participation allows us to use the population base of most of the out Wayne County area. In other words, most of the County except Detroit. By using this population base the County is able to qualify for substantial funds, which are then dispersed to the various participating communities based on population.

Every three years the County requests that we renew our interest in extending our Cooperative Agreement with the County. This assures that the County receives funding for the Administration of the entire program.


Based on our review of the scope of dollars available the City's best option is to remain with the County Program to obtain the maximum amount of dollars available under the Block Grant Program.

### RECOMMENDATION:

The City Administration recommends that the City Commission approve a continuation of the Cooperative Agreement with Wayne County for the Community Development Block Grant Program. We have attached a Resolution for the Commission to consider regarding this matter.

Should you have any questions regarding this matter please feel free to contact either John Buzuvis or myself.

## **ADMINISTRATIVE RECOMMENDATION**

**To:** Paul J. Sincock, City Manager  
**From:** John Buzuvis, Community Development Director   
**CC:** S:\COMMUNITY DEVELOPMENT\John\John\CDBG\2018-2019  
**Date:** 1/13/2021  
**Re:** Urban County Cooperative Agreement for the Federal Community Development Block Grant Program

---

**BACKGROUND:** The City of Plymouth is a sub-recipient of Wayne County for Community Development Block Grant (CDBG) funds administered by the Department of Housing and Urban Development (HUD). The City has been a sub-recipient of Wayne County for CDBG funds for decades and as such have from time-to-time had to renew contracts and enter into agreements with Wayne County to remain in compliance with HUD. The City has typically dedicated as much CDBG funding as allowed by HUD to offset the cost of the Senior Transportation program.

Historically, as you may recall, the City was required to do a significant amount of administrative work including multiple public hearings and legal postings to receive CDBG funding from Wayne County. In 2019 Wayne County streamlined the process and reduced the administrative burden on sub-recipients for CDBG funding and took on the responsibility for holding public hearings, compiling myriad reports and applications. The City is required to maintain a Cooperation Agreement and a Subrecipient Agreement with Wayne County to remain eligible for CDBG funding. These agreements are multi-year in nature and typically have a process for administrative renewal between the County and HUD. However, HUD is requiring the county to renew the Cooperation Agreement with each subrecipient community as some of the language has changed and HUD requires a new approval.

Enclosed please find a copy of the Urban County Cooperative Agreement for the Federal Community Development Block Grant Program (the agreement). Also enclosed is a letter from Terry Carroll, the Wayne County Community Development Director, with a brief explanation of the reasoning for having to re-approve the agreement.

Generally, the agreement memorializes each parties' responsibilities for compliance with HUD and other federal requirements related to CDBG funding. The agreement precludes the City from applying for CDBG funding through the Small Cities or State of Michigan directly while this agreement is in effect. Additionally, the agreement contains requirements specific to HOME Investment Partnership Program requirements; however, these requirements do not apply as the City does not, and has not, participated in that program.

If the City Commission should choose to not renew the Cooperation Agreement our relationship as a subrecipient for CDBG with Wayne County would be terminated. The City would have to seek CDBG funds from the State of Michigan directly. This would create a significant administrative burden and would require myriad staff resources to set the program up and operate it.

**RECOMMENDATION:**

The Administration recommends the City Commission approve the enclosed Cooperation Agreement and authorize the Mayor to sign the agreement on behalf of the City.

Attached please find 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.



Warren C. Evans  
Wayne County Executive

January 6, 2021

The Honorable Oliver Wolcott, Mayor  
City of Plymouth  
201 S. Main  
Plymouth, MI 48170

Dear Mayor Wolcott:

You may remember that I wrote you back in October, 2020 regarding your continued interest in participating with the Urban County of Wayne for federal Community Development Block Grant (CDBG), HOME Investment Partnerships and Emergency Solutions Grant (ESG) funding. At that time, it was our understanding that the U.S. Department of Housing and Urban Development (HUD) would require that, in order to maintain the Urban County's eligibility to receive these funds for the next three years, we would merely have to invoke the re-certification provision of the existing Cooperation Agreement.

This document was the same Cooperation Agreement that had been initially executed with the County and thirty-four Participating Jurisdictions in 2014, and subsequently extended every three-year period since using the original automatic renewal clause. The renewal provision is triggered every three years with your community not informing the County of your desire to withdraw. That most recent period expired November 5, 2020.

This was the same process followed last Fall and your community was included as a Participating Jurisdiction. HUD subsequently informed us that their verbiage requirements had not been met and the Cooperation Agreement should not have been approved all these years. They rejected our Cooperation Agreements and now require each unit of general local government located in Wayne County with less than 50,000 in population wishing to participate with the Urban County to execute new Cooperation Agreements in order to receive CDBG, HOME and ESG funding.

Attached please find a Cooperation Agreement that we have had approved by HUD and will ensure that your community will have the opportunity to participate in the federal CDBG and HOME programs for the next three-years. If you choose to remain with the Urban County, you are ineligible to apply for grants under the State CDBG program while you are part of the Urban County; if you choose to remain with the Urban County, you may only receive a formula allocation under the HOME Program as a part of



the Urban County, although this does not preclude the Urban County or a unit of government within the Urban County from applying to the State for HOME funds, if the State allows; if you choose to be excluded from the Urban County, you must notify both the county and the HUD Field Office of your election to be excluded; and such election to be excluded will be effective for the entire three-year period for which the Urban County qualifies, unless you specifically elect to be included in a subsequent year for the remainder of the Urban County's three-year qualification period.

Please have the document approved by your legislative body, sign it and return it to me as soon as possible. I would be happy to discuss any questions or comments you may have regarding this document or the process of making your community eligible to receive federal funding. You may reach me at (313)224-6046.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Carroll". The signature is fluid and cursive, with the first name "Terry" written in a larger, more prominent script than the last name "Carroll".

Terry Carroll, Director  
Community Development

Cc: John Buzuvis

**URBAN COUNTY**  
**COOPERATIVE AGREEMENT**  
**FOR THE**  
**FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

THIS URBAN COOPERATIVE AGREEMENT is made and entered upon execution by and between [COMMUNITY], State of Michigan, hereinafter referred to as the "Community", and the County of Wayne, Charter County of the State of Michigan, hereinafter referred to as the "County".

**MUTUAL UNDERSTANDINGS**

- A. The Federal Housing and Community Development Act of 1974, as amended (the "Act"), provides to certain "urban counties" (as that term is defined in the Act) of funds for community development purposes.
- B. The County has been designated as an "urban county" within the meaning of the Act and is authorized to make funds available to certain communities within its boundaries, provided that it first obtains cooperative agreements with such communities.
- C. The County and Community are entering into this cooperative agreement ("Agreement") to satisfy the requirements of The Urban County Act and the Act which covers both the Community Development Block Grant Entitlement Program and, where applicable, the HOME Investment Partnership program; and
- D. This Urban County Cooperative Agreement replaces and supersedes any previous cooperative Agreement and any subsequent amendments.

NOW THEREFORE, the Community and County do hereby promise and agree:

1. The Community may not apply for grants from appropriations under Small Cities or State CDBG programs for fiscal years during the period in which it is participating in the urban county's CDBG program.
2. The Community may not participate in a HOME consortium except through County, regardless of whether County receives a HOME formula allocation.
3. The County shall have final responsibility for selecting Community Development Block Grant (and HOME, where applicable) activities and annually filing a Consolidated Plan with HUD.
4. The County will, on behalf of the community, execute essential Community Development and Housing Assistance applications, plans, programs and projects eligible under the Housing and Development Act of 1974 as amended.

5. The Community and County will cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities, specifically urban renewal and publicly assisted housing.

6. The Community and the County will take all actions necessary to assure compliance with the County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975, and Section 3 of the Housing and Urban Development Act of 1968, and all other applicable laws; that the County is prohibited from funding activities in or in support of any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction, or that impedes the County's actions to comply with the county's fair housing certification; and that funding by the County is contingent upon the Community's compliance with the above.

7. The Community has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstration; and a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction.

8. The term of this Agreement shall commence on July 1, 2021, the beginning date of the first year of the new Urban County Qualification Period and will end on June 30, 2024. This term covers Federal Fiscal Years 2021, 2022, and 2023. The period of time of this Agreement shall be automatically renewed in successive three-year qualification periods, unless the County or the Community provides a written notice it elects not to participate in a new qualification period. A copy of this notice must be sent to the HUD State Office by the date specified in HUD's Urban County Qualification Notice for the next qualification period; further the County will notify the Community in writing of its rights to make such election by the date specified in HUD's Urban County Qualification Notice.

9. The automatic renewal periods elected by the parties shall commence from the qualification period defined above.

10. Failure by either party to adopt an amendment to this Agreement incorporating all changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period, and to submit the amendment to HUD as provided in the Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period, and to submit the amendment to HUD as provided in the Urban County Qualification Notice, will void the automatic renewal of such qualification period.

11. This Agreement remains in effect until the CDBG (and HOME where applicable) funds and income received with respect to activities carried out during the three-year qualification period (and any successive qualification periods under this automatic renewal provision) are expended

and the funded activities completed, and that the County and Community may not terminate or withdraw from this agreement while this agreement remains in effect.

12. The Community shall inform the County of any income generated by the expenditure of CDBG funds received by the Community.

13. Any such program income generated by the Community must be paid to the County, unless at the County's discretion, and the Community may retain the program income as set forth in 24 CFR 570.503.

14. Any program income the Community is authorized by the County to retain may only be used for eligible activities approved by the County in accordance with all CDBG requirements as may then apply.

15. The County has the responsibility for monitoring and reporting to HUD on the use of any such program income, thereby requiring appropriate record keeping and reporting by the Community as may be needed for this purpose.

16. In the event of close-out or change in status of the community, and program income that is on hand or received subsequent to the close-out or change in status shall be paid to the County.

17. The Community shall provide timely notification to the County of any modification or change in the use of the real property from that planned at the time of acquisition or improvement including disposition.

18. The Community shall reimburse the County in the amount equal to the current fair market value (less any portion of the value attributable to expenditures of non-CDBG funds) or real property acquired or improved with Community Development Block Grant funds that is sold or transferred for the use which does not qualify under the CDBG regulations.

19. The community shall return to the County program income generated from the disposition or transfer or real property prior to subsequent to the close-out, change of status or termination of the cooperation agreement between the County and the Community.

20. The terms and provisions of this Agreement are fully authorized under State and local law, and that the Agreement provides full legal authority for the County to undertake or assist in undertaking essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing.

21. Pursuant to 24 CFR 570.501 (b), the Community is subject to the same requirements applicable to sub-recipients, including the requirement for a written agreement set forth in 24 CFR 570.503.

22. The Community will remain in Wayne County's Urban County programs for an indefinite period of time or until such time it is in the best interest of this Community to terminate the Cooperation Agreement.

23. Community may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of local government, Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits, or non-Federal considerations, but must use such funds for activities eligible under Title I of the Act.

[SIGNATURES ON NEXT PAGE]

EXECUTION

IN WITNESS WHEREOF, the Community and County have by resolutions authorized this URBAN COOPERATIVE AGREEMENT to be executed by their respective officer's thereunto as of the day and year first above written.

COUNTY OF WAYNE

By: \_\_\_\_\_  
Warren C. Evans  
Its: Chief Executive Officer

[COMMUNITY]


By: \_\_\_\_\_

Its:

CERTIFICATION BY COUNTY CORPORATION COUNSEL

As Principal Attorney for the Corporation Counsel for the County of Wayne, I hereby certify that the terms and provisions of the foregoing URBAN COOPERATIVE AGREEMENT are fully authorized under existing State and local law and that the agreement provides full legal authority for the County to undertake or assist in undertaking essential community renewal and lower income housing assistance activities, specifically urban renewal and public-assisted housing in cooperation with local units of government.

Dated: Dec 22, 2020

By: \_\_\_\_\_  


Haaris Ahmad  
Principal Attorney, Tax and Real Estate  
Wayne County Corporation Counsel

**RESOLUTION**

The following Resolution was offered by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_.

WHEREAS The City Commission of the City of Plymouth has been a sub-recipient of the Wayne County for Community Development Block Grant funding for several decades, and

WHEREAS The Department of Housing and Urban Development (HUD), requires the City and County to renew Cooperation Agreements and Subrecipient Agreements from time to time, and

WHEREAS The City of Plymouth wishes to continue their relationship as a subrecipient of Wayne County for Community Development Block Grant funding, and

WHEREAS The Department of Housing and Urban Development is requiring Wayne County to renew the Urban County Cooperative Agreement for the Federal Community Development Block Grant Program with each subrecipient community to remain in compliance,

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby approve the enclosed Urban County Cooperative Agreement for the Federal Community Development Block Grant Program and authorizes the Mayor to sign the agreement on behalf of the City of Plymouth



## 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 - Annual County Right of Way Permits 2021 01-18-21.docx  
Date: January 13, 2021  
RE: Annual County Right of Way Maintenance Permits A-21119, A-21064, A-21152

---

### Background

Each year the City is required to file a new permit for operations within the right of way of the County roadways, namely Sheldon Road, Plymouth Road and Mill Street. The City has water mains and sanitary sewers as well as sidewalks located in the right of way of those roads and our routine and emergency maintenance of those facilities requires that we obtain a permit to complete the work. This is an annual permit process. This year Wayne County has finally put all of our permits into a single Resolution, which saves a lot of paper and time.

Normally, this process is handled at the end of the calendar year or early in January.

The County requires that we have a City Commission Resolution designating the persons authorized to make application to the County for a permit. For the past several years, this has been the City Manager, Municipal Services Supervisors and Police Chief.

We have attached a memorandum from DMS Director Chris Porman which further outlines this permit requirement.

### RECOMMENDATION:

The City Administration recommends that the City Commission authorize the City Manager, Municipal Services Supervisors, and Police Chief to sign the Application and Permit for operations within the County right of way. This will allow the Administration to process the documentation with the County.

We have attached a County prepared 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.





## Department of Municipal Services

1231 Goldsmith Plymouth, MI 48170 734-453-7737 phone 734-455-1666 fax

Date: January 12, 2021  
To: Paul Sincock, City Manager  
From: Chris S. Porman, Director of Municipal Services  
Re: Annual Wayne County Permits: A-21064, A-21119, A-21152

### Background:

Wayne County has released their permit packages for the Wayne County Roads, which we apply for each year. Roads under the Wayne County system include Mill St, Plymouth Rd, Sheldon, Riverside Dr, & Wilcox. Ann Arbor Road although maintained by the County is under State of Michigan jurisdiction and we are applying for that permit in a separate action by the Commission.

Last year, Wayne County combined all three permits into one single application, and they are continuing that this year, meaning we only need to take action on one resolution and it will be used for all three permits.

The City is required to file a permit to occupy the right way of County Roads for maintenance purposes. Examples of activities covered under the maintenance permit include: sanitary sewer work, water main work, sidewalk repair/replacement, street sweeping, and salt applications.

While it is not common practice for the City to maintain the Wayne County roads which are within the City limits, it should be noted that we have water main and sanitary sewer mains running under the right of ways. We have had occurrences where we need to complete repair work. It should also be noted that during declared "snow emergency" our crews have applied snow and ice control measures on county roads.

The second permit is pavement restoration, which would occur if needed to replace the road way due to any of our utility work as mentioned in the description of the maintenance permit. This permit also allows our contractors to work to replace sidewalk along the County right of way.

The third permit is for special events which may require temporary closure of county roads. This is not something we have applied for previously, as the City does not run the events, we are merely the host, but it also references signs for events. Since the three permits are tied together in one resolution, we might as well have it, in case we ever need it for banners or other signage.

Website: [www.ci.plymouth.mi.us](http://www.ci.plymouth.mi.us)

email: [dms@ci.plymouth.mi.us](mailto:dms@ci.plymouth.mi.us)

The County now requires that we have a City Commission Resolution designating the persons authorized to make application to the County for a permit. Historically, this has been the City Manager, Municipal Services Supervisors and the Director of Public Safety.

**Recommendation:**

It is my recommendation that this be brought forth to the City Commission for formal action to authorize the City Manager, Municipal Services Supervisors, and the Director of Public Safety to sign the Application and Permits for maintenance, pavement restoration, and special events within the County right of way. This will allow us to proceed with processing the documentation with the County.

Attached is a County prepared proposed Resolution for the Commission to consider regarding the matter. Should you or the Commission have any questions, please feel free to contact me.



*Warren C. Evans*  
*County Executive*

December 21, 2020

City of Plymouth  
1231 Goldsmith  
Plymouth, MI 48170-1637

**RE: A-21119**  
**2021 Annual Permit Package**  
**Wayne County Department of Public Services**  
**Engineering Division – Permit Office**

Attention: Chris Porman

Enclosed is your Wayne County Annual Permit package. In an effort to expedite the process Wayne County DPS Engineering Division Permit Office is combining the Annual Maintenance Permit, Annual Pavement Restoration Permit, and Annual Special Events Permit into on single application.

1. **Annual Maintenance Permit:** The annual permit authorizes the permit holder to occupy Wayne County road right-of-way for the purpose of inspection, repair and routine maintenance of the following facilities which are under its jurisdiction:
  - a. Sanitary sewer inspection, repair and routine maintenance;
  - b. Water main inspection, repair, routine maintenance and installation of residential and commercial water service connections (two-inch maximum diameter);
  - c. Other utilities (i.e. natural gas, electric or fiber optic);
  - d. Application of dust palliatives; and
  - e. Repair and replacement of existing sidewalks.
2. **Annual Pavement Restoration Permit:** The annual permit authorizes the permit holder to occupy Wayne County road right-of-way for the purpose of pavement repair and restoration.
3. **Annual Permit for Special Events:** The annual permit grants preliminary authorization to a municipality to perform the following:
  - a. Temporarily close a county road for a reasonable length of time for a parade, marathon, festival or similar activity;
  - b. To use a county road as a detour for traffic around such activity taking place on a non-county road; and/or
  - c. Place a temporary banner within the County right-of-way.



In addition to the Annual Permit, this package also includes the applicable following attachments, which are incorporated by reference into the permit:

- A. Scope of Work and Conditions for Municipal Maintenance Permits, *if applicable*
- B. Annual Special Events Attachment for Municipalities, *if applicable*
- C. Banner Attachment for Municipalities, *if applicable*
- D. General Conditions and Limitations of Permits, *if applicable*
- E. Indemnity and Insurance Attachment, *if applicable*
- F. Model Community Resolution, *if applicable*

As a condition of the municipal annual permit, the County requires that the governing body pass a blanket resolution of approval which accomplishes the following:

- A. Agrees to fulfill all permit obligations and conditions
- B. To the extent allowed by law, hold harmless and defend Wayne County and its officials and employees against any and all damage claims, suits or judgments of any kind or nature arising as a result of the permitted activity
- C. Designates and authorizes an appropriate official of the requesting municipality to sign the permit on its behalf.

Additionally, the Permit Office requires that each municipality provide a written request on municipal letterhead at least (10) ten business days prior to the commencement of a road closure and/or banner placement. The written request should include all required information as specified in the appropriate attachments, "Annual Special Events for Municipalities" or "Annual Attachment for Banners". Upon approval, the permit office shall issue a permit authorizing the special event activities.

***\*\*\*For all Annual Permits please review the insurance attachment carefully, since the insurance requirements have been recently updated.***

The WCDPS Permit Office has published its manual, *Rules, Specifications and Procedures for Permit Construction*. This manual replaces the Permit Specifications Document which was attached to annual permits in previous years. The manual is also incorporated by reference into this annual permit and is available online at:

[http://www.waynecounty.com/dps/construction\\_permits.htm](http://www.waynecounty.com/dps/construction_permits.htm)

**Please return the original permit, signed and dated by the person authorized and designated by the resolution, along with a certified copy of the resolution and a copy of your certificate of insurance, consistent with the requirements transmitted in this package.**



Type the name of the designated signer below the signature line and submit these documents to:

**Wayne County Department of Public Services  
Permit Office  
Attn: Ms. Randa Saghir  
33809 Michigan Avenue  
Wayne, MI 48184**

Once received, the Permit Coordinator will validate your permit and return an executed copy to you for your files.

The *Scope of Work and Conditions for Municipal Maintenance Permits* requires that the Permit Holder submit monthly reports of all work performed under this permit. These reports should be faxed to **734.595.6356**.

Once received, an executed copy will be returned to you for your files. If you have any questions regarding this Annual Permit, please contact me at **734.858.2757**

Respectfully Submitted,

Randa Saghir  
Administration Management

C: file

Attachments: Annual Permit  
Scope of Work and Conditions for Municipal Maintenance Permits  
Annual Special Events Attachment for Municipalities  
Banner Attachment for Municipalities  
General Conditions and Limitations of Permits  
Indemnity and Insurance Attachment  
Model Community Resolution

**PERMIT OFFICE**  
 33809 MICHIGAN AVE  
 WAYNE, MI 48184,  
 PHONE (734) 595-6504  
 FAX (734) 595-6356

72 HOURS BEFORE ANY  
 CONSTRUCTION. CALL  
 Various Staff  
 (734) 595-6504, Ext: 2009  
 FOR INSPECTION



**WAYNE COUNTY**  
**DEPARTMENT OF PUBLIC SERVICES**  
**PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN**

PERMIT No. <b>A-21064</b>	
ISSUE DATE <b>1/1/2021</b>	EXPIRES <b>12/31/2021</b>
REVIEW No.	WORK ORDER <b>79646</b>

PROJECT NAME  
 CITY OF PLYMOUTH - MAINTENANCE

LOCATION  
 VARIOUS ROADS ( )

CITY/TWP  
 PLYMOUTH

PERMIT HOLDER  
 CITY OF PLYMOUTH  
 1231 GOLDSMITH  
 PLYMOUTH, MI 48170-1637

CONTRACTOR

CONTACT  
 CHRIS PORMAN (734) 453-7737

CONTACT  
 <BLANK>

DESCRIPTION OF PERMITTED ACTIVITY (72 HOURS BEFORE YOU DIG, CALL MISS DIG 1-800-492-7181, www.missdig.org)

TO OCCUPY THE RIGHT-OF-WAY OF COUNTY ROADS FOR THE BELOW ACTIVITIES:

1. SANITARY SEWER INSPECTION, REPAIR AND ROUTINE MAINTENANCE.
2. WATERMAIN INSPECTION, REPAIR AND ROUTINE MAINTENANCE.
3. DUST PALLIATIVE, CALCIUM & SALT APPLICATIONS.
4. SIDEWALK REPAIR AND REPLACEMENT.
5. TO PERFORM STREET SWEEPING OPERATIONS DURING DAYLIGHT HOURS ONLY.

ALL ACTUAL INSPECTION COSTS, INCLUDING OVERTIME, SUPERVISION, TESTING OF MATERIALS AND EMERGENCY WORK, IF REQUIRED, SHALL BE BILLED TO THE PERMIT HOLDER.  
 REFER TO ATTACHMENTS REFERENCED BELOW FOR ANNUAL PERMIT REQUIREMENTS AND CONDITIONS.  
 ALL ATTACHMENTS ARE INCORPORATED BY REFERENCE AS PART OF THIS PERMIT.

PAVEMENT REPAIRS REQUIRE A SEPARATE PERMIT AND ARE NOT TO BE COMPLETED UNDER THE TERMS OF THIS ANNUAL PERMIT.

PERMIT HOLDER AGREES TO SUBMIT MONTHLY REPORTS OF WORK PERFORMED VIA FAX (734.595.6356) UNDER THIS PERMIT.

ALL ACTUAL INSPECTION COSTS, INCLUDING OVERTIME, SUPERVISION, TESTING OF MATERIAL AND EMERGENCY WORK, IF REQUIRED, SHALL BE BILLED.

FINANCIAL SUMMARY		DEPOSITOR	APPROVED PLANS PREPARED BY
PERMIT FEE .....	\$0.00		
PLAN REVIEW FEE .....	\$0.00		
PARK FEE .....	\$0.00		
OTHER FEE .....	\$0.00		
BOND .....	\$0.00		
INSPECTION DEPOSIT .....	\$0.00		
OTHER BOND .....	\$0.00		
TOTAL COSTS .....	\$0.00		
TOTAL CHECK AMOUNT	\$0.00	LETTER OF CREDIT DEPOSITOR	PLANS APPROVED BY DATE PLANS APPROVED
CASHIER	DATE		1/1/2021
	1/1/2021		
			REQUIRED ATTACHMENTS
			GENERAL CONDITIONS
			SCOPE OF WORK AND CONDITIONS FOR MUNICIPAL MAINTENANCE PERMITS
			INDEMNITY AND INSURANCE ATTACHMENT
			SAMPLE COMMUNITY RESOLUTION
			RULES, SPECIFICATIONS AND PROCEDURES FOR PERMIT CONSTRUCTION - AVAILABLE ONLINE AT
			<a href="http://www.waynecounty.com/dps_engineering_cpoffice.htm">www.waynecounty.com/dps_engineering_cpoffice.htm</a>

(PERMIT VALID ONLY IF ACCOMPANIED BY ABOVE ATTACHMENTS)

In consideration of the Permit Holder and Contractor agreeing to abide and conform with all the terms and conditions herein, a Permit is hereby issued to the above named to Construct, Operate, Use and/or Maintain within the Road Right of Way, County Easement, and/or County Property. The permitted work described above shall be accomplished in accordance with the Approved Plans, Maps, Specifications and Statements filed with the Permit Office which are integral to and made part of this Permit. The General Conditions as well as any Required Attachments are incorporated as part of this Permit.

**WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES**

CHRIS PORMAN PERMIT HOLDER / AUTHORIZED AGENT	DATE	PREPARED BY
<BLANK> CONTRACTOR / AUTHORIZED AGENT	DATE	VALIDATED BY
		DATE

**PERMIT OFFICE**  
 33809 MICHIGAN AVE  
 WAYNE, MI 48184,  
 PHONE (734) 595-6504  
 FAX (734) 595-6356

72 HOURS BEFORE ANY  
 CONSTRUCTION. CALL  
 Various Staff  
 (734) 595-6504, Ext: 2009  
 FOR INSPECTION



**WAYNE COUNTY**  
**DEPARTMENT OF PUBLIC SERVICES**  
**PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN**

PERMIT No. <b>A-21119</b>	
ISSUE DATE <b>1/1/2021</b>	EXPIRES <b>12/31/2021</b>
REVIEW No.	WORK ORDER <b>79359</b>

PROJECT NAME  
 PLYMOUTH - PAVEMENT RESTORATION

LOCATION  
 VARIOUS

CITY/TWP  
 PLYMOUTH

PERMIT HOLDER  
 CITY OF PLYMOUTH  
 1231 GOLDSMITH  
 PLYMOUTH, MI 48170-1637

CONTRACTOR

CONTACT  
 CHRIS PORMAN (734) 453-7737

CONTACT  
 <BLANK>

DESCRIPTION OF PERMITTED ACTIVITY (72 HOURS BEFORE YOU DIG, CALL MISS DIG 1-800-482-7161, www.mlsdig.org)

TO REPLACE AND REPAIR PAVEMENT CUTS DUE TO UTILITY REPAIRS WITHIN THE RIGHT-OF-WAY OF VARIOUS ROADS IN WAYNE COUNTY IN ACCORDANCE WITH THE WAYNE COUNTY RULES, SPECIFICATIONS AND PROCEDURES MANUAL & WAYNE COUNTY STANDARD PLANS FOR PERMIT CONSTRUCTION.

AT LEAST 72 HOURS PRIOR TO CONSTRUCTION, THE PERMIT HOLDER SHALL SUBMIT WRITTEN NOTICE OF CONSTRUCTION, INCLUDING THE LOCATION AND DATE OF THE WORK ALONG WITH CONSTRUCTION PLANS TO THE PERMIT OFFICE FOR APPROVAL.

THE FINAL AREA OF ANY PAVEMENT TO BE REPLACED AND/OR OVERLAID SHALL BE DETERMINED AND MARKED OUT BY THE COUNTY.

FOR EACH PROJECT, ALL ACTUAL PLAN REVIEW AND INSPECTION COSTS, INCLUDING OVERTIME, SUPERVISION, TESTING OF MATERIALS AND EMERGENCY WORK, IF REQUIRED, SHALL BE BILLED TO THE PERMIT HOLDER ON A MONTHLY BASIS.

ANY ROAD CLOSURE SHALL BE IN COMPLIANCE WITH THE MICHIGAN MANUAL OF TRAFFIC CONTROL DEVICES, [HTTP://MUTCD.FHWA.DOT.GOV](http://MUTCD.FHWA.DOT.GOV)

THE ATTACHMENTS LISTED BELOW ARE INCORPORATED BY REFERENCE AS PART OF THE CONDITIONS OF THIS PERMIT.

<b>FINANCIAL SUMMARY</b>		<b>DEPOSITOR</b>	<b>APPROVED PLANS PREPARED BY</b>
PERMIT FEE .....	\$0.00		PLANS APPROVED BY
PLAN REVIEW FEE .....	\$0.00		DATE PLANS APPROVED
PARK FEE .....	\$0.00		1/1/2021
OTHER FEE .....	\$0.00		<b>REQUIRED ATTACHMENTS</b>
BOND .....	\$0.00		<b>GENERAL CONDITIONS</b>
INSPECTION DEPOSIT .....	\$0.00	<b>LETTER OF CREDIT DEPOSITOR</b>	<b>INDEMNITY AND INSURANCE ATTACHMENT</b>
OTHER BOND .....	\$0.00		<b>RULES, SPECIFICATIONS AND PROCEDURES</b>
TOTAL COSTS .....	\$0.00		<b>FOR PERMIT CONSTRUCTION - AVAILABLE</b>
			<b>ONLINE AT</b>
<b>TOTAL CHECK AMOUNT</b>	<b>\$0.00</b>		<a href="http://www.waynecounty.com/dps_engineering_cpoffice.htm">www.waynecounty.com/dps_engineering_cpoffice.htm</a>
CASHIER	DATE		
	1/1/2021		

(PERMIT VALID ONLY IF ACCOMPANIED BY ABOVE ATTACHMENTS)

In consideration of the Permit Holder and Contractor agreeing to abide and conform with all the terms and conditions herein, a Permit is hereby issued to the above named to Construct, Operate, Use and/or Maintain within the Road Right of Way, County Easement, and/or County Property. The permitted work described above shall be accomplished in accordance with the Approved Plans, Maps, Specifications and Statements filed with the Permit Office which are integral to and made part of this Permit. The General Conditions as well as any Required Attachments are incorporated as part of this Permit.

**WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES**

CHRIS PORMAN PERMIT HOLDER / AUTHORIZED AGENT	DATE	PREPARED BY
<BLANK> CONTRACTOR / AUTHORIZED AGENT	DATE	VALIDATED BY
		DATE

**PERMIT OFFICE**  
 33809 MICHIGAN AVE  
 WAYNE, MI 48184,  
 PHONE (734) 595-6504  
 FAX (734) 595-6356

72 HOURS BEFORE ANY  
 CONSTRUCTION, CALL  
**Various Staff**  
 (734) 595-6504, Ext: 2009  
 FOR INSPECTION



PERMIT No. <b>A-21152</b>	
ISSUE DATE <b>1/1/2021</b>	EXPIRES <b>12/31/2021</b>
REVIEW No.	WORK ORDER

**WAYNE COUNTY**  
**DEPARTMENT OF PUBLIC SERVICES**  
**PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN**

PROJECT NAME  
 PLYMOUTH - SPECIAL EVENTS

LOCATION: VARIOUS  
 CITY/TWP: PLYMOUTH

PERMIT HOLDER: CITY OF PLYMOUTH, 1231 GOLDSMITH, PLYMOUTH, MI 48170-1637  
 CONTRACTOR: <BLANK>

CONTACT: CHRIS PORMAN (734) 453-7737  
 CONTACT: <BLANK>

DESCRIPTION OF PERMITTED ACTIVITY (72 HOURS BEFORE YOU DIG, CALL MISS DIG 1-800-482-7161, www.missdig.org)

TO ALLOW TEMPORARY CLOSURE OF CERTAIN LOCAL AND COUNTY ROADS FOR A SPECIFIED PERIOD OF TIME IN ACCORDANCE WITH ALL GENERAL AND SPECIAL CONDITIONS OF THIS PERMIT.

REFER TO ATTACHEMENT: ANNUAL SPECIAL EVENTS PERMIT FOR MUNICIPALITIES TO CONDUCT PARADES, BLOCK PARTIES, MARATHONS, CELEBRATIONS AND FESTIVALS.

PERMIT TO INSTALL BANNERS WITHIN THE COUNTY ROAD RIGHT-OF-WAY. EACH REQUEST FOR A BANNER SHOULD BE SUBMITTED ONE MONTH PRIOR TO INSTALLMENT FOR APPROVAL. PLEASE REFER TO ATTACHMENT: ANNUAL PERMIT FOR MUNICIPAL BANNERS

PERMIT HOLDER SHOULD CONTACT/INFORM THE LOCAL POLICE, HOSPITAL, FIRE MARSHAL, SCHOOL AND ANY OTHER LOCAL AGENCIES ARE/MAY BE AFFECTED BY THIS ROAD CLOSURE THREE (3) BUSINESS DAYS PRIOR TO SCHEDULED CLOSURE.

THE PERMIT HOLDER SHOULD CONTACT THE WAYNE COUNTY TRAFFIC OFFICE AT (734) 955-2154 THREE (3) WORKING DAYS PRIOR TO ANY CLOSURE.

THE CONTRACTOR/PERMIT HOLDER WILL SET UP AND MAINTAIN ALL BARRICADING AND SIGNS IN ACCORDANCE WITH THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (HTTP://MUTCD.FHWA.DOT.GOV) AND WILL BE THE RESPONSIBILITY OF THE PERMIT HOLDER.

ALL ATTACHMENTS ARE INCORPORATED BY REFERENCE AS PART OF THIS PERMIT.

FINANCIAL SUMMARY		DEPOSITOR	APPROVED PLANS PREPARED BY
PERMIT FEE .....	\$0.00	LETTER OF CREDIT DEPOSITOR	PLANS APPROVED BY
PLAN REVIEW FEE.....	\$0.00		DATE PLANS APPROVED
PARK FEE.....	\$0.00		1/1/2021
OTHER FEE.....	\$0.00		REQUIRED ATTACHMENTS
BOND.....	\$0.00		GENERAL CONDITIONS
INSPECTION DEPOSIT.....	\$0.00		ANNUAL ROAD SPECIAL EVENTS FOR MUNICIPALITIES
OTHER BOND	\$0.00		ANNUAL BANNER PERMIT ATTACHMENT FOR MUNICIPALITIES
TOTAL COSTS .....	\$0.00		SAMPLE COMMUNITY RESOLUTION
TOTAL CHECK AMOUNT	\$0.00		RULES, SPECIFICATIONS AND PROCEDURES FOR PERMIT CONSTRUCTION - AVAILABLE ONLINE AT
CASHIER	DATE		<a href="http://www.waynecounty.com/dps_engineering_cpoffice.htm">www.waynecounty.com/dps_engineering_cpoffice.htm</a>
	1/1/2021		(PERMIT VALID ONLY IF ACCOMPANIED BY ABOVE ATTACHMENTS)

*In consideration of the Permit Holder and Contractor agreeing to abide and conform with all the terms and conditions herein, a Permit is hereby issued to the above named to Construct, Operate, Use and/or Maintain within the Road Right of Way, County Easement, and/or County Property. The permitted work described above shall be accomplished in accordance with the Approved Plans, Maps, Specifications and Statements filed with the Permit Office which are integral to and made part of this Permit. The General Conditions as well as any Required Attachments are incorporated as part of this Permit.*

**WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES**

CHRIS PORMAN PERMIT HOLDER / AUTHORIZED AGENT DATE PREPARED BY  
 <BLANK> CONTRACTOR / AUTHORIZED AGENT DATE VALIDATED BY DATE





Wayne County Department of Public Services  
Engineering Division – Permit Office

Conditions & Limitations of Permits

**Plan Approval and Specifications:** All work performed under the permit shall be done in accordance with the approved plans, specifications, maps, statements and special conditions filed with the County and shall comply with Wayne County Specifications, as defined in the current *Wayne County Rules, Specifications and Procedures for Permit Construction*, included as an attachment to this permit, the *Wayne County Standard Plans for Permit Construction*, and the *MDEQ Standard Specifications For Construction*, as modified by WCDCS Special Provisions, and other WCDCS specifications. Any situation or problem which occurs as a result of the construction, operation, use and/or maintenance of the facility in the right-of-way and is not covered by the approved plans nor by the County's current Standards and Specifications shall be resolved by the Permit Holder as directed and approved by the Permit Office. Any significant change to the plans must be approved by the Permit Office and is authorized only when an approved addendum is obtained from the Permit Office.

**Fees:** The Permit Holder shall be responsible for all fees and costs incurred by the County in connection with the permit and shall deposit payment for fees and costs as determined by the County at the time the permit is issued.

**Bond:** The Permit Holder shall furnish a bond in cash or Certified check in an amount acceptable to the County to guarantee performance under the conditions of the permit. The County may use all or any portion of the bond which shall be necessary to cover any expense, including inspection costs or damage incurred by the County through the granting of the permit. Should the bond be insufficient to cover the expenses and damages incurred by the County, the Permit Holder shall pay such deficiency upon billing by the County. If the bond amount exceeds the expenses and damages incurred by the County, the excess portion will be returned to the Depositor. The excess performance bond provided for herein, when it cannot be returned, shall be deposited into the County Road Fund and become a part thereof, unless claimed by the Depositor within one year of the date of satisfactory completion of the construction authorized by the permit.

**Insurance:** The Permit Holder shall furnish proof of liability and property damage insurance in the form and amounts acceptable to the County with Wayne County named as an insured party. The Permit Holder shall maintain this insurance until the permit is released, revoked or cancelled by the County.

**Indemnification / Hold Harmless:** Sub-Section 1 herein applies to all Permit Holders except Municipalities. Sub-Section 2 herein applies to Municipalities only.

1. To the extent allowed by law, the Permit Holder shall indemnify, hold harmless and defend Wayne County, its Department of Public Services, its officials and employees against any and all claims, suits and judgments to which the County, the Department, its officials and employees may be subject and for all costs and actual attorney fees which may be incurred on account of injury to persons or damage to property, including property of the County, whether due to negligence of the Permit Holder or to the joint negligence of the Permit Holder and the County, arising out of any and all work performed under the permit, or in connection with work not authorized by the permit, or resulting from failure to comply with the terms of the permit or arising out of the continued existence of the work product that is the subject of the permit. This hold harmless provision must not be construed as a waiver of any governmental immunity by the County.
2. To the extent allowed by law, the Municipality as Permit Holder shall hold harmless and defend Wayne County, its Department of Public Services, its officials and employees, for the Municipality's own negligence, tortious acts, errors, or omissions, and the acts, errors, or omissions of any of its employees, on account of injury to persons or damage to property, including property of the County, arising out of any and all work performed under the permit, or in connection with work not authorized by the permit, or resulting from failure to comply with the terms of the permit or arising out of the continued existence of work product that is the subject of the permit. Sub-section 1 above applies to contractors, subcontractors, consultants, or agents of the Municipality. This hold harmless provision must not be construed as a waiver of any governmental immunity by the County or the Municipality's, as provided by statute or modified by court decisions.

**Permit on Site:** The Permit Holder shall keep available a copy of the permit and any associated approved plans on site during permitted activities.

**Notification for Start and Completion of Work:** The permit shall not become operative until it has been fully executed by the County. The Permit Holder shall notify the County before starting construction and shall notify the County when work is completed. The Permit Holder or their representative shall have copies of the executed permit and approved plans in their possession on the job site at all times.

1. The Permit Holder shall provide at least three (3) days advanced notice, excluding Saturdays, Sundays and holidays, to the Permit Office prior to the commencement of any permitted activities by submitting a START OF WORK NOTIFICATION form by mail, fax or e-mail. In certain instances, additional notice may be required by the Permit Office. In the event that construction work ceases for a period of time, then the Permit Holder shall notify the Wayne County Inspector at least 24 hours prior to resuming work.
2. The Permit Holder shall comply with all requirements of the Miss Dig Statute, MCL §460.701 et seq., as amended. The Permit Holder shall call "MISS DIG", at (800) 482-7161, at least 72 hours, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
3. The Permit Holder shall call Wayne County Department of Public Services' Traffic Operations Office at (734) 955-2154, at least 72 hours prior, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work in the vicinity of any traffic signal equipment owned, operated or maintained by Wayne County.

**Safety:** The Permit Holder agrees that all work under the permit shall be performed in a safe manner and to keep the area affected by the permit in a safe condition until the work is completed and accepted by the County. The Permit Holder shall furnish, install and maintain all necessary traffic controls and protection which are in accordance with the current *Manual on Uniform Traffic Control Devices* (MUTCD). The Permit Holder shall conduct all activities and maintain all facilities as set forth in the permit in a manner so as not to damage, impair, interfere with, or obstruct a public road or create a foreseeable risk of harm to the traveling public. The Permit Holder shall comply with all applicable OSHA and MIOSHA requirements.

**Underground Utilities:** The Permit Holder shall contact all utility owners regarding their facilities prior to starting work and shall comply with all applicable provisions of Act 53, Public Acts of 1974, as amended. Wayne County makes no warranty either expressed or implied as to the condition or suitability of subsurface conditions or any existing facility which may be encountered during an excavation. The presence or absence of utilities is based on the best information available and the County is not responsible for the accuracy of this information. The Permit Holder assumes all responsibility for the interruption and damage to underground utilities. The Permit Holder is responsible for proper disposal, in accordance with current regulations, of any material excavated from within the right-of-way. Such materials include, without limitation, soils or groundwater contaminated by petroleum products or other pollutants associated with sites identified by the MDEQ or reported on appropriate release forms for underground storage tanks.

**Assignability:** The permit is neither transferable nor assignable without the written consent of the County.

**Limitation of Permit:** The Applicant and the Permit Holder shall be responsible for obtaining and shall secure any permits or permission necessary or required by law from State, federal or other local governmental agencies and jurisdictions, corporations or individuals. These include, without limitation, those pertaining to drains, inland lakes and streams, wetlands, woodlands, flood plains, filling, noise regulation and hours of operation. Issuance of a Wayne County permit does not authorize activities otherwise regulated by State, federal or local agencies.

**Access of Other Vehicles:** The Permit Holder shall, at all times possible, maintain a minimum of one acceptable access to all abutting occupied properties, driveways and side streets unless otherwise specified on the approved plans. The Permit Holder shall notify all owners or occupants of properties whose access may be temporarily disrupted during the permitted work. The local police, fire or emergency service agencies shall define acceptable access. The Permit Holder shall provide signing and other improvements necessary to ensure adequate access until the roadway, driveway or side street is restored. The Permit Holder shall conduct all operations so as to minimize inconvenience to abutting property owners. Wayne County reserves the right to reasonably restrict the progress of work by the Permit Holder based on the rate of roadway and right-of-way restoration, including permanent or temporary pavement. Wayne County may require that work be suspended until satisfactory backfilling of open trenches or excavations has been completed and driveways, side streets and drainage restored.

**Restoration:** The Permit Holder agrees to restore the County road and road right-of-way, County drain easement or County park property to a condition equal to or better than its condition before work under the permit began. If the Permit Holder fails to satisfactorily restore the permitted work area, Wayne County may take all practical actions necessary to provide reasonably safe and convenient public travel, preservation of the roadway and drainage, prevention of soil erosion and sedimentation, and elimination of nuisance to abutting property owners caused by the permitted activity. Security in the form of cash, a certified check or surety bond shall be required to secure the cost of restoring the disturbed portion of the right-of-way to an acceptable safe condition. The amount of the security shall be determined by the Permit Office. In the event that a suspension of work will be protracted or that the work will not be completed by the Permit Holder, the Permit Holder shall restore the right-of-way to a condition similar to the condition that existed prior to issuance of the permit.

**Acceptance:** Acceptance by the County of work performed does not relieve the Permit Holder of full responsibility for work performed or the presence of the permitted facility. The Permit Holder acknowledges that the County has no liability for the presence of the Permit Holder's facility located within the County road right-of-way, County drain easement or County park property.

**Permit Expiration and Extension of Time:** All work authorized by the permit shall be completed to the satisfaction of the Permit Office on or before the expiration date specified in the permit. Any request for an extension of time for completion shall be on a completed County form and shall demonstrate good cause for granting the request. Additional requirements may be imposed as a condition of an extension of time due to seasonal limitations or other considerations. These additional requirements may include, without limitation, changes to materials or construction methods, reestablishment of fees, bonds, deposits and insurance requirements.

**Responsibility:** The design, construction, operation and maintenance of all work covered by the permit shall be at the Permit Holder's expense with the exception that the Permit Holder will not be responsible for maintaining road widenings or similar facilities which become part of the County roadway.

**Revocation:** The permit may be suspended or revoked at the will of the County. Upon order of the County, the Permit Holder shall surrender the permit, cease operations and remove, alter or relocate, at their expense, the facilities for which the permit was granted. The Permit Holder expressly waives any right to claim damages for compensation resulting from the revocation of the permit.

**Violation:** The County may declare the permit null and void if the Permit Holder violates the terms of the permit. The County may require immediate removal of the Permit Holder's facilities and restoration of the County property, or the County may remove the facilities and restore the County property at the Permit Holder's expense. The Permit Holder agrees that in the event of a violation of the terms of the permit or in the event the work authorized by the permit is not satisfactorily completed by the permit expiration date, the County may use all or any portion of the performance bond to restore the County road right-of-way, drain easement, wastewater facility or park property as necessary for reasonably safe and efficient operations and maintenance, or to establish extraordinary maintenance procedures as required to assure reasonably safe and efficient operation of the County facility.

**Inspection and Testing of Materials:** Wayne County reserves the right of inspection and the testing of materials by its authorized representatives of all permitted activities and/or activities within the road right-of-way, County owned property or within a County drain easement. All items identified by the final inspection shall be resolved prior to release of the permit. All materials and methods utilized during the course of the authorized permit work shall meet the requirements of the current *MDEQ Standard Specifications For Construction* as modified by Wayne County Special Provisions, Standard Plans for Permit Construction and this manual. The Permit Holder shall reimburse Wayne County for all required inspections and testing of materials.

**Design:** The Permit Holder is fully responsible for the design of the permitted facility, such that the design shall be consistent with all applicable County standards, specifications, guidelines, requirements and with good engineering practice. Any errors in the plans that become evident after the issuance of a permit, and which change the scope of permitted work, are subject to review and may be grounds for revocation of the permit. The Permit Office will not relieve the Permit Holder of the responsibility of correcting errors, deficiencies, or omissions due to oversight or unforeseen contingencies such as faulty drainage, poor subsurface conditions or the failure of the Permit Holder's engineer to show all the related or pertinent conditions inside or outside the plan area.

**Drainage:** Drainage shall not be altered to flow into the road right-of-way or road drainage system unless approved by Wayne County.

**Permit Holder Compliance:** The Permit Holder shall abide by the conditions and limitations contained on the permit and all other conditions listed within the WCDCS Rules, Specifications and Procedures for Construction Permits. The application of any work undertaken under the permit shall constitute the Permit Holder's agreement to the Provision.

**MODEL COMMUNITY RESOLUTION  
AUTHORIZING EXECUTION OF  
WAYNE COUNTY PERMITS**

Resolution No. \_\_\_\_\_

At a Regular Meeting of the \_\_\_\_\_ (Name of  
Community Governing Board) on \_\_\_\_\_ (date), the following  
resolution was offered:

**WHEREAS**, the \_\_\_\_\_ (hereinafter the "Community") periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") for permits to conduct emergency repairs, annual maintenance work, and for other purposes on local and County roads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel;

**WHEREAS**, pursuant to Act 51 of 1951, being MCL 247.651 *et seq.*, the County permits and regulates such activities noted above and related temporary road closures;

**NOW THEREFORE, BE IT RESOLVED**, in consideration of the County granting such permit (hereinafter the "Permit"), the Community agrees and resolves that:

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor's behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The Incorporation by the County of this Resolution as part of a permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

This Resolution stipulates that the requesting Community shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary

signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

This Resolution stipulates that the requesting Community shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This Resolution shall continue in force from the date of execution until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

The Community stipulates that it agrees to the terms of the County of Wayne permit at the time a permit is signed by the Community's authorized representative.

**BE IT FURTHER RESOLVED**, that the following individual(s) is/are authorized in their official capacity as the Community's authorized representative to sign and so bind the Community to the provisions of any and all permits applied for to the County of Wayne, Department of Public Services Engineering Division Permit Office for necessary permits from time to time to work within County road right-of-way or local roads on behalf of the Community.

<b>Name</b>	Chris Porman	Municipal Services Director	or	
	Chris Helinski	Municipal Services	or	
	Adam Gerlach	Municipal Services	or	
_____	Steve Faiman	Municipal Services	or	_____
	Mike Brindley	Municipal Services	or	
	Al Cox	Director of Public Safety	or	
_____	Paul Sincock	City Manager	or	_____

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the [Board of Trustees/City Council] of the \_\_\_\_\_ (name of Community), County of Wayne, Michigan, on \_\_\_\_\_.



## 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 - Annual State Highway Permit - 2021 - 01-18-21.docx*  
Date: January 13, 2021  
RE: Annual State Highway Permit – 2021 – 01-18-21

---

### **Background**

Each year the City is required to file a new permit for operations within the right of way of the State Trunkline road, namely Ann Arbor Road. The City has water mains and sanitary sewers located in the right of way of Ann Arbor Road and our routine and emergency maintenance of those facilities requires that we obtain a permit to complete the work. This is an annual permit process.

The State of Michigan requires that we have a City Commission Resolution designating the persons authorized to make application to the State for a permit. For the past several years, this has been the City Manager, Municipal Services Supervisors and Director of Public Safety.

### **RECOMMENDATION:**

The City Administration recommends that the City Commission authorize the City Manager, Municipal Services Supervisors, and Director of Public Safety to sign the Application and Permit for operations within state trunkline right of way. This will allow the Administration to process the documentation with the State of Michigan.

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



## **Department of Municipal Services**

1231 Goldsmith Plymouth, MI 48170 734-453-7737 phone 734-455-1666 fax

Date: January 12, 2021  
To: Paul Sincock, City Manager  
From: Chris S. Porman, Director of Municipal Services  
Re: 2021 Annual State Highway Permit

### **Background:**

Each year, the City of Plymouth must file a new permit for operations within the State Trunkline Right of Way (Ann Arbor Road), per Michigan Department of Transportation (MDOT). The City has water mains and sanitary sewers located within the right of way along Ann Arbor Road and any routine or emergency repairs require we have a permit on file.

MDOT requires, as part of the process, that we pass a resolution designating the individuals authorized to make application to the State for a permit. For the past several years, this has been DMS Supervisors and the Director of Public Safety.

The City Commission will need to authorize the DMS Supervisors and Director of Public Safety to sign the application and permit for operations within the State trunkline right of way. This will allow us to process the permit documentation with the State of Michigan.

I have enclosed a State of Michigan proposed Resolution for consideration. This is the same resolution that the Commission has passed in previous years for this permit. Should you have any questions, please feel free to contact me.

## PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES

*This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Highway Right of Way", or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".*

RESOLVED WHEREAS, the City of Plymouth  
(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employees, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.
4. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

- 5. The GOVERNMENTAL AGENCY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
- 6. With respect to any activities authorized by a PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
- 7. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 8. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

Title and/or Name:

Chris Porman, Director - Department of Municipal Services

Chris Helinski, Assistant Director - Operations - Department of Municipal Services

Adam Gerlach, Assistant Director - Public Utilities - Department of Municipal Services

Al Cox, Director of Public Safety

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the \_\_\_\_\_  
(Name of Board, etc)

of the \_\_\_\_\_ of \_\_\_\_\_  
(Name of GOVERNMENTAL AGENCY) (County)

at a \_\_\_\_\_ meeting held on the \_\_\_\_\_ day

of \_\_\_\_\_ A.D. \_\_\_\_\_.

Signed \_\_\_\_\_ Title \_\_\_\_\_

ZBA Liaison Report for January 18, 2021

A regular meeting of the Zoning Board of Appeals was held on Thursday, January 7, 2021 at 7:00 P.M. online via Zoom to consider the following:

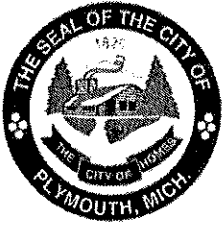
Z20-10 Use Variance Request for 606 Maple  
Habitable space in detached garage  
Zoned: R-1, Single-Family Residential  
Applicant: William Lincoln  
DENIED: 2 No - 3 yes (4 yes votes required to pass)

Zoning Ordinance Interpretation  
Sec. 78-21 Floor area ratio calculation and habitable space in a detached garage  
Referred back to Planning Commission to review and clarify the definition of **Habitable Space** specifically related to consideration of spaces in accessory buildings (garages) including it's impact on FAR

Z21-01 Non-Use Variance Request for 1071 N. Holbrook  
Rear Yard Lot Coverage  
Zoned: R-1, Single-Family Residential Applicant: Mark Oppat  
APPROVED with restrictions Yes: 5 No:0

Z21-02 Non-Use Variance Request for 365 Joy  
Front Yard Setback  
Zoned: R-1, Single-Family Residential  
Applicant: Jill and Matt Nagle  
APPROVED with restrictions Yes: 4 No:1





# CITY OF PLYMOUTH

201 S. Main  
Plymouth, Michigan 48170

[www.plymouthmi.gov](http://www.plymouthmi.gov)

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

I  
T  
E  
M  
  
8  
b

## City of Plymouth Planning Commission 2020 Annual Report

The City of Plymouth Planning Commission is made up of nine members. They regularly meet on the second Wednesday of the month at 7:00 pm in the Commission Chambers at City Hall located at 201 S. Main. Due to the COVID-19 pandemic the Commission met online via Zoom April through December. A typical meeting consists of public comments, review of the previous meetings minutes, commissioner comments, public hearings, new and/or old business, and reports and correspondence from staff. Planning Commission members for the 2020 year included: Karen Sisolak (Chair), Jennifer Kehoe (Vice Chair), Joe Hawthorne, Shannon Adams, Scott Silvers, Chuck Myslinski, Adam Offerman, Tim Joy, and Hollie Saraswat.

The Planning Commission met ten times during 2020. Of those ten meetings, all were regularly scheduled meetings. This meets the requirements of the Michigan Planning Enabling Act (MPEA) for the minimum number of meetings (4).

The main purpose of this report is to meet the requirements of the MPEA. However, this report increases information sharing between staff, boards, commissions, and the City Commission. This report anticipates upcoming issues and asks the Planning Commission to identify priorities so that staff may appropriately allocate time and resources. Lastly, it is the opportunity to reflect on the hard work of the past year and thank our dedicated appointed and elected officials for their support of the City's planning and zoning efforts.

The Planning Commission's primary accomplishment for the year was the completion of the rooftop dining ordinance update. This ordinance now allows seating and dining on rooftops in appropriate locations.

### Tables of Contents

Planning Commission Goals.....	2
Master Plan Review.....	2
Master Plan Implementation Matrix.....	3
Zoning Ordinance Amendments.....	4
Development Reviews.....	5
Variance Requests.....	6
Action by City Commission.....	7
Zoning Map.....	7
Trainings.....	7
Joint Meetings.....	7

**Planning Commission 2020 Goals**

Due to COVID-19, the Planning Commission did not formally adopt goals for the 2020 year. The goals discussed in February 2020 are below:

1. Complete streets policy drafted and adopted or Multi-modal transportation policy drafted and adopted.
  - a. COMPLETE: Approved with amendments on June 15, 2020.
2. Rezoning priorities set and written based on data.
  - a. IN PROGRESS: Chair Sisolak, Comm. Kehoe, and Comm. Silvers discussed which district(s) might be best to start with and reviewed draft ordinance amendments.
3. Define and adopt overlay districts.
  - a. NOT STARTED/IN PROGRESS: This goal evolved and got combined with the rezoning priority goal.

**Master Plan Review**

The Planning Commission and City Commission adopted the Master Plan update on August 15, 2018 and September 17, 2018, respectively.

Below are the Master Plan goals

CC Strategic Plan Goal Topics	Guiding Master Plan Goals for Land Use
Goal I: Quality of Life	<ul style="list-style-type: none"> <li>• Encourage appropriate home sizing &amp; massing</li> <li>• Create lifelong neighborhoods of diverse housing for various income levels</li> <li>• Maintain and enhance the tree canopy</li> <li>• Encourage historic preservation</li> </ul>
Goal II: Financial Stability	<ul style="list-style-type: none"> <li>• Plan for a variety of land uses that creates a dynamic environment supportive of residences, community institutions, and businesses</li> </ul>
Goal III: Economic Vitality	<ul style="list-style-type: none"> <li>• Promote a welcoming environment for commercial business &amp; industry</li> <li>• Encourage environmentally sensitive/context sensitive and sustainable development</li> </ul>
Goal IV: Service Infrastructure	<ul style="list-style-type: none"> <li>• Improve street mobility, connectivity &amp; safety</li> <li>• Plan for vehicular needs, including parking</li> </ul>

**Reflection:**

In order to accomplish the various goals outlined in the document, the Planning Commission needs to identify their top priority (topic) out of the Implementation Matrix of the Master Plan and the Master Plan Goals for Land Use. Once this is identified, the Planning Commission, with the help of Community Development staff and approval of the City Commission, can take steps to implement those goals. The next page includes some of the actions identified in the Master Plan Implementation Matrix that could be selected as accomplishable tasks during 2021.

## Master Plan Implementation Matrix

Below is a portion of the Implementation Matrix from the Master Plan. Included are the items that have been designated as “Immediate” or “Short Term” priorities and the Planning Commission is one of the responsible parties.

Action	Priority Term	City Commission Goal Area				Responsibility	Funding
		I	II	III	IV		

### Regulatory and Policy Change

#### *Redevelopment Ready Communities*

Ensure clear definitions and requirements are included in necessary sections of the ordinance	Short	X				PC, CDD	CDD
Review the Zoning Map annually, update if and as necessary	Cont.	X				PC	CDD
Review and clarify special land use approval processes	Short				X	PC, CDD	CDD
Ensure industrial districts allow for compatible new economy-type businesses	Short				X	PC	CDD
Allow for non-traditional housing types in appropriate areas	Short	X		X		PC	CDD

#### *Site Design*

Adopt clear, concise, enforceable ordinance requirements for landscaping, signage, lighting, parking, and access management for Commercial/Business districts	Short	X		X		PC	CDD
Adopt standards that encourage shared parking access and locates parking behind buildings	Short				X	PC	CDD
Adopt ordinance requirements that accommodate pedestrian activity within and around development	Short				X	PC	CDD
Adopt flexible parking standards	Short				X	PC	CDD

#### *Residential*

Monitor and encourage appropriate home sizing and massing	Immed.	X				PC, CDD	CDD
Research requirements that would promote housing options for lifetime neighborhoods (i.e. ancillary dwelling units)	Short	X		X		PC, CDD	CDD

#### *Environmental*

Maintain and enhance the City's tree canopy	Immed.	X				PC, CDD, DMS	CDD, DMS
Adopt standards that require low-impact development, sustainability, and energy conservation practices.	Short	X				PC	CDD

#### *Transportation*

Adopt Complete Streets policies	Short	X			X	PC, CC	CDD
---------------------------------	-------	---	--	--	---	--------	-----

### Partnerships, Programs, and Promotion

Become a Redevelopment Ready Community through MEDC	Short			X		CDD, PC, CC	CDD, CC
Identify priority redevelopment sites/transitional properties and determine desired future use and development	Cont.	X				PC, CDD	CDD
Develop a clear vision for development outcomes and criteria for priority sites	Short	X				PC, CDD	CDD

## **Zoning Ordinance Amendments**

The Planning Commission approved one zoning ordinance text amendment during the 2020 calendar year. That was the rooftop dining ordinance.

Community Development staff expects 2021 to include continued discussion and research into zoning ordinance amendments. The ordinances listed below include some of the sections the Planning Commission may wish to examine and discuss further.

1. Fences in front yards (Section 78-208)
2. Creation of non-conforming parcels (Section 78-351)
3. City-wide parking requirements (Section 78-270 through 78-275)
4. Projections into yards (Section 78-217)
5. Permitted and special land uses within each zoning district (Various sections)
6. FAR for zoning districts that allow single family as a special land use (Various sections)
7. Habitable space in detached garages
8. What does and does not contribute to lot coverage
9. What does and does not contribute to floor area ratio
10. Temporary uses
11. Mobile and temporary sales

The Planning Commission, through their 2021 Goal Setting session, may choose to address some, all, or other ordinances during the 2021 calendar year. There may be some ordinances that can be “batched” together in order to expedite the ordinance amendment process. Additionally, staff is suggesting setting a priority and only discussing ordinances that meet the priority.

## Development Reviews

Project Type	Location	Description	Meeting Outcome	Fwd. to CC?	Date of Action
Text amendment	City owned parks and playgrounds	Create new parks and open space district and rezone City owned parks and playgrounds to said district	Approved	Yes	Jan. 8
PUD	587 W. Ann Arbor Trail, 686 & 674 Maple	Partial demolition, preservation of JB Hall, construction of 10 attached townhomes	Postponed final PUD review	N/A	Feb. 12
PUD	230 Wilcox	Live-work space, art gallery, walking paths	Approved preliminary PUD review	N/A	Feb. 12
PUD Amendment	550 N. Holbrook	Additional parking for 409 Plymouth Rd. and changed park space/entrance	Postponed	N/A	Mar. 11
PUD	587 W. Ann Arbor Trail, 686 & 674 Maple	Partial demolition, preservation of JB Hall, construction of 10 attached townhomes	Approved final site plan and PUD with conditions	Yes	Apr. 8
Rezoning	900 York	Rezone vacant I-1 parcel to R-1	Approved	Yes	May 13
Policy review	N/A	Multi-modal/complete streets policy reviewed	Approved with conditions	Yes	June 15
Policy review	N/A	Public Participation Plan	Approved	Yes	June 15
Site plan review and special land use review	555 Forest	Expansion of liquor serving establishment	Approved with conditions	N/A	July 8
PUD Amendment	550 N. Holbrook	Add 8 parking spaces onto green space, improve parkway entrance	Set public hearing	N/A	July 8
PUD Amendment	550 N. Holbrook	Add 8 parking spaces onto green space, improve parkway entrance	Approved with conditions	Yes	Sept. 9

## Variance Requests

Variance Type	Location	Description	Meeting Outcome	Date of Action
Non-Use	250 N. Main	Wall signage	Approved with conditions	Jan. 7
Non-Use	1482 Sheridan	Lot split creating two non-conforming parcels	Denied	Feb. 6
Non-Use	575 Blunk	Side yard setback	Denied	Apr. 2
Non-Use	480 Sunset	Side yard setback	Approved with conditions	May 7
Non-Use	235 Adams	Projection into rear yard setback	Approved with conditions	July 2
Non-Use	271 S. Main	Windows facing interior lot line in side yard setback	Approved	Aug. 6
Non-Use	359 McKinley	Rear yard setback	Approved	Sept. 3
Non-Use	1381 Sheridan	Roof connecting home and detached garage	Postponed	Sept. 3
Non-Use	1381 Sheridan	Roof connecting home and detached garage	Denied	Oct. 1
Non-Use	388 S. Main	Two wall signs on one facade	Postponed	Oct. 1
Non-Use	388 S. Main	Two wall signs on one facade	Approved	Nov. 7
Non-Use	304 W. Liberty	Fence exceeding 30" in front yard	Approved with conditions	Nov. 7
Non-Use	606 Maple	Fence exceeding 6.5', garage height exceeding 15', 2 story garage height	Approved with conditions	Dec. 4
Non-Use	606 Maple	Habitable space in detached garage	Postponed	Dec. 4
Non-Use	933 Church	Lot coverage, FAR, front yard setback, side yard setback	Postponed	Dec. 4

### **Actions by City Commission**

The following list includes all the planning and development related actions taken by the City Commission during 2019.

<b>Description</b>	<b>Date of Action</b>
Sign ordinance (first reading)	Feb. 3
Sign ordinance (second reading)	Mar. 2
Parks and open space district (first reading)	Apr. 6
Parks and open space district (second reading)	Apr. 20
Rezoning of 900 York (first reading)	June 1
Rezoning of 900 York (second reading)	June 15
Payment in lieu of parking rate card approval	June 15
Rezoning of Jewell-Maple Development PUD (first reading)	June 15
Rezoning of Jewell-Maple Development PUD (second reading)	July 6
PUD Agreement Jewell-Maple Development	July 6
Multi-Modal Transportation Policy adoption	July 6
Public Participation Plan adoption	July 6
Rooftop seating ordinance (first reading)	Sept. 8
Noise ordinance (first reading)	Sept. 8
Rooftop seating ordinance (second reading)	Sept. 21
Tree ordinance (first reading) and presentation of annual report	Nov. 16
Tree ordinance (second reading)	Dec. 21

### **Zoning Map**

City owned parks and playgrounds were rezoned to the newly created parks and open space district. 900 York was rezoned from I-1, Light Industrial to R-1, Single Family Residential. 587 W. Ann Arbor Trail was rezoned from B-2, Central Business District to PUD, Planned Unit Development. 686 Maple and 674 Maple were rezoned from O-1, Office to PUD, Planned Unit Development.

### **Trainings**

Due to COVID-19, there were no formal training sessions provided this year.

Potential training(s) in 2021 include additional Carlisle-Wortman Associates session(s) and Michigan Municipal League (MML) and Michigan Association of Planning (MAP) conferences and sessions.

### **Joint Meetings**

There were no joint meetings during the 2020 calendar year.