



# Plymouth City Commission

## Regular Meeting Agenda

Monday, June 7, 2021 7:00 p.m. ONLINE ZOOM WEBINAR

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

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

Join Zoom Webinar - <https://us02web.zoom.us/j/82873552709> Webinar ID: 828 7355 2709 Passcode – 405273

International numbers available: <https://us02web.zoom.us/u/kbt14pqHXK>

### 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 May 17, 2021 City Commission Regular Meeting Minutes
- b. Approval of May 28, 2021 City Commission Special Meeting Minutes
- c. Special Event: Michigan Philharmonic "An American Salute" Concert, Saturday, 6/26/21, 3:00 p.m. to 10:00 p.m.

#### 5. COMMISSION COMMENTS

#### 6. PUBLIC HEARING

- a. Annual Liquor License Review
- b. Adoption of 2021-2022 Budget

#### 7. OLD BUSINESS

#### 8. NEW BUSINESS

- a. Soccer Equipment Bid Award
- b. Annual Review MRTMA
- c. Waste & Recycling Rates 2021-22
- d. Lexipol Policy Subscription Service Renewal Fiscal 21-22
- e. Delinquent Charges on Tax Rolls Summer 2021
- f. Traffic Control Order No. 21-1

#### 9. REPORTS AND CORRESPONDENCE

- a. Liaison Reports
- b. Appointments

#### 10. 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 2017-2021

**GOAL I - QUALITY OF LIFE**

**OBJECTIVES**

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

*ONE-YEAR TASKS 2021*

- Restore sports and recreational programs that were halted by COVID-19 as soon as possible
- Review and evaluate the special event policy with safety considerations
- Address challenges with the Kellogg Park improvements with safety considerations
- Move Kellogg Park Fountain project forward
- Continue to re-engage service clubs to help enhance parks and public properties
- Increase followers by 2,000 on all our communications platforms
- Develop an internal and external communications plan
- Upgrade City Hall facilities to accommodate remote meetings and remote participation
- Continue investigating multi-modal transportation opportunities
- Revisit noise ordinance

**GOAL II - FINANCIAL STABILITY**

**OBJECTIVES**

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

*ONE-YEAR TASKS 2021*

- Identify mechanisms for funding sources for capital improvement projects
- Increase funding to the Public Improvement Fund
- Create a potential package for financing emergency structural repairs
- Develop a comprehensive asset management plan that includes a review of the equipment fleet
- Search out other possible revenue streams through continued association with the CWW and the MML
- Develop a financial plan for public safety
- Continue to make extra payments towards legacy costs
- Monitor outside influences on our revenue sources, including unfunded mandates, the 35<sup>th</sup> District Court and the PCCS
- Negotiate three labor contracts

**GOAL III - ECONOMIC VITALITY**

**OBJECTIVES**

- Continue to support and improve active, vibrant downtown branding
- Support community and economic development projects and initiatives
- Support a mix of industrial, commercial and residential development
- Reference the Master Plan in economic decision-making

*ONE-YEAR TASKS 2021*

- Complete Saxton's development
- Develop municipal parking lot at Saxton's site
- Support development of 23 parcels adjacent to the Starkweather School property
- Continue to administer the grant and the brownfield plan to support the Pulte project's completion
- Finish Redevelopment Ready Community (RRC) certification by the end of the 2021
- Develop an annual training calendar for the Planning Commission, the Historic District Commission, the Zoning Board of Appeals and the DDA, and identify a funding source
- Implement temporary plans to assist businesses in recovery efforts

**GOAL IV - SERVICE AND INFRASTRUCTURE**

**OBJECTIVES**

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

*ONE-YEAR TASKS 2021*

- Explore enhanced pedestrian safety opportunities into targeted intersections
- Research funding opportunities for ADA compliance at the PCC
- Implement 2021 infrastructure program
- Continue training for future career development and succession planning
- Conduct a traffic study to determine whether to make additional streets one way
- Update mapping resources including parcel data, completing **50%** by the end of the year
- Update/replace current technology to ensure compliance with new regulations, rules, and operating systems
- Revisit paid parking



City of Plymouth  
 City Commission Regular Meeting Minutes  
 Monday, May 17, 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, Tony Sebastian

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

- c. Proclamation- Public Works Week

**2. CITIZENS COMMENTS**

Ellen Elliott, 404 Irvin, commented on downtown planters.

**3. APPROVAL OF THE AGENDA**

Moroz offered a motion, seconded by Thomey, to approve the agenda for Monday, May 17, 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 May 3, 2021 City Commission Regular Meeting Minutes
- b. Approval of April 2021 Bills
- c. Memorial Day Veterans Procession

Thomey 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**

O'Donnell said she learned about rat eradication from a presentation given by a Ferndale resident, and she encouraged similar citizen initiatives to solve issues outside of government in Plymouth.

Krol suggested that DMS staff attend a presentation by the same person.

Wolcott thanked the DMS staff and said crews are working seven days a week, and also thanked Tom Alexandris, Paul Sincock, and Steve Anderson for organizing eight Covid vaccine clinics. He asked the DDA to look into the citizen comment about planters.

**6. OLD BUSINESS**

There was no old business.

**8. NEW BUSINESS**

a. Tentative Agreement for Police Officers

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

RESOLUTION 2021-40

WHEREAS The City of Plymouth has employee groups that are represented by unions, and from time to time those union contracts expire and new contracts need to be negotiated; and

WHEREAS The contract with the Plymouth Police Officers through their Representative Agent from POAM expires on June 30, 2021 and a new contract needs to be implemented; and

WHEREAS The City and the police officers agreed to a one-year extension of their contract which ended June 30, 2020 without any changes, including no increases in salary as a result of the many unknowns related to the Covid pandemic; and

WHEREAS The City and the union have in good faith met and discussed a new agreement that would begin on July 1, 2021, and

WHEREAS The City and the union have come to a tentative agreement on a new contract.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby accept the tentative agreement between the City and the City's police officers as represented by POAM. The terms of the four-year agreement are outlined in the City Manager's writeup for the City Commission. The agreement will still need to have a ratification vote by the union membership prior to becoming finalized.

BE IT FURTHER RESOLVED THAT the City Commission directs the City Administration to use the framework of this agreement to continue contract talks with other unions.

There was a roll call vote.

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

MOTION PASSED 7-0

b. Vehicle Purchase

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

RESOLUTION 2021-41

WHEREAS The City of Plymouth operates a vehicle fleet to help protect the public health, safety and welfare; and

WHEREAS From time to time vehicles in the fleet need replacing and the City Administration is recommending the replacement of two vehicles; and

WHEREAS The City has the option of using Fleet Discount Pricing Programs to obtain group volume discount pricing for the new vehicles, and Lou LaRiche Chevrolet has met the fleet pricing program.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize the purchase of two (2) new 2021 Chevrolet Equinox vehicles matching the GM Cooperative Fleet Purchasing Pricing Plan. The vehicles are authorized to be purchased from Lou LaRiche Chevrolet in Plymouth in the amount of \$49,949.60.

BE IT FURTHER RESOLVED THAT an additional \$6,000 is authorized to outfit the vehicles with a safety light package and city vehicle graphics.

BE IT STILL FURTHER RESOLVED THAT all expenditures for this purchase are authorized from Fiscal Year 2020 - 21 account 661-000-141.000.

There was a roll call vote.

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

MOTION PASSED 7-0

## 9. REPORTS AND CORRESPONDENCE

### a. Liaison Reports

Thomey said he and O'Donnell recently attended a ribbon cutting at Z's Bubble Tea. O'Donnell reported that the Planning Commission approved sending a PUD amendment to the City Commission. Krol reported that the Zoning Board of Appeals approved with conditions a front yard setback request.

### b. Appointments

Deal announced the re-appointment of Colleen Pobur and the appointments of Steve Anderson, John Buzuvis and Nancy Anderson to the EDC/Brownfield Board.

## 10. ADJOURNMENT

Hearing no further discussion, Wolcott asked for a motion to adjourn at 7:30 p.m. A motion to adjourn was offered by Sebastian and seconded by Krol.

There was a roll call vote.

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

MOTION PASSED 7-0

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OLIVER WOLCOTT  
MAYOR

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MAUREEN A. BRODIE, CMC, MiPMC  
CITY CLERK



City of Plymouth  
 City Commission Special Meeting Minutes  
 Friday, May 28, 2021 - 9:00 a.m.  
 Online Zoom Meeting

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

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

**1. CALL TO ORDER**

- a. Mayor Wolcott called the meeting to order at 9:00 a.m.
- b. Roll Call

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

Excused: Commissioners Suzi Deal, Tony Sebastian

Also present: City Manager Paul Sincock and various members of the City administration

**8. NEW BUSINESS**

- a. Grant Application Resolution of Support

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

RESOLUTION 2021-42

A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR RESURFACING OF MAIN STREET, FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM.

WHEREAS The City of Plymouth is applying for \$250,000.00 in funding through MDOT from the Transportation Economic Development Category B Program to construct resurfacing and concrete base improvements on Main Street; and

WHEREAS MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

NOW, THEREFORE, BE IT RESOLVED THAT, the City has authorized Paul Sincock, City Manager, to act as agent on behalf of the City to request Transportation Economic Development Fund Category B Program funding, to act as the applicant's agent during the project development, and to sign a project agreement upon receipt of a funding award.

BE IT FURTHER RESOLVED THAT, the City attests to the existence of, and commits to, providing at least \$819,115.00 toward the construction costs of the project(s), and all costs for design, permit fees, administration costs, and cost overruns.

BE IT FURTHER RESOLVED THAT, the City commits to owning operating, funding and implementing a maintenance program over the design life of the facilities constructed with Transportation Economic Development Fund Category B Program funding.

There was a roll call vote.

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

MOTION PASSED 5-0

**10. ADJOURNMENT**

Hearing no further discussion, Wolcott asked for a motion to adjourn at 9:07 a.m. A motion to adjourn was offered by Krol and seconded by Moroz.

There was a roll call vote.

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

MOTION PASSED 5-0

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OLIVER WOLCOTT  
MAYOR

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MAUREEN A. BRODIE, CMC, MiPMC  
CITY CLERK



# Special Event Application

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

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

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 Downtown Development Authority

Ph# (734) 455-1453 Fax# \_\_\_\_\_ Email abruscato@plymouthmi.gov Website www.downtownplymouth.org

Address 831 Penniman City Plymouth State MI Zip 48170

Sponsoring Organization's Agent's Name Tony Bruscato Title DDA Director

Ph# (734) 455-1453 Fax# \_\_\_\_\_ Email abruscato@plymouthmi.gov Cell# (734)751-1367

Address 831 Penniman City Plymouth State MI Zip 48170

Event Name Michigan Philharmonic "An American Salute"

Event Purpose Concert in Kellogg Park

Event Date(s) Saturday, June 26, 2021

Event Times 3 p.m. to 10 p.m.

Event Location Kellogg Park

What Kind Of Activities? Concert

What is the Highest Number of People You Expect in Attendance at Any One Time? 4,000

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.)  
Michigan Philharmonic orchestra concert, use of bandshell





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): Last Saturday in June

Next year's specific dates: June 25, 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)*

Public bathrooms, Department of Municipal Services for trash and clean-up

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:

All municipal parking

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.

June 1, 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**

EVENT REVIEW FORM

EVENT NAME: American Salute

TOTAL ESTIMATED FEE: \_\_\_\_\_

(Note: All fees are only initial estimates and can increase upon assessment of services after the close of the event).

|  |  |                                     |                          |                   |
|--|--|-------------------------------------|--------------------------|-------------------|
| <b>MUNICIPAL SERVICES:</b>   | <input checked="" type="radio"/> <b>Approved</b> | <input type="radio"/> <b>Denied</b> | (list reason for denial) | Initial <u>CP</u> |
| 2 FTE APPROX 7HRS @ \$1,000<br>TOWER @ \$125<br>PA SYSTEM @ 100  |  |                                     |                          |                   |
| \$250 Bathroom Cleaning Fee Per Day of Event? <input checked="" type="radio"/> YES <input type="radio"/> NO  |  |                                     |                          |                   |
| 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 <u>QC</u> |
| 2 - POLICE OFFICERS @ 4 HRS - \$608 -<br>3 - NAIASS SECURITY MEMBERS @ 4 HRS. - \$288 -  |  |                                     |                          |                   |
| Labor Costs \$   | Equipment Costs \$                               | Materials Costs \$                  | \$                       | \$896-            |
| <b>FIRE:</b>   | <input checked="" type="radio"/> <b>Approved</b> | <input type="radio"/> <b>Denied</b> | (list reason for denial) | Initial <u>JG</u> |
| No Services Required   |  |                                     |                          |                   |
| 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           |
| <b>DDA:</b>  | <input checked="" type="radio"/> <b>Approved</b> | <input type="radio"/> <b>Denied</b> | (list reason for denial) | Initial <u>TB</u> |
| 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 <u>MP</u> |
| <input checked="" type="radio"/> Class I - Low Hazard<br><input type="radio"/> Class II - Moderate Hazard<br><input type="radio"/> Class III - High Hazard<br><input type="radio"/> Class IV - Severe Hazard |  |                                     |                          |                   |
| SITE FEE APPLIED TO ALL EVENTS IS \$100 PER DAY. TOTAL EVENT SITE FEE \$ _____   |  |                                     |                          |                   |
| APPROVED _____ NOT APPROVED _____ DATE _____   |  |                                     |                          |                   |



## Administrative Recommendation

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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 - Public Hearing - Annual Review of Liquor Licenses & License Cap 06-07-21.docx  
 Date: June 2, 2021  
 RE: PUBLIC HEARING – Liquor License Renewals & Cap on Licenses

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### Background

The members of the Local Liquor License Review (LLRC) Committee met prior to the City Commission meeting to make a recommendation to the City Commission related to the required review of the annual report related to Liquor Licenses related to the renewal, revocation and non-renewal of Licenses in the City. In addition, the LLRC made a recommendation related to the number of licenses allowed by Zoning classification.

The City Administration has previously posted a Public Hearing for the Annual Review of Liquor License Renewals for the City Commission on June 7, 2021 and June 21, 2021. This is a normal part of our liquor workload during this time of year. We are required to review all our records related to each establishment. Often, we find that a few establishments owe the City either past due taxes, utility bills or other invoices and the notice serves a reminder of payments due to the City. The Notice of Public Hearing for Recommending Renewal, Revocation and non-renewal of Liquor Licenses usually inspires all of those with outstanding issues to contact the City Treasurer or other Departments to either make immediate payment or to make arrangements for payments. We have attached the updated notice for your reference.

During our agenda preparations as of Wednesday, June 2, 2021 we have found the vast majority of our establishments are in compliance with our Ordinance and there no significant issues. We have one establishment who has outstanding MLCC Violations that have yet to be scheduled for adjudication.

The Local Liquor License Review Committee is anticipated to recommend that the City Commission recommend to the State of Michigan Liquor Control Commission that all establishments be renewed, except for Ironwood Grill, Bigalora, The Post Bistro, Stella's Trackside and Stella's Tavern. We expect that this list will change by Monday as most establishments will come into compliance. We are not making any recommendations related to Greek Island/Ebenezer due to the outstanding MLCC violations.

We can hold a second Public Hearing on June 21<sup>st</sup> to update the approved list and make any final recommendations to the State of Michigan.

Related to the Liquor License Cap, there are currently two licenses two licenses outside of the DDA that are "available" under the Liquor License Cap in the Ordinance. There are no additional licenses available under the terms of the cap within the DDA. There does not seem to be any additional demand

for licenses currently. The City Administration and the LLRC is anticipated to not recommend any increase in the number of licenses at this time.

**RECOMMENDATION:**

The LLRC met prior to the City Commission meeting and it is anticipated that they will recommend to the City Commission the renewal of all licenses, EXCEPT for

- Ironwood Grill
- Bigalora
- The Post Bistro
- Stella's Trakside
- Stella's Tavern
- Greek Islands/Ebenezer

Except for one establishment, there really have been no significant issues during the past year and any issue that did come up was immediately reacted to by the ownership of the establishment and corrections were immediate.

In order to assist the City Commission with their renewal/non-renewal recommendations to the State of Michigan, we have prepared a proposed Resolution approving the renewals as indicated and holding recommendations on six establishments. We have also attached a proposed Resolution for the City Commission related to the cap on Liquor Licenses and calling for no increase this year.

We are also recommending that the City Commission have second Public Hearing on Monday, June 21, 2021 at 6:30 to make a final recommendation regarding the six establishments listed above. This will, for the most part allow them time to make arrangements related to any past due bills that may be outstanding.

Should you have any questions in advance of the meeting please feel free to contact either Chief Al Cox or myself.

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## 2021 REPORT OF ALCOHOL RELATED POLICE INCIDENTS

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**TO:** PAUL SINCOCK, CITY MANAGER  
**FROM:** A.L. COX, DIRECTOR OF PUBLIC SAFETY *A.L. Cox*  
**SUBJECT:** ALCOHOL RELATED INCIDENTS FOR PERIOD 1/1/2020-12/31/2020  
**DATE:** 2/1/2021

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### Current MLCC Licenses in the City of Plymouth

Alcohol by the Glass: 26 Active (1 for every 351 residents)  
Packaged Liquor: 9 Active (1 for every 1014 residents)  
Small Distiller: 1 In Escrow

### Total MLCC inspections by Officers to every MLCC regulated establishment

- Officers are required to perform MLCC inspections of all MLCC regulated establishments. This occurs weekly for several alcohol by the glass establishments and monthly for others, including our packaged beer, wine, and liquor stores. The frequency did vary this year during various restriction periods and temporary enforcement precautions. Inspections consist of an Officer's walk-thru/observation of the establishment's employees, patrons, and service practices. A written checklist/report may also be completed.

| MLCC Police Officer Inspections | 2019 | 2020 |
|---------------------------------|------|------|
| Total                           | 447  | 424  |

### Total alcohol related Disorderly Conduct Calls For Service (CFS)

- The following table displays all alcohol related Disorderly Conduct CFS for the referenced time period. Total CFS of this type are listed first, followed by those dispatched directly to the address of any licensed establishment. The last category is all other alcohol related Disorderly Conduct CFS around town.

| Alcohol Related Disorderly Conduct CFS | 2019      | 2020      |
|--|-----------|-----------|
| <b>Total</b>                           | <b>32</b> | <b>44</b> |
| Local Establishments                   | 9         | 19        |
| Other Areas Around Town                | 23        | 25        |

**Total alcohol related driving/motor vehicle CFS**

- All drunken driving incidents, including OWI 1st Offense, Repeat Offenders (OWI II & OWI III), Super Drunk, and Child Endangerment cases.

| <b>Alcohol/Motor Vehicle related CFS</b> | <b>2019</b> | <b>2020</b> |
|--|-------------|-------------|
| Total                                    | 36          | 32          |

- In an effort to give you a better understanding of our total number, the following table breaks down the specifics regarding the types of drunks we encounter and in some cases an idea of their condition (Blood Alcohol Content over .17).

| <b>Year</b> | <b>OWI 1st Offense<br/>MISDEMEANOR</b> | <b>OWI 2nd Offense<br/>MISDEMEANOR</b> | <b>OWI 3rd Offense<br/>FELONY</b> | <b>Super Drunk<br/>.17 BAC or higher<br/>MISDEMEANOR</b> | <b>Total OWI Arrests</b> | <b>OWI Crashes</b> |
|-------------|--|--|-----------------------------------|--|--------------------------|--------------------|
| 2019        | 20<br>(56%)                            | 2<br>(6%)                              | 3<br>(8%)                         | 11<br>(30%)  | 36                       | 3                  |
| 2020        | 22<br>(68%)                            | 5<br>(16%)                             | 0                                 | 5<br>(16%)   | 32                       | 4                  |

**Total other alcohol related incidents**

- Includes such incidents as Minor in Possession, Open Intoxicants, Trespassing and other CFS involving alcohol not otherwise captured.

| <b>Other alcohol related incidents</b> | <b>2019</b> | <b>2020</b> |
|--|-------------|-------------|
| Total                                  | 5           | 7           |

**Total alcohol related Malicious Destruction of Property (MDOP) CFS**

- Incidents involving MDOP in which the suspect is intoxicated or had been drinking.

| <b>Alcohol related MDOP CFS</b> | <b>2019</b> | <b>2020</b> |
|---------------------------------|-------------|-------------|
| Total                           | 2           | 2           |

**Total alcohol related referrals to Hegara Health Inc.- Community Outreach for Psychiatric Emergencies (COPE)**

- This is a new category for the 2021 Report. This includes all alcohol related incidents in which a referral was made to COPE for either an immediate crisis situation or one in which a person is seeking help with alcohol or substance abuse.

| Alcohol related COPE Referrals | 2019             | 2020 |
|--------------------------------|------------------|------|
| Total                          | No Data Captured | 10   |

**Total Violation Reports Involving City MLCC Licensed Establishments**

| MLCC Violation Reports | 2019 | 2020 |
|------------------------|------|------|
| Total                  | 1    | 11   |

**G.I. Poros (The Ebenezer)**

- 8/15/2020: After-hours Sales/Consumption; Non-employees present on premises after-hours; Allowing Smoking on Premises
  - Violation Hearing pending; delay caused by pandemic.
- 8/23/2020: Violation of Governor's Executive Order 2020-161 (specifically the establishment was significantly over-capacity on two separate occasions on same evening and no employees or clientele were wearing masks.); Entry/exit doors to the establishment were found locked on two occasions on the same evening while open for business.
  - Violations were dismissed as a result of the Michigan Supreme Court striking down the Governor's Executive Order
- 8/29/2020: Violation of Executive Order 2020-161 specifically the establishment was significantly over-capacity and servers were not wearing masks.
  - Violations were dismissed as a result of the Michigan Supreme Court striking down the Governor's Executive Order
- 11/18/2020: Violation of Fire Code; Violation of MDHHS Emergency Public Health Order [Over 150 patrons were present. The establishment's pre-pandemic capacity is 127 and their capacity under the MDHHS Order (50%) was 63.]
  - Violation Hearing pending; delay caused by pandemic.

**T. Belli & Associates, Inc. (E.G. Nicks)**

- 12/3/2020: Violation of MDHHS Emergency Public Health Order (Outdoor service area was completely enclosed with four tent walls and a roof. It should be noted that the licensee immediately corrected the violation upon notification by the officer.



- Violation Hearing pending; delay caused by pandemic.

#### **408, Inc. (The Post Local Bistro)**

- 12/3/2020: Violation of MDHHS Emergency Public Health Order (Outdoor service area was covered by a tent with more than one wall).
  - Violation was reviewed in conjunction with the review of the below listed violations.
- 1/8/2021: Violation of MDHHS Emergency Public Health Order (Failure to enforce social distancing, failure to adhere to capacity requirements, and failure to adhere to the 6 person/table restriction.) It should be noted that this violation was observed and filed by an MLCC Investigator.
  - As a result of the above two violations, the MLCC issued an emergency suspension of the liquor license on 1/13/2021 and set an Emergency Hearing for 1/20/2021. Prior to the Hearing, a negotiated settlement was achieved resulting in an additional four (4) day suspension for a total suspension period of 11 days.

#### **I & S Hospitality (The Plymouth ROC)**

- 12/3/2020: Violation of the MDHHS Emergency Public Health Order (Outdoor service area was completely enclosed on four sides with a roof).
  - Violation was not charged because “indoor dining” was not defined in the 11/18/2020 MDHHS Order.
- 12/15/2020: Violation of the MDHHS Emergency Public Health Order (Outdoor service area was completely enclosed on four sides with a roof).
- 12/17/2020: Violation of the MDHHS Emergency Public Health Order (Outdoor service area was completely enclosed on four sides with a roof).
  - As a result of the above violations, the MLCC issued an emergency suspension of the liquor license on 12/23/2020 and set an Emergency Hearing for 12/30/2020. At the conclusion of the Emergency Hearing, the Administrative Law Judge ruled that the licensee was permitted to resume liquor service upon the issuance of his written order (1/4/2021) and immediate compliance with the MDHHS Emergency Order as it applies to outdoor service areas. He also issued a fine of \$100. Total suspension period= 12 days.

#### **TBD Advisors Inc. (Stella's Black Dog Tavern)**

- 12/16/2020: Violation of the MDHHS Emergency Public Health Order (Outdoor service area was completely enclosed on four sides with a roof). It should be noted that the licensee immediately corrected the violation upon notification by the officer.
  - Violation Hearing pending; delay caused by pandemic.

**CONTINUE TO NEXT PAGE→**

**Total Police Notifications to MLCC regulated establishments**

- These notifications were telephone calls, emails, or face to face meetings with bar owners or management anytime Officers responded to an incident involving a subject(s) that consumed in their establishment (i.e. a visibly intoxicated subject that was arrested for drunk driving after having been served at a local bar).
- It is important to note that the information as to where a subject(s) was drinking is generally provided by an intoxicated person that, in the same breath, will tell us he/she had "two beers" when it is obvious they had much more.

| <b>Establishment</b>                           | <b>2019</b> | <b>2020</b> |
|--|-------------|-------------|
| Aqua   | 0           | 0           |
| Barrio Cocina Y Tequileria                     | 0           | 0           |
| Bigalora                                       | 0           | 1           |
| Compari's/Fiama/Sardine Room                   | 0           | 0           |
| Cultural Center                                | 0           | 0           |
| E.G. Nicks                                     | 0           | 1           |
| Greek Islands                                  | 0           | 4           |
| Herman's Olde Town Grille                      | 0           | 0           |
| Ironwood                                       | 0           | 0           |
| Liberty Street Brewing Co.                     | 0           | 0           |
| Mayflower Meeting House                        | 0           | 0           |
| Nico & Vali                                    | 0           | 0           |
| Pakwaan Restaurant                             | 0           | 0           |
| Park Place Gastro Pub                          | 0           | 0           |
| Penn Grille                                    | 0           | 0           |
| Pizza E Vino                                   | 0           | 0           |
| Plymouth Knights of Columbus                   | 0           | 0           |
| Plymouth ROC                                   | 0           | 3           |
| Sean O'Callaghan's                             | 0           | 0           |
| Stella's Trackside & Stella's Black Dog Tavern | 0           | 0           |
| Stella's Black Dog Tavern                      | 0           | 1           |
| The Honey Hole                                 | 0           | 0           |
| The Post Local Bistro                          | 3           | 3           |
| VFW  | 0           | 0           |
| Westborn Market                                | 0           | 0           |
| <b>Total</b>                                   | <b>3</b>    | <b>13</b>   |

**NOTICE OF ANNUAL  
PUBLIC HEARING FOR RECOMMENDING  
RENEWAL, REVOCATION AND NON-RENEWAL  
OF LIQUOR LICENSES IN ACCORDANCE WITH  
The City of Plymouth Liquor Management Ordinance**

Plymouth City Commission  
Commission Chambers  
201 S. Main  
Plymouth, MI 48170  
June 7, 2021 - 7:00 p.m.  
&  
June 21, 2021 – 7:00 p.m.

*As of 06/2/2021*

***ADMINISTRATIVE RECOMMENDATIONS ARE UPDATED and CURRENT AS OF 06-2-2021 AND ARE SUBJECT TO CHANGE PENDING ADDITIONAL INFORMATION OR CORRECTIONS OR CONFIRMATION OF TAXES BEING PAID. This notice may be added to, changed, or amended.***

Open Public Hearing – As a part of the Regular City Commission Agenda

Administrative Recommendation for Approval of Renewal:

- Buon Vino Winery, LLC 849 Penniman
- Park Place Gastro Pub
- Compari's/Fiamma/Sardine Room 350 S. Main
- City of Plymouth Parks & Recreation
- D.B.A. – Barrio's on Forest Ave.
- Herrmann's Olde Towne Grill 195 W. Liberty
- Liberty Street Tavern – Norton X Brewing, LTD 149 W. Liberty (2 licenses)
- Mayflower Meeting House – Exclusive Catering, Inc.
- Mayflower – Lt. Gamble Post 6995 of Veterans of Foreign Wars of United States
- Nico & Vali – Italian Eatery – 744 Wing
- Plymouth Knights of Columbus Building Council #3292
- D.B.A. – Aqua – JJA, Inc. Starkweather & Main
- Pakwaan – 447 Forest Ave.
- DBA – Plymouth ROC – 1020 W. Ann Arbor Rd.
- E.G. Nick's T. Belli & Assoc., Inc.
- Penn Grill

- Sean O’Callaghan’s Public House
- Westborn Market

Administrative Recommendation for Non-Renewal for violation of the City Liquor Management Ordinance and hearing before the City of Plymouth Liquor Management Ordinance. The City is providing advance notice of the pending non-renewal recommendation to allow establishments to come into compliance with the City’s Liquor Management Ordinance prior to final action on June 21, 2021.

- Ironwood Grill – Past Due Invoice DDA Power Washing Fee
- Bigalora – Past Due Invoice DDA Power Washing Fee
- The Post Bistro – Past Due Invoice Patio Fee
- Stella’s Trackside – Past Due Tax Bills
- Stella’s Tavern – Past Due Tax Bills

No Administrative Recommendation due to waiting for adjudication of pending State of Michigan Liquor License Violations and outcome of State Hearing.

- Greek Islands/Ebenezer

*\* License holders with payments due or past payments due should check their records to confirm if the payment has already been made and notify the City Treasurer (734-453-1234 ext. 209.) Contact with the City Treasurer and payment can result in the Administrative Recommendation being changed in advance of the Public Hearing. Past due tax payments to Wayne County must have a receipt showing payment.*

The City of Plymouth may provide correspondence, reports and/or public comment from the City Manager, Police Chief, City Clerk, Community Development Director, Fire Chief or Inspector, City Treasurer and/or other members of the City of Plymouth Staff.

**LOCAL LIQUOR LICENSE REVIEW COMMITTEE WILL MEET AT 6:30 p.m. ON MONDAY, June 7, 2021 ON ZOOM TO MAKE A RECOMMENDATION TO CITY COMMISSION ON RENEWAL OF LIQUOR LICENSES. NON-RENEWAL ACTION WILL BE HELD UNTIL JUNE 21, 2021.**

**Licensees are required to notify the City’s Attorney’s Office at least three (3) days prior to the hearing date if they intend to contest the proposed action, and to provide the names of witnesses known at the time who will testify on their behalf. (Section 8, B6) Contact City Attorney’s Office at – Plunkett & Cooney, Robert Marzano, City Attorney - 248-594-6357.**

## City Commission Resolution #1

### Renewal

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

WHEREAS The City of Plymouth has a Liquor Management Ordinance related to the operation of All Class C Type Liquor Licenses in the City, and

WHEREAS On June 7, 2021, the City Administration presented the Liquor License Review Committee and the City Commission with information about the various Liquor licensed establishments in the City, and

WHEREAS The Local Liquor License Review Committee did make a Recommendation to the City Commission related to the renewal, revocation and non-renewal of all Liquor Licenses in the City, and

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby recommend to the Michigan Liquor Control Commission that the following licenses be renewed:

- Buon Vino Winery, LLC 849 Penniman
- Park Place Gastro Pub
- Compari's/Fiamma/Sardine Room 350 S. Main
- City of Plymouth Parks & Recreation
- D.B.A. – Barrio's on Forest Ave.
- Herrmann's Olde Towne Grill 195 W. Liberty
- Liberty Street Tavern – Norton X Brewing, LTD 149 W. Liberty (2 licenses)
- Mayflower Meeting House – Exclusive Catering, inc.
- Mayflower – Lt. Gamble Post 6995 of Veterans of Foreign Wars of United States
- Nico & Vali – Italian Eatery – 744 Wing
- Plymouth Knights of Columbus Building Council #3292
- D.B.A. – Aqua – JJA, Inc. Starkweather & Main
- Pakwaan – 447 Forest Ave.
- DBA – Plymouth ROC – 1020 W. Ann Arbor Rd.
- E.G. Nick's T. Belli & Assoc., Inc.
- Penn Grill
- Sean O'Callaghan's Public House
- Westborn Market

BE IT FURTHER RESOLVED THAT the City Commission does hereby postpone until June 21, 2021 at 7:00 p.m. any recommendation related to the following establishments:

- Ironwood Grill – Past Due Invoice DDA Power Washing Fee
- Bigalora – Past Due Invoice DDA Power Washing Fee
- The Post Bistro – Past Due Invoice Patio Fee
- Stella's Trackside – Past Due Tax Bills
- Stella's Tavern – Past Due Tax Bills
- Greek Islands/Ebenzer – Pending MLCC Hearings on outstanding violations

## City Commission Resolution #2

### Liquor License Cap

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

- WHEREAS The City of Plymouth has a Liquor Management Ordinance related to  
The number of allowable liquor licenses in a particular zoning district, and
- WHEREAS Annually the Local Liquor License Review Committee must make a  
Recommendation to the City Commission related to the number of  
Allowable liquor licenses per zoning district and they completed that  
Task on June 7, 2021.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby make no changes in the number of available liquor licenses in the City of Plymouth, based on Zoning Classification. The City Commission confirms that the number of licenses remain the same as in the current Liquor Management Ordinance, which is a cap of 16 licenses, as defined in the Liquor Management Ordinance for the B-2 Zoning District (DDA Area), and a cap of 12 licenses in total *(for all three zoning districts)* in any of the following the B-1, ARC and B-3 Zoning Districts.



## 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 - Public Hearing & Adoption of the 2020 - 21 Budget 06-01-20.docx  
 Date: June 3, 2021  
 RE: Public Hearing & Adoption of the 2021 - 22 Budget

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### Background

The City Commission has reviewed the proposed budget since it was publicly presented at the first Commission Meeting in April. The City Commission held a Budget Study Session after the proposed budget was presented. The proposed budget has also been posted on our web site since April.

In addition, separate units of Government such as the Downtown Development Authority and the Brownfield Redevelopment Authority have their Fiscal 21 - 22 Budgets documents included in the City's overall Budget. It should be noted that both the DDA and the Brownfield Redevelopment Authority have their own tax revenues and under relatively new state law the City Commission has financial control over the DDA Budget and the City Commission adopts a budget for the DDA and incorporates it into the overall City budget. The Brownfield Board is still fully an independent Board, but the City Commission incorporates their approved budget into the City's overall budget document for ease and informational purposes.

The result of the City Commission deliberations is the proposed budget that has the following highlights:

- Reduced Millage Rate – Down .4396 mills
- Maintains current city service levels
- All operating funds are balanced though Recreation & Senior Transportation will receive operating subsidies from General Fund
- Impact of possible FEMA & ARP funding for Covid-19 expenses is not complete awaiting final rules and numbers from the Federal Government.

The new budget will require that we continually monitor our revenue sources, including those from State of Michigan as State Shared Revenues and new revenue sharing schemes seems to be an on-going issue in Lansing. We also must be vigilant related to the cost of the 35<sup>th</sup> District Court. The expenses for the three-judge system at the court will become a cost center as their volume of work has continued to significantly decrease.

Approximately 20 years ago we moved all our employees from the old government pension program to a 401K style retirement. We currently have no employees on the old-style government pension plan, known as defined benefit. All our current employees are on the 401K style retirement, but we still have significant costs for those who previously retired and are covered by the old defined benefit program and we are working to make extra payments towards those costs.

We have attached a memorandum from Finance Director John Scanlon which will provide additional background information on the budget adoption.

## **Recommendation**

The City Administration recommends that the City Commission open a Public Hearing on the Budget and hear any additional citizen comments on the proposed budget. After consideration of the public comments we would recommend that the City Commission adopt the attached proposed Resolution related to the 2021 - 22 Fiscal Year Budget.

The budget has been reviewed by the City Commission through open public meetings. The official notice has been published in the local newspaper.

We have prepared a proposed Resolution for the City Commission to consider regarding this matter. Once approved it will be placed on our website. If you have any questions in advance of the meeting, please feel free to contact me.





# CITY OF PLYMOUTH

www.plymouthmi.gov

201 S. Main  
Plymouth, Michigan 48170-1637

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

## MEMORANDUM

Date: June 2, 2021  
To: Paul Sincock, City Manager  
From: John Scanlon, Finance Director  
Subject: Budget Hearing

**Issue:** Resolution of Adoption – 2021-22 Proposed City Budget

**Analysis:** The budget reflects what the City Commission has approved after meeting on April 13, 2021, as well as adjustments made due to more reliable data provided from numerous sources since that time. As presented for the June 7, 2021 hearing, the proposed budget includes a decrease in the total millage rate of .4396 mills from 15.5088 mills to 15.0692 mills, comprised of a reduction in the general operating millage of .1196 mills, a reduction in GO bond debt retirement millage of .3200 mills and no change in the solid waste and recycling millage rate. The resolution also provides for the formal adoption of a 1% property tax administration fee which the City Commission originally approved by a 5-2 vote at the City budget session held on April 25, 2016.

All the major operating funds of the City are balanced although the Recreation Fund and Neighborhood Services Fund will receive operating subsidies from the General Fund for the 2021-22 fiscal year. It should be noted that no future deficits are currently indicated over the four future years of budget projections.

The proposed 2021-22 City budget includes capital expenditures of \$311,500 in the General Fund, \$800,400 in the Water & Sewer Capital Improvement related funds primarily for utility replacements, \$1,811,875 for road reconstruction improvements out of the 2020 GO Bond Construction Fund, \$17,500 from the Waste and Recycling Fund, \$11,470 from Police Forfeiture Funds and \$500,769 of acquisitions and replacements in the Equipment Fund.

The proposed General Fund budget for the new fiscal year is \$9,992,371, an increase of \$466,104 over the prior year. However, \$371,367 of that amount is reserved for contingencies, which means actual expenditures are only increasing by \$94,737.

It should be noted that cities are still in the process of implanting the new uniform charts of accounts, however the budget reflects that update. This process has been delayed twice by the Michigan Department of Treasury. The Budget Stabilization Fund and Cemetery Trust Fund have been renumbered in the 100-fund sequence due to their link with General Fund operations. Most of the special revenue funds numbered

THE CITY OF HOMES

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in the 200 sequence have retained the same numbers and none of the debt fund numbers in the 300 sequence have changed at all. The Brownfield Redevelopment Authority Fund and the Brownfield Site Remediation Fund have also been renumbered. The state-mandated changes also include some departmental category numbers and many actual account numbers for both revenues and expenditures. The finance staff will be working with BS&A, our accounting programmers, this year to finalize the conversions.

Adoption of the budget as proposed will address funding issues for the next year and four additional projected years based on facts known presently. However, the unpredictability of revenue sources more than two years into the future and the uncertainty of legacy costs in the next few years means that future projections must be viewed cautiously.

Attached is the budget adoption resolution for the 2021-22 City budget and the notice which appeared in the paper on May 20, 2021. It is recommended that the City Commission pass the attached **Resolution of Adoption** for the 2021-22 City Budget and associated millage rates for the fiscal year beginning July 1, 2021.

**Requested Action:** Approve 2021-22 Budget Resolution

**Attachment(s):** Budget Resolution

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**City of Plymouth  
NOTICE OF PUBLIC HEARING  
2021 - 2022 PROPOSED CITY BUDGET**

Notice is hereby given that a public hearing will be held on Monday, June 7, 2021, at 7:00 P.M. in the Large Reception Room at the Plymouth Cultural Center at 523 Farmer Street, for the purpose of discussing and receiving public comments on the proposed 2021 - 2022 City Budget.

**Proposed 2021 City Millage Rates**

The property tax millage rates proposed to be levied to support the proposed budget will be a subject of this hearing. The following statements are provided concerning the 2021 proposed millage levies for the City of Plymouth:

The 2021 tax rate for City operating millage is proposed to be 10.4592 mills, which is .1196 mills less than the 2020 operating tax rate. The City Commission has the authority under the City Charter to set the operating millage rate, within the maximum allowed rate of 10.4592 mills, as adjusted by the Headlee millage roll-back formula.

The 2021 tax rate for debt service millage to fund debt service requirements for the 2012 and 2020 General Obligation and Limited Tax General Obligation refunding bond issues is proposed to be 2.7900 mills, which is .3200 mills less than the 2020 tax rate.

The 2021 tax rate for City solid waste and recycling millage is proposed to be 1.8200 mills which is the same as the 2020 tax rate.

The total City millage for all purposes is proposed to be 15.0692 mills for 2021, which is .4896 mills less than the 2020 total City tax rate.

**Property Tax Administration Fee**

Pursuant to Section 211.44(3) of the General property Tax law a property tax administration fee of 1% is proposed to be levied on the total of all property taxes levied, both real and personal, on both the Summer Levy due July 1, 2021 and the Winter Levy due December 1, 2021 as authorized by a 5 - 2 vote of the City Commission at a scheduled budget meeting held on April 25, 2016.

**Equalization Factors**

Wayne County established tentative 2021 equalization factors of 1.0668 for the residential class of property, 1.0175 for the commercial class of property and 1.0352 for the industrial class of property. Since the City has adjusted assessments for all property classes for 2021 by the proposed factors, all 2021 equalization factors will be set at 1.0000.

**2021 - 2022 Proposed City Budgets**

The budgets for the various funds of the City of Plymouth are proposed for 2021/22 as follows:

| Revenues                          |                    | Expenditures             |                    |
|-----------------------------------|--------------------|--------------------------|--------------------|
| <b>GENERAL FUND</b>               |                    |                          |                    |
| Property taxes                    | \$6,591,420        | Administration           | \$1,916,600        |
| Licenses & Permits                | 3,700              | Buildings & Grounds      | 219,350            |
| Federal Grants                    | 450,000            | Police Department        | 4,182,870          |
| State-shared Revenue              | 1,087,951          | Fire Department          | 1,066,920          |
| Sales of Service                  | 846,960            | Public Works Dept        | 872,250            |
| Cemetery Revenue                  | 157,500            | Recreation & Culture     | 382,930            |
| Parking Revenue                   | 65,200             | Capital Outlay           | \$11,500           |
| Other Revenue                     | 649,640            | Debt Service             | 31,234             |
| Transfers-In                      | 160,000            | Transfers-Out            | 1,009,717          |
| <b>REVENUE TOTAL</b>              | <b>\$9,892,371</b> | <b>EXPENDITURE TOTAL</b> | <b>\$9,892,371</b> |
| <b>MAJOR STREET FUND</b>          |                    |                          |                    |
| Gas & Weight Tax                  | \$709,036          |                          |                    |
| Contrib & Other                   | 17,507             |                          |                    |
| <b>REVENUE TOTAL</b>              | <b>\$726,543</b>   | <b>EXPENDITURE TOTAL</b> | <b>\$726,543</b>   |
| <b>LOCAL STREET FUND</b>          |                    |                          |                    |
| Gas & Weight Tax                  | \$284,820          |                          |                    |
| Contrib & Other                   | 376,277            |                          |                    |
| <b>REVENUE TOTAL</b>              | <b>\$661,047</b>   | <b>EXPENDITURE TOTAL</b> | <b>\$661,047</b>   |
| <b>RECREATION FUND</b>            |                    |                          |                    |
| Contrib. From GF                  | \$500,000          |                          |                    |
| Prog. Fees & Other                | 834,000            |                          |                    |
| <b>REVENUE TOTAL</b>              | <b>\$1,334,000</b> | <b>EXPENDITURE TOTAL</b> | <b>\$1,334,000</b> |
| <b>WASTE &amp; RECYCLING FUND</b> |                    |                          |                    |
| Property Taxes                    | \$1,068,400        |                          |                    |
| Sales of Service & Other          | 528,310            |                          |                    |
| <b>REVENUE TOTAL</b>              | <b>\$1,596,710</b> | <b>EXPENDITURE TOTAL</b> | <b>\$1,596,710</b> |

|  | Revenues     | Expenditures |
|--|--------------|--------------|
| <b>OTHER CITY FUNDS</b>                        |              |              |
| Budget Stabilization Fund                      | \$ 55,000    | \$ 55,000    |
| Cemetery Trust Fund                            | \$ 25,000    | \$ 25,000    |
| Parking Fund                                   | \$ 10        | \$ 10        |
| Brownfield Re-Development Authority Fund       | \$ 168,050   | \$ 168,050   |
| DDA Operating Fund                             | \$ 1,135,420 | \$ 1,135,420 |
| Building Fund                                  | \$ 604,850   | \$ 604,850   |
| Neighborhood Services Fund                     | \$ 92,730    | \$ 92,730    |
| Drug Law Enforcement Fund                      | \$ 2,310     | \$ 2,310     |
| OWI Forfeiture Fund                            | \$ 8,060     | \$ 8,060     |
| Omnibus Forfeiture Fund                        | \$ 1,100     | \$ 1,100     |
| 2012 GO Bond & 2002 Refunding Bond Debt Fund   | \$ 1,104,920 | \$ 1,104,920 |
| 2012 W/S Refunding Bond Debt Fund              | \$ 71,500    | \$ 71,500    |
| 2015 LTGO Cap Imp Bond Debt Fund - DDA         | \$ 223,610   | \$ 223,610   |
| 2015 LTGO Cap Imp Bond Debt Fund - W/S         | \$ 234,840   | \$ 234,840   |
| 2020 GO Debt Fund                              | \$ 735,350   | \$ 735,350   |
| Public Improvement Fund                        | \$ 50        | \$ 50        |
| Recreation Capital Improvement Fund            | \$ 19,000    | \$ 19,000    |
| 2015 LTGO Cap Imp Bond Construction Fund - DDA | \$ 800       | \$ 800       |
| DDA Capital Improvement Fund                   | \$ 25,050    | \$ 25,050    |
| 2020 GO Bond Construction Fund                 | \$ 1,811,875 | \$ 1,811,875 |
| Water / Sewer Capital Improvement Fund         | \$ 800,400   | \$ 800,400   |
| Water / Sewer Operating & Maintenance Fund     | \$ 4,517,005 | \$ 4,517,005 |
| Brownfield Site Remediation Fund               | \$ 500,050   | \$ 500,050   |
| Equipment Fund                                 | \$ 809,210   | \$ 809,210   |

**Transfers between Appropriations**  
As provided in State law, the general appropriations resolution is proposed to allow the City Manager to transfer up to ten percent (10 %) of each appropriation to any other appropriation within each fund, but not from Reserve Accounts nor between funds.

**Copies of Proposed Budget Available**  
A complete copy of the 2021 - 2022 City Budget is available for public inspection at the City Clerk's office during regular business hours and also at the Plymouth District Library during its regular hours of operation.  
Maureen A. Brodie, CMC  
City Clerk  
Publish: May 20, 2021

**RESOLUTION**

**2021-2022 CITY BUDGET HEARING**

The following resolution was offered by Commissioner \_\_\_\_\_ and Seconded by Commissioner \_\_\_\_\_.

WHEREAS, the 2021-2022 City Budget was presented to the City Commission by the City Manager on April 5, 2021, and was reviewed by the City Commission with the Administration during a budget study session held on April 13, 2021; and

WHEREAS, various modifications have been made to the proposed budget based on a review of projected revenues and expenditures and the City's priorities for various programs and projects; and

WHEREAS, a public hearing was held on June 7, 2021, as required by the City Charter and Act 43 P.A. 1963, as amended; and

WHEREAS, the maximum operating tax levies for general purposed and refuse removal have been amended as required by Section 211.34 of the General Property Tax Law; and

WHEREAS, the City Commission acted on a 5 – 2 vote at the City Budget session held on April 25, 2016 to authorize the levy of a property tax administration fee of 1% on all property taxes for the July 1 and December 1 tax levies as authorized under Section 211.44(3) of the General Property Tax Law;

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of Plymouth does hereby set the City's 2019 millage levy as follows:

General Fund Operating: 10.4592  
2008/2012 GO & Refunding Bond Debt: 2.7900  
Solid Waste & Recycling Operating: 1.8200

GRAND TOTAL LEVY 15.0692

BE IT FURTHER RESOLVED, that the 2021-22 City Budget is hereby adopted by the City Commission as presented at the June 7, 2021 Regular City Commission meeting as follows:

| <b>Revenues</b>      |              | <b>Expenditures</b>  |              |
|----------------------|--------------|----------------------|--------------|
| <b>GENERAL FUND</b>  |              |                      |              |
| Property taxes       | \$ 6,591,420 | Administration       | \$ 1,916,600 |
| Licenses & Permits   | 3,700        | Buildings & Grounds  | 219,350      |
| Federal Grants       | 450,000      | Police Department    | 4,182,870    |
| State-shared Revenue | 1,067,951    | Fire Department      | 1,065,920    |
| Sales of Service     | 846,960      | Public Works Dept    | 872,250      |
| Cemetery Revenue     | 157,500      | Recreation & Culture | 382,930      |
| Parking Revenue      | 65,200       | Capital Outlay       | 311,500      |

|                      |                     |                          |                     |
|----------------------|---------------------|--------------------------|---------------------|
| Other Revenue        | 649,640             | Debt Service             | 31,234              |
| Transfers-In         | 160,000             | Transfers-Out            | 1,009,717           |
| <b>REVENUE TOTAL</b> | <b>\$ 9,992,371</b> | <b>EXPENDITURE TOTAL</b> | <b>\$ 9,992,371</b> |

**MAJOR STREET FUND**

|                      |                   |                          |                   |
|----------------------|-------------------|--------------------------|-------------------|
| Gas & Weight Tax     | \$ 709,036        |                          |                   |
| Contrib & Other      | 17,507            |                          |                   |
| <b>REVENUE TOTAL</b> | <b>\$ 726,543</b> | <b>EXPENDITURE TOTAL</b> | <b>\$ 726,543</b> |

**LOCAL STREET FUND**

|                      |                   |                          |                   |
|----------------------|-------------------|--------------------------|-------------------|
| Gas & Weight Tax     | \$ 284,820        |                          |                   |
| Contrib & Other      | 376,277           |                          |                   |
| <b>REVENUE TOTAL</b> | <b>\$ 661,047</b> | <b>EXPENDITURE TOTAL</b> | <b>\$ 661,047</b> |

**RECREATION FUND**

|                      |                     |                          |                     |
|----------------------|---------------------|--------------------------|---------------------|
| Contrib. From G/F    | \$ 500,000          |                          |                     |
| Prog. Fees & Other   | 834,600             |                          |                     |
| <b>REVENUE TOTAL</b> | <b>\$ 1,334,600</b> | <b>EXPENDITURE TOTAL</b> | <b>\$ 1,334,600</b> |

**WASTE & RECYCLING FUND**

|                          |                     |                          |                     |
|--------------------------|---------------------|--------------------------|---------------------|
| Property Taxes           | \$ 1,068,400        |                          |                     |
| Sales of Service & Other | 528,310             |                          |                     |
| <b>REVENUE TOTAL</b>     | <b>\$ 1,596,710</b> | <b>EXPENDITURE TOTAL</b> | <b>\$ 1,596,710</b> |

**OTHER CITY FUNDS**

|  | <b>Revenues</b> | <b>Expenditures</b> |
|--|-----------------|---------------------|
| Budget Stabilization Fund                    | \$ 55,000       | \$ 55,000           |
| Cemetery Trust Fund                          | \$ 25,000       | \$ 25,000           |
| Parking Fund                                 | \$ 10           | \$ 10               |
| Brownfield Re-Development Authority Fund     | \$ 168,050      | \$ 168,050          |
| DDA Operating Fund                           | \$ 1,135,420    | \$ 1,135,420        |
| Building Fund                                | \$ 604,850      | \$ 604,850          |
| Neighborhood Services Fund                   | \$ 92,730       | \$ 92,730           |
| Drug Law Enforcement Fund                    | \$ 2,310        | \$ 2,310            |
| OWI Forfeiture Fund                          | \$ 8,060        | \$ 8,060            |
| Omnibus Forfeiture Fund                      | \$ 1,100        | \$ 1,100            |
| 2012 GO Bond & 2002 Refunding Bond Debt Fund | \$ 1,104,920    | \$ 1,104,920        |
| 2012 W/S Refunding Bond Debt Fund            | \$ 71,500       | \$ 71,500           |
| 2015 LTGO Cap Imp Bond Debt Fund - DDA       | \$ 223,610      | \$ 223,610          |
| 2015 LTGO Cap Imp Bond Debt Fund - W/S       | \$ 234,840      | \$ 234,840          |
| 2020 GO Debt Fund                            | \$ 735,350      | \$ 735,350          |
| Public Improvement Fund                      | \$ 50           | \$ 50               |

|  |    |           |    |           |
|--|----|-----------|----|-----------|
| Recreation Capital Improvement Fund            | \$ | 19,000    | \$ | 19,000    |
| 2015 LTGO Cap Imp Bond Construction Fund - DDA | \$ | 800       | \$ | 800       |
| DDA Capital Improvement Fund                   | \$ | 25,050    | \$ | 25,050    |
| 2020 GO Bond Construction Fund                 | \$ | 1,811,875 | \$ | 1,811,875 |
| Water / Sewer Capital Improvement Fund         | \$ | 800,400   | \$ | 800,400   |
| Water / Sewer Operating & Maintenance Fund     | \$ | 4,517,005 | \$ | 4,517,005 |
| Brownfield Site Remediation Fund               | \$ | 353,720   | \$ | 353,720   |
| Equipment Fund                                 | \$ | 809,210   | \$ | 809,210   |

BE IT STILL FURTHER RESOLVED, that pursuant to State Law, the City Manager is hereby authorized to transfer up to ten percent (10%) of each appropriation to any other appropriation within each Fund, but not from Reserve Accounts not between Funds.



## Administrative Recommendation

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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 - Soccer Equipment Purchase 21 - 22 06-07-21.docx  
Date: June 3, 2021  
RE: Soccer Equipment Bids – Fiscal 21 - 22

---

### Background

Each year the City requests bids for a variety of soccer equipment. The revenue to make these purchases is generated by soccer registration fees. Each year we purchase a variety of jerseys, t-shirts, socks, soccer balls and flags for this program.

The City Administration has gone out to bid for these items and in addition to sending the notice to bid to over who have signed up on our e-bid and we posted it on our web site. We received a total of two bids on this material.

The bid from Prottime Soccer Products is valid and meets all our specific quality specifications. Previously, we used to purchase these products through the Trading Post as they were one of the largest suppliers of this type of sports equipment in our area and has a long-standing tradition of excellent service and meeting the needs the Recreation Department. However, the Trading Post is closing their doors in August of this year. It should be noted that this year's pricing is lower as we are purchasing directly from the manufacturer.

We have attached a memorandum from Steve Anderson from our Recreation Department as additional background information.

### **RECOMMENDATION:**

The City Administration recommends that the City Commission accept the bids from Prottime Soccer Equipment, for soccer equipment for the 2021 - 22 Fiscal Year. We have attached a proposed Resolution for the City Commission to consider regarding this purchase. The purchases are budgeted in the Parks and Recreation Fund and are routine expenses for the soccer programs. Should you have any questions in advance of the meeting please feel free to contact either Steve Anderson or myself.



## Memo

**To:** Paul Sincock, City Manager  
**From:** Steve Anderson, Recreation Director   
**CC:**  
**Date:** 6/2/2021  
**Re:** Soccer Equipment Bid Recommendation 2021-2022 Budget Year

As you are aware, we have once again gone out for bids on the soccer equipment that is required to conduct the youth soccer program that serves over 800 children of the community. Normally, we would do the bid process over the winter months. However, with Covid this year, we wanted to be sure we were trending in the right direction before beginning the bid process for the upcoming soccer year.

We bid out the Protime Soccer products as we have for the past few years. Protime, in my opinion, has the best quality product that is within our price point for the limited sixteen game "recreational" soccer year. This year's bid process included youth size jerseys, adult size jerseys, socks and soccer balls. The bid information was e-mailed blasted out via the City list serve system and was posted on the City web page.

On May 19, we had a bid opening for the Protime Soccer products. However, we received no bids that actual met the required specifications. Upon review, we found that the Plymouth Trading Post did not place a bid as they plan on closing their doors for good on or around August 31 of this year. We will greatly miss the service and professionalism of the Plymouth Trading Post Staff. We wish Dave Cook all the best in his well-deserved retirement.

With no actual specs being met, we went out for bid a second time. The second bid opening was on June 2, with me, Sue Campbell and Maureen Brodie in attendance. This time, we had the actual Protime manufacturer from Seattle, Washington send in a full spec bid. Additionally, BSN Sports of Dallas, Texas also sent in a bid, however, BSN just sent in a bid for just the socks and the soccer balls (off spec).

In speaking with the actual owner of Protime Sports, they have been expanding their market to include direct distribution of the various sports clubs across the United States. However, they were always very weary of stepping on the toes of the local sporting good distributors. Since the Trading Post was no longer a Protime vendor, they felt inclined to place a bid with the City of Plymouth.



The bid summary for the jerseys and equipment as well as the bid specifications are attached. The purchase of this soccer equipment is offset by the registration fees collected during the months of June and January. The expenditure comes from the Recreation Fund account number 208-754-740.000.

Although we will greatly miss the Plymouth Trading Post, it is time for us to move on and recommend a new vendor for our youth soccer program. With that being said, we would like to recommend that the City Commission accept the bid placed by Protime Sports Inc. of Seattle, Washington for the 2021-22 City budget year.

If you have any questions, feel free to contact me at anytime.

Bid Opening: Soccer Equipment for Plymouth Cultural Center  
Date/Time: Wednesday, June 2, 2021, 10:00 a.m.

**UNOFFICIAL BID RESULTS**

Attendees: Maureen Brodie

Steve Anderson

Sue Campbell

| <b>Bidder</b>         | <b>Plymouth Youth Size Jersey per unit with patch and numbers</b> | <b>Plymouth Adult Size Jersey per unit with patch and numbers</b> | <b>"All Sport" Sock Pair</b> | <b>Soccer Balls - Sizes 3, 4, 5</b> |
|-----------------------|---|---|------------------------------|-------------------------------------|
| <b>BSN Sports</b>     | no bid  | no bid  | \$2.68                       | off spec - McGregor \$4.18          |
| <b>PROTIME SPORTS</b> | \$11.45   | \$12.45   | \$2.25                       | \$5.95                              |
|                       |   |   |                              |                                     |
|                       |   |   |                              |                                     |

## City of Plymouth Proposal Form Soccer Equipment Bid – June 2, 2021

- Please provide pricing for equipment in table below
- Completed Non-Collusion Affidavit
- Submit three (3) copies of the proposal form

| <b>Bid Pricing</b>  |          |
|---|----------|
| List per unit bid for all items listed.   |          |
| Prottime – Plymouth Youth Size Jersey per unit with patch and numbers as specified. | \$ 11.45 |
| Prottime – Plymouth Adult Size Jersey per unit with patch and numbers as specified. | \$ 12.45 |
| Prottime "All Sport" Sock Pair – (Black) per pair                                   | \$ 2.25  |
| Prottime Nova - Soccer Balls (Sizes 3,4 & 5) per unit                               | \$ 5.95  |

|                      |                        |
|----------------------|------------------------|
| Bidder Company Name: | PROTIME SPORTS INC     |
| Address:             |                        |
| Phone Number:        | 800-575-1603           |
| Fax:                 | 206-575-2869           |
| Email Address:       | john@protimesports.com |
| Contact Person:      | JOHN MOORE             |

I affirm that I have the authority to submit this bid to the City of Plymouth for the items specified on the attached sheet. I propose to supply the materials and labor to the City as outlined in this proposal in a timely manner.

|                                   |                     |
|-----------------------------------|---------------------|
| Signature of Authorized Agent:    | <i>John T Moore</i> |
| Printed Name of Authorized Agent: | JOHN T MOORE        |
| Date:                             | 5/26/21             |

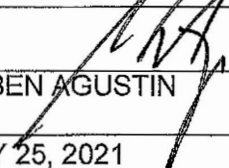
## City of Plymouth Proposal Form Soccer Equipment Bid – June 2, 2021

- Please provide pricing for equipment in table below
- Completed Non-Collusion Affidavit
- Submit three (3) copies of the proposal form

| <b>Bid Pricing</b>   |              |
|--|--------------|
| List per unit bid for all items listed.  |              |
| Protime – Plymouth Youth Size Jersey per unit with patch and numbers as specified.                 | \$ NO BID    |
| Protime – Plymouth Adult Size Jersey per unit with patch and numbers as specified.                 | \$ NO BID    |
| Protime "All Sport" Sock Pair – (Black) per pair<br>BSN/SCORE 1214703 (Youth, Regular, King Sizes) | \$ 2.68/PAIR |
| Protime Nova - Soccer Balls (Sizes 3,4 & 5) per unit<br>MACGREGOR MERCURY 70200235, 234, 233       | \$ 4.18 EACH |

|                      |                                       |
|----------------------|---------------------------------------|
| Bidder Company Name: | BSN SPORTS, LLC                       |
| Address:             | P. O. BOX 7726, DALLAS, TX 75209-0726 |
| Phone Number:        | 800 959 1844 X90009                   |
| Fax:                 | 800 921 2515                          |
| Email Address:       | ragustin@bsnsports.com                |
| Contact Person:      | RUBEN AGUSTIN, BID MANAGER            |

I affirm that I have the authority to submit this bid to the City of Plymouth for the items specified on the attached sheet. I propose to supply the materials and labor to the City as outlined in this proposal in a timely manner.

|                                   |   |
|-----------------------------------|---|
| Signature of Authorized Agent:    |  |
| Printed Name of Authorized Agent: | RUBEN AGUSTIN   |
| Date:                             | MAY 25, 2021  |



## NOTICE TO BIDDERS CITY OF PLYMOUTH



Notice is hereby given that the City of Plymouth, Michigan will accept sealed bids up until 10:15 a.m., Thursday, June 2, 2021. The bid opening will be at 10:30 a.m., Thursday, June 2, 2021 for the following:

### **PURCHASE OF SOCCER EQUIPMENT FOR THE 2021 / 2022 BUDGET YEAR**

Specifications and bid documents are available at the city hall during normal business hours. You may also download a copy of the documentation from the City's web site at:  
<http://www.plymouthmi.gov>

The City of Plymouth reserves the right to accept or reject any or all bids, in whole or in part, and to waive any irregularities.

Maureen Brodie - City Clerk  
City of Plymouth  
201. S. Main  
Plymouth, MI 48170

# **2021/2022 Budget Year Soccer Equipment Bid Specifications**

**"Alternate" Jersey & Sock Bids Will NOT Be Accepted.**

## **Jerseys**

**Prottime Soccer Jersey – Style: Plymouth (#3030)**

**Color: Assortment of no less than 8 different colors and must be available in Black with White Trim and Silver with Black Trim.**

- \* Heat transfer or screen numbering in white or black on the back to match trim color.
- \* Single and double-digit numbering.
- \* 6-inch numbers
- \* Plymouth City "Mayflower" logo - flock textured transfer patch on front center chest.
- \* "Mayflower" Patch to be 3.5 inches in length
- \* Sizes ranging from Youth Small to Adult Large
- \* **Quantity from 650 - 900 jerseys**

**Prottime Soccer Jersey – Style: Plymouth (#3030)**

**Color: – Lime with Black trim**

**THIS JERSEY WILL BE THE GOAL KEEPERS JERSEY.**

- \* No Numbering on back.
- \* Plymouth City "Mayflower" logo - flock textured transfer patch on front center chest.
- \* Sizes ranging from Youth Med to Adult Large
- \* **Quantity from 40 - 70 jerseys**

## **Socks**

Prottime "All Sport" Sock Pair BLACK, Quantity 650-900. Sizes appropriate to age division.

## **Soccer Balls**

Prottime – Nova (#3410) Quantity 100 – 200 in sizes 3, 4 & 5

- \*\*\* Bid Winner must be able to supply all items listed on a year-round basis.**
- \*\*\* Complete Order to be filled within 3 weeks of order placement.**
- \*\*\* Sample products to be presented upon request of the Recreation Department Representative before final bid acceptance.**

## City of Plymouth Proposal Form Soccer Equipment Bid – June 2, 2021

- Please provide pricing for equipment in table below
- Completed Non-Collusion Affidavit
- Submit three (3) copies of the proposal form

| <b>Bid Pricing</b>   |    |
|--|----|
| <b>List per unit bid for all items listed.</b>                                     |    |
| Protime – Plymouth Youth Size Jersey per unit with patch and numbers as specified. | \$ |
| Protime – Plymouth Adult Size Jersey per unit with patch and numbers as specified. | \$ |
| Protime "All Sport" Sock Pair – (Black) per pair                                   | \$ |
| Protime Nova - Soccer Balls (Sizes 3,4 & 5) per unit                               | \$ |

|                      |  |
|----------------------|--|
| Bidder Company Name: |  |
| Address:             |  |
| Phone Number:        |  |
| Fax:                 |  |
| Email Address:       |  |
| Contact Person:      |  |

I affirm that I have the authority to submit this bid to the City of Plymouth for the items specified on the attached sheet. I propose to supply the materials and labor to the City as outlined in this proposal in a timely manner.

|                                   |  |
|-----------------------------------|--|
| Signature of Authorized Agent:    |  |
| Printed Name of Authorized Agent: |  |
| Date:                             |  |

RESOLUTION

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

WHEREAS The City offers a soccer program to help promote the public health and welfare  
And to promote the benefits of a parks and recreation program, and

WHEREAS Each year it is necessary to purchase a variety of soccer equipment in order to  
Operate the program each year, and

NOW THEREFORE BE IT RESOLVED that the City Commission of the City of Plymouth does hereby accept as the lowest best bid the bid from Protime Soccer Equipment for a variety of soccer equipment for the 2021 - 22 Fiscal Year as follows:

**PLYMOUTH TRADING POST:**

|                                |                  |
|--------------------------------|------------------|
| Protime – Youth Size Jerseys   | \$11.45 each     |
| Protime – Adult Size Jerseys   | \$12.45 each     |
| Protime “All Sport” Sock Black | \$ 2.25 per pair |
| Select Classic – Soccer Balls  | \$5.95 each      |

Funding for these purchases is authorized from the Recreation Fund. The City Commission further rejects all other bids for these products.





## Administrative Recommendation

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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 Review of MRTMA 06-07-21.docx  
Date: March 13, 2020  
RE: Annual Review MRTMA

---

### Background

The City Commission has previously directed that City Administration that starting in 2020 we should complete an annual review of the status of the Michigan Regulation and Taxation of Marijuana Act. The Michigan Regulations and Taxation of Marihuana Act, which decriminalizes, at the state level the use and possession (with limits) of "recreational" marihuana by adults.

The last time we reviewed this issue was on March 16, 2020 and we have included a copy of those meeting minutes for your reference. In addition, the City Commission will recall that on October 5, 2020 we held a presentation by City Attorney Jeff Schroder who provided an intensive review related to the considerations to "opt-in" to allow recreational marijuana. That session provided us with a lot of information related to local control, types of facilities, revenue implications, litigation, conflict with federal law, banking issues and security issues.

If the City chooses to "opt-in" to allowing marijuana, there are a number of issues that must be covered. This list is not all inclusive, but from a broad perspective we would need to do the following:

- \* Develop and adopt a regulatory ordinance to include: the number and type of establishments allowed (e.g.- provisioning center, grow facility, micro business etc.)
- \* Application process
- \* Rules and procedures to apply.
- \* Review criteria including merit-based selection criteria to be used if the City allows 5 establishments total and the state receives 10 applications - the City Commission would have to choose winners and losers.

\* Review and amend most, if not all, zoning ordinances to reflect where and what type of marijuana establishments are permitted to locate.

Should the City “opt-in” and limit the number of establishments to say five, then there must be a competitive process that is run at the local level, without guidance from the State. The City Commission would have to choose “winners and losers.” Michigan Municipal League General Counsel advises that “the competitive process invites litigation.”

There is no “windfall” for those communities participating, unless you are talking about the lawyers defending the municipalities or filing claims against the municipalities. According to the report showing amounts paid to units of government, Wayne County has facilities in Inkster (1), River Rouge (4), and Wayne (4). Each of these cities received \$28,01.32 per license from the State. It should be noted that in all of Oakland County there are seven licenses, Washtenaw County has 22 licenses, with 17 in Ann Arbor and 5 in Ypsilanti. In the entire State of Michigan there are only 178 licenses issued and there are none in our immediate area *(Plymouth, Canton, Northville, Livonia).*

We have attached an extensive memorandum with additional background from Director of Public Safety Al Cox and Community Development Director John Buzuvis.

### **Recommendation:**

At this time, the City Administration recommends no action be taken by the City Commission. There still remains a number of potential legal “land mines” that frankly, we just do not have time to take on at this point. From a financial standpoint, there is no solid evidence that this has been a “financial windfall” for the few municipalities that have opted in. Further, we could expect that if we opted-in we would receive a significant number of applications, which would put the City Commission into the legal “trick bag” of picking winners and losers.

The City Administration does NOT recommend that the City Commission opt-in to this program.

Should the City Commission direct the City Administration to proceed to implementation there are a number of local Ordinances, including zoning and planning issues that will need to be addressed prior to the City being able to “opt-into” this program.

If you have any questions in advance of the meeting, please feel free to contact either myself, Al Cox or John Buzuvis.

NOW THEREFORE BE IT RESOLVED THAT the City Commission does hereby authorize prior and express approval of the hiring of one full time Maintenance employee for the Department of Municipal Services to replace a position that is currently vacated.

MOTION PASSED 6-0

b. Annual Review of MRTMA

Mayor Pro Tem Moroz offered a motion for discussion, which was supported by Commissioner Sebastian.

Mayor Wolcott said he is comfortable with he recommendation to maintain the status quo of opting out of allowing marijuana businesses to open in the City. Mayor Pro Tem Moroz said he believes the issue should be further discussed when COVID-19 is no longer an issue. Commissioner O'Donnell said she would be uncomfortable authorizing anything that is not in compliance with federal law. Commissioner Deal added that she is concerned that the state hasn't clearly defined processes, therefore she is unwilling to put the City at risk. Commissioner Thomey clarified that there is no action required on this agenda item, just discussion. Commissioner Sebastian said the City should attend to the matters at hand before considering this issue further.

c. Authorization for Dewey Street Improvement and Update on 2020 Road Designs

The following resolution was offered Mayor Pro Tem Moroz by and seconded by Commissioner Thomey.

RESOLUTION #2020-28

WHEREAS The City of Plymouth has an infrastructure improvement plan for our local roads; and

WHEREAS Dewey Street between Byron and Ross Streets was scheduled for 2019, but the project was delayed until 2020; and

WHEREAS The City Engineer has received bids for this project and has recommended that the City Commission authorize the work in the spring of 2020.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby authorize a change order in the amount of \$495,599.00 for Pro-Line Asphalt to their 2019 Contract for work on Dewey Street this year. Further, that the City Commission authorizes \$42,500.00 for an Engineering Allowance on this project.

BE IT STILL FURTHER RESOLVED THAT The City Commission does hereby authorize a Construction Contingency for the Dewey Street Project in the amount of \$50,000.000.

BE IT STILL FURTHER RESOLVED THAT all work will be completed in accordance with the City Engineer's plans for the project.

MOTION PASSED 6-0

The City Commission then directed City Administration to work with the engineers to explore options for crosswalk upgrades at both the Main/Hartsough vicinity as well as at the Main St./Ann Arbor Trail and Harvey/Penniman intersections.

d. Art in the Park

Commissioner Deal asked the police and municipal services departments to be diligent about enforcing no parking signs during event setup. Public Safety Director Cox said that his department would be towing cars in no parking areas after a courtesy call is made to the owner.

MOTION TO APPROVE EVENT PASSED 6-0

9. REPORTS AND CORRESPONDENCE

# Medical and Adult-Use Marihuana Facilities: Considerations for Municipal Decision to “Opt-In”

Jeffrey Schroder, Plunkett Cooney

Plymouth City Commission, October 5, 2020



## I. Local Control

- A. City Commission authority to opt-out or opt-in and limit number of facilities
- B. Ballot proposal threat
- C. Community engagement survey
- D. Regulatory ordinance and zoning ordinance options
- E. Development of rules and procedures and relevant state regulations
- F. Selection process and options

## II. Types of Facilities

- A. Medical Marihuana Facilities: Provisioning Centers, Growers, Processors, Secure Transporters, Safety Compliance Labs
- B. Adult-Use Facilities: Retailers, Growers, Processors, Secure Transporters, Safety Compliance Labs, Microbusinesses, Consumption Lounges, Event Organizer
- C. Co-location or stacking of facilities

## III. Other Concerns

- A. Revenue implications for city including application fees, license fees, and state revenue sharing
- B. Litigation- other communities sued over license/permit awards
- C. Conflict with Federal Law; State Attestation Requirement: Acknowledgement of Federal Law & Release of Liability
- D. Banking issues
- E. Security and Compliance Issues

**Recreational Marijuana Payments**  
**Based on Marijuana Revenues Collected in Fiscal Year 2020**  
**March 2021**

Amount Available Per Marijuana Retail Store/Microbusiness \$ 28,001.32

| <u>Municipality Number</u> | <u>Municipality Name</u> | <u>Municipality Type</u> | <u>County</u> | <u>Number of Licenses<sup>(1)</sup></u> | <u>Payment Amount<sup>(2)</sup></u> |
|----------------------------|--------------------------|--------------------------|---------------|---|-------------------------------------|
| 46-3010                    | Addison                  | Village                  | Lenawee       | 2                                       | \$ 56,002.64                        |
| 46-2010                    | Adrian                   | City                     | Lenawee       | 6                                       | 168,007.92                          |
| 03-0000                    | Allegan                  | County                   | Allegan       | 1                                       | 28,001.32                           |
| 80-1010                    | Almena                   | Township                 | Van Buren     | 1                                       | 28,001.32                           |
| 81-2010                    | Ann Arbor                | City                     | Washtenaw     | 17                                      | 476,022.44                          |
| 35-1030                    | Baldwin                  | Township                 | Iosco         | 2                                       | 56,002.64                           |
| 08-1020                    | Baltimore                | Township                 | Barry         | 1                                       | 28,001.32                           |
| 80-2010                    | Bangor                   | City                     | Van Buren     | 2                                       | 56,002.64                           |
| 09-1010                    | Bangor                   | Township                 | Bay           | 10                                      | 280,013.20                          |
| 08-0000                    | Barry                    | County                   | Barry         | 1                                       | 28,001.32                           |
| 13-2020                    | Battle Creek             | City                     | Calhoun       | 5                                       | 140,006.60                          |
| 09-0000                    | Bay                      | County                   | Bay           | 15                                      | 420,019.80                          |
| 09-2020                    | Bay City                 | City                     | Bay           | 3                                       | 84,003.96                           |
| 10-0000                    | Benzie                   | County                   | Benzie        | 3                                       | 84,003.96                           |
| 10-1020                    | Benzonia                 | Township                 | Benzie        | 3                                       | 84,003.96                           |
| 11-0000                    | Berrien                  | County                   | Berrien       | 5                                       | 140,006.60                          |
| 54-2010                    | Big Rapids               | City                     | Mecosta       | 3                                       | 84,003.96                           |
| 12-0000                    | Branch                   | County                   | Branch        | 1                                       | 28,001.32                           |
| 80-3020                    | Breedsville              | Village                  | Van Buren     | 1                                       | 28,001.32                           |
| 11-2030                    | Buchanan                 | City                     | Berrien       | 3                                       | 84,003.96                           |
| 25-2005                    | Burton                   | City                     | Genesee       | 5                                       | 140,006.60                          |
| 13-0000                    | Calhoun                  | County                   | Calhoun       | 13                                      | 364,017.16                          |
| 73-1100                    | Chesaning                | Village                  | Saginaw       | 2                                       | 56,002.64                           |
| 20-0000                    | Crawford                 | County                   | Crawford      | 2                                       | 56,002.64                           |
| 70-1040                    | Crockery                 | Township                 | Ottawa        | 2                                       | 56,002.64                           |
| 22-0000                    | Dickinson                | County                   | Dickinson     | 1                                       | 28,001.32                           |
| 03-2015                    | Douglas                  | City                     | Allegan       | 1                                       | 28,001.32                           |
| 33-2010                    | East Lansing             | City                     | Ingham        | 1                                       | 28,001.32                           |
| 59-3010                    | Elmore                   | Village                  | Montcalm      | 1                                       | 28,001.32                           |
| 13-1100                    | Emmett                   | Township                 | Calhoun       | 7                                       | 196,009.24                          |
| 67-2010                    | Ewart                    | City                     | Osceola       | 1                                       | 28,001.32                           |
| 63-2060                    | Ferndale                 | City                     | Oakland       | 2                                       | 56,002.64                           |
| 25-2040                    | Flint                    | City                     | Genesee       | 3                                       | 84,003.96                           |
| 20-1020                    | Frederic                 | Township                 | Crawford      | 2                                       | 56,002.64                           |
| 25-0000                    | Genesee                  | County                   | Genesee       | 10                                      | 280,013.20                          |
| 62-2015                    | Grant                    | City                     | Newaygo       | 1                                       | 28,001.32                           |
| 80-2030                    | Hartford                 | City                     | Van Buren     | 1                                       | 28,001.32                           |
| 63-2070                    | Hazel Park               | City                     | Oakland       | 3                                       | 84,003.96                           |
| 30-0000                    | Hillsdale                | County                   | Hillsdale     | 2                                       | 56,002.64                           |
| 31-0000                    | Houghton                 | County                   | Houghton      | 1                                       | 28,001.32                           |
| 31-2020                    | Houghton                 | City                     | Houghton      | 1                                       | 28,001.32                           |
| 33-0000                    | Ingham                   | County                   | Ingham        | 11                                      | 308,014.52                          |
| 82-2170                    | Inkster                  | City                     | Wayne         | 1                                       | 28,001.32                           |
| 35-0000                    | Iosco                    | County                   | Iosco         | 2                                       | 56,002.64                           |

**Recreational Marijuana Payments**  
**Based on Marijuana Revenues Collected in Fiscal Year 2020**  
**March 2021**

Amount Available Per Marijuana Retail Store/Microbusiness \$ 28,001.32

| <u>Municipality Number</u> | <u>Municipality Name</u> | <u>Municipality Type</u> | <u>County</u> | <u>Number of Licenses<sup>(1)</sup></u> | <u>Payment Amount<sup>(2)</sup></u> |
|----------------------------|--------------------------|--------------------------|---------------|---|-------------------------------------|
| 22-2010                    | Iron Mountain            | City                     | Dickinson     | 1                                       | 28,001.32                           |
| 37-0000                    | Isabella                 | County                   | Isabella      | 1                                       | 28,001.32                           |
| 38-0000                    | Jackson                  | County                   | Jackson       | 8                                       | 224,010.56                          |
| 39-0000                    | Kalamazoo                | County                   | Kalamazoo     | 12                                      | 336,015.84                          |
| 39-2020                    | Kalamazoo                | City                     | Kalamazoo     | 6                                       | 168,007.92                          |
| 39-1070                    | Kalamazoo                | Township                 | Kalamazoo     | 4                                       | 112,005.28                          |
| 40-0000                    | Kalkaska                 | County                   | Kalkaska      | 3                                       | 84,003.96                           |
| 40-3010                    | Kalkaska                 | Village                  | Kalkaska      | 3                                       | 84,003.96                           |
| 41-0000                    | Kent                     | County                   | Kent          | 1                                       | 28,001.32                           |
| 43-0000                    | Lake                     | County                   | Lake          | 1                                       | 28,001.32                           |
| 33-2020                    | Lansing                  | City                     | Ingham        | 10                                      | 280,013.20                          |
| 46-0000                    | Lenawee                  | County                   | Lenawee       | 12                                      | 336,015.84                          |
| 38-1070                    | Leoni                    | Township                 | Jackson       | 6                                       | 168,007.92                          |
| 41-1130                    | Lowell                   | City                     | Kent          | 1                                       | 28,001.32                           |
| 51-0000                    | Manistee                 | County                   | Manistee      | 1                                       | 28,001.32                           |
| 51-2010                    | Manistee                 | City                     | Manistee      | 1                                       | 28,001.32                           |
| 52-0000                    | Marquette                | County                   | Marquette     | 4                                       | 112,005.28                          |
| 52-2020                    | Marquette                | City                     | Marquette     | 1                                       | 28,001.32                           |
| 54-0000                    | Mecosta                  | County                   | Mecosta       | 3                                       | 84,003.96                           |
| 58-0000                    | Monroe                   | County                   | Monroe        | 1                                       | 28,001.32                           |
| 59-0000                    | Montcalm                 | County                   | Montcalm      | 1                                       | 28,001.32                           |
| 46-2030                    | Morenci                  | City                     | Lenawee       | 4                                       | 112,005.28                          |
| 61-0000                    | Muskegon                 | County                   | Muskegon      | 5                                       | 140,006.60                          |
| 61-2020                    | Muskegon                 | City                     | Muskegon      | 4                                       | 112,005.28                          |
| 61-1120                    | Muskegon                 | Township                 | Muskegon      | 1                                       | 28,001.32                           |
| 52-1100                    | Negaunee                 | Township                 | Marquette     | 2                                       | 56,002.64                           |
| 62-0000                    | Newaygo                  | County                   | Newaygo       | 2                                       | 56,002.64                           |
| 11-2060                    | Niles                    | City                     | Berrien       | 2                                       | 56,002.64                           |
| 63-0000                    | Oakland                  | County                   | Oakland       | 7                                       | 196,009.24                          |
| 71-2010                    | Onaway                   | City                     | Presque Isle  | 1                                       | 28,001.32                           |
| 67-0000                    | Osceola                  | County                   | Osceola       | 1                                       | 28,001.32                           |
| 70-0000                    | Ottawa                   | County                   | Ottawa        | 2                                       | 56,002.64                           |
| 78-2040                    | Owosso                   | City                     | Shiawassee    | 2                                       | 56,002.64                           |
| 38-1110                    | Parma                    | Township                 | Jackson       | 1                                       | 28,001.32                           |
| 58-2040                    | Petersburg               | City                     | Monroe        | 1                                       | 28,001.32                           |
| 09-1120                    | Pinconning               | Township                 | Bay           | 2                                       | 56,002.64                           |
| 43-1110                    | Pleasant Plains          | Township                 | Lake          | 1                                       | 28,001.32                           |
| 39-2040                    | Portage                  | City                     | Kalamazoo     | 2                                       | 56,002.64                           |
| 71-0000                    | Presque Isle             | County                   | Presque Isle  | 2                                       | 56,002.64                           |
| 38-1120                    | Pulaski                  | Township                 | Jackson       | 1                                       | 28,001.32                           |
| 12-3010                    | Quincy                   | Village                  | Branch        | 1                                       | 28,001.32                           |
| 30-2030                    | Reading                  | City                     | Hillsdale     | 2                                       | 56,002.64                           |
| 82-2230                    | River Rouge              | City                     | Wayne         | 4                                       | 112,005.28                          |
| 71-1140                    | Rogers                   | Township                 | Presque Isle  | 1                                       | 28,001.32                           |

**Recreational Marijuana Payments**  
**Based on Marijuana Revenues Collected in Fiscal Year 2020**  
**March 2021**

Amount Available Per Marijuana Retail Store/Microbusiness \$ 28,001.32

| <u>Municipality Number</u> | <u>Municipality Name</u> | <u>Municipality Type</u> | <u>County</u> | <u>Number of Licenses<sup>(1)</sup></u> | <u>Payment Amount<sup>(2)</sup></u> |
|----------------------------|--------------------------|--------------------------|---------------|---|-------------------------------------|
| 73-0000                    | Saginaw                  | County                   | Saginaw       | 2                                       | 56,002.64                           |
| 52-1140                    | Sands                    | Township                 | Marquette     | 1                                       | 28,001.32                           |
| 78-0000                    | Shiawassee               | County                   | Shiawassee    | 2                                       | 56,002.64                           |
| 13-1200                    | Tekonsha                 | Village                  | Calhoun       | 1                                       | 28,001.32                           |
| 25-1170                    | Thetford                 | Township                 | Genesee       | 2                                       | 56,002.64                           |
| 79-0000                    | Tuscola                  | County                   | Tuscola       | 3                                       | 84,003.96                           |
| 80-0000                    | Van Buren                | County                   | Van Buren     | 5                                       | 140,006.60                          |
| 79-2010                    | Vassar                   | City                     | Tuscola       | 2                                       | 56,002.64                           |
| 79-1200                    | Vassar                   | Township                 | Tuscola       | 1                                       | 28,001.32                           |
| 63-2240                    | Walled Lake              | City                     | Oakland       | 2                                       | 56,002.64                           |
| 81-0000                    | Washtenaw                | County                   | Washtenaw     | 22                                      | 616,029.04                          |
| 82-0000                    | Wayne                    | County                   | Wayne         | 9                                       | 252,011.88                          |
| 82-2300                    | Wayne                    | City                     | Wayne         | 4                                       | 112,005.28                          |
| 62-2030                    | White Cloud              | City                     | Newaygo       | 1                                       | 28,001.32                           |
| 37-1160                    | Wise                     | Township                 | Isabella      | 1                                       | 28,001.32                           |
| 81-1200                    | Ypsilanti                | City                     | Washtenaw     | 5                                       | 140,006.60                          |
| <b>Total</b>               |                          |                          |               |   | <b><u>\$ 9,968,469.92</u></b>       |

**Totals by Municipality Type**

| <u>Municipality Type<sup>(3)</sup></u> | <u>Number of Municipalities</u> | <u>Number of Licenses</u> | <u>Total Amount Paid</u>      |
|--|---------------------------------|---------------------------|-------------------------------|
| City                                   | 38                              | 115                       | \$ 3,220,151.80               |
| Village                                | 7                               | 11                        | 308,014.52                    |
| Township                               | 21                              | 52                        | 1,456,068.64                  |
| County                                 | 38                              | 178                       | 4,984,234.96                  |
| <b>Total</b>                           |                                 |                           | <b><u>\$ 9,968,469.92</u></b> |

<sup>(1)</sup> Number of Marijuana Retail Stores or Marijuana Microbusinesses located and licensed in the Municipality as of 9/30/2020. There were 178 Licenses as of 9/30/2020.

<sup>(2)</sup> Payments based on Michigan Regulation and Taxation of Marijuana Act, Section 14 (3)(a) and (3)(b) (MCL 333.27964).

<sup>(3)</sup> Tribal Governments do not qualify for distributions under MCL 333.27964.

## **ADMINISTRATIVE RECOMMENDATION**

**To:** Paul J. Sincock, City Manager  
**From:** Al Cox, Director of Public Safety *Al Cox*  
John Buzuvis, Community Development Director *John Buzuvis*  
**CC:** S:\Community Development\John\John\City Manager Staff\Recreational Marihuana 2018  
**Date:** 6/3/2021  
**Re:** Recreational Marihuana Annual Review

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### **BACKGROUND:**

As you are aware the City Commission enacted an Emergency Ordinance, in December 2018, to opt-out of allowing "recreational marihuana" businesses in the City in advance of the Michigan Regulation and Taxation of Marihuana Act (MRTMA) taking effect on December 6, 2018. MRTMA decriminalizes the use and possession (with limits) of "recreational" marihuana by adults over the age of 21. Additionally, the Act provides for the licensing of recreational marihuana businesses by the State. A recreational marihuana business, such as a marihuana retailer, may operate, by right, in any municipality in Michigan unless the municipality opts-out by ordinance. This statute does not replace the Medical Marihuana legislation enacted in 2016 and has many similarities and some key differences. One of the critical differences between the two laws is that communities had to "opt-in" to allow medical marihuana businesses in their communities whereas the recreational marihuana legislation requires communities to "opt-out" by ordinance to prohibit recreational marihuana businesses in their communities.

As of December 6, 2018, adults over 21 years of age can possess up to 2.5 ounces of marihuana on their person, grow up to 12 plants, and have up to 10 ounces of marihuana "secured" at home. It is important to note that communities cannot opt-out of allowing this to take place in their communities. Communities do have local control to allow, or not, recreational marihuana businesses from locating within their municipality. Per statute "...a municipality may completely prohibit or limit the number of marihuana establishments within its boundaries." Note the statute does not definitively authorize municipalities to pick and choose what types of recreational marihuana businesses are permitted to operate in their jurisdictions. While some communities have chosen to enact ordinances limiting certain types of marihuana businesses and not allowing others some anticipate that this issue will be settled in court. The statute, and final rules, authorized the following types of marihuana businesses in the state: Class A Growers (up to 100 plants); Class B Growers (up to 500 plants); Class C Growers (up to 2,000 plants); Excess Marihuana Growers (up to 2,000 plants each for recreational and medical marihuana); Designated Consumption Establishment; Marihuana Event Organizer; Marihuana Microbusinesses (up to 150 plants, processing/packaging and selling marihuana);



## Marihuana Processors; Marihuana Retailers; Marihuana Safety Compliance Facilities; Marihuana Secure Transportation

At the request of the City Commission the administration have reviewed the recommendation on recreational marihuana twice since December 2018. As of this, the third review, the administration continues to recommend remaining "opted out" of the allowance for recreational marihuana facilities, of any kind, in the city. There are several reasons for this as noted below. Namely, the industry is very new to the state and even though the industry is in its infancy communities are experiencing issues with odors, and challenges to their ordinance language. Additionally, as will be explained later due to very clear language in the statute many communities end up choosing winners and losers as to which marihuana businesses locate in their community. This issue alone makes the development of ordinance language a monumental undertaking. If the City Commission, chooses to opt-in they would need to identify the zoning districts in the city where marihuana businesses would be allowed to operate. Myriad newspaper articles (enclosed) illustrate the Not-in-My-Backyard (NIMBY) issue particularly related to odors. Some communities have gone as far as buying odor detectors. According to a Detroit News article from May 27, 2021, only 95 of Michigan's 1,773 municipalities have opted in to allow recreational marihuana businesses in their communities. According to the state numbers there are 104 licensed "retail" facilities in the state.

Should the City Commission direct the administration to develop ordinance language a significant amount of staff and consultant resources would be diverted to that endeavor. If the City Commission chooses to opt-in the administration recommends that the City Commission direct the administration as to which of the other strategic plan tasks to "put on hold" while this work is being done. The administration has reviewed various recreational marihuana ordinance language in the past and the City Commission should be aware that these ordinances are lengthy, complex, and likely fraught with opportunities for litigation.

Last week a Federal Judge issued an injunction on the City of Detroit processing marihuana business applications while he prepares to rule on a lawsuit alleging that the language in the ordinance gives unfair preference to longtime Detroiters when applying for applications for marihuana businesses. The City of Detroit's ordinance limits the number of available marihuana retail shop licenses to 75 total. Per the ordinance at least 50% of those licenses must go to longtime Detroit residents. The City of Detroit debated recreational marihuana ordinance language for two years prior to approval in November 2020. If the federal judge strikes down the fairness of the City's ordinance language (competitive process) the City has written into the ordinance language that it will not issue any recreational marihuana retail licenses to anyone.

Per statute local ordinances allowing recreational marihuana businesses are required to have a "competitive process" in that ordinance if limiting the number of marihuana businesses. Per Sec. 9.4 of the MRTMA legislation "If a municipality limits the number of marihuana establishments that may be licensed in the municipality...and that limit prevents the department (State of MI) from issuing a state license to all applicants who meet the requirements...the municipality shall decide among competing applications by a competitive process intended to select applicants who are best suited to operate in compliance with this act within the municipality." In other words, municipalities are required by statute to choose winners and losers. The City of Detroit Federal Court ruling will be the first of this kind in the state.

Many communities, the MML and others have indicated litigation is the biggest concern when establishing these ordinances. Per the Detroit News approximately 95% of municipalities in the state have opted out of allowing marijuana businesses in their community. Berkley, one of the communities that has opted-in, Mayor Dan Terrack said "My biggest concern with the language was making sure that the city was in a strong position... One thing we've at least heard is that there are challenges that are going to come from folks who've maybe applied and don't get a license..." In a Michigan Municipal League podcast, related to recreational marijuana, Chris Johnson the league's General Counsel said "...the competitive process invites litigation."

MRTMA legislation authorizes an excise tax on all licensed recreational marijuana establishments. The law further dictates how those tax revenues will be distributed in the following order:

- Costs (the state incurs) for the implementation, administration, and enforcement of the act
- Until 2022 (or at least 2 years) \$20 million annually to clinical trials approved by the FDA
- 15% to municipalities in which marijuana establishments are located (proportionate to the number of local licensed retail establishments)
- 15% to counties in which marijuana establishments are located
- 35% to the School Aid Fund
- 35% to the Michigan Transportation Fund

Based on 2020 sales those communities in the state that have opted in will receive approximately \$28,000 for each licensed adult-use marijuana retail store or licensed microbusiness. For example, the City of Ferndale has two (2) licensed facilities of this type and received approximately \$56,000 in revenue from the excise tax. For comparison's sake this amount of revenue is less than one-half of the cost to employ a police officer in the City of Plymouth for one year.

If the City Commission chose to move forward with opting-in and wanted to limit the number of marijuana businesses allowed in the city, they would have to decide on what that number would be in addition to where those businesses can locate.

The statute does allow municipalities to charge a local application fee of not more than \$5,000 annually per establishment. Licensing revenue would be directly tied to the number of establishments permitted by the City Commission. In a report from the National Association of State Budget Officers marijuana only accounted for 2% of the State of Colorado's general fund budget in 2019.

If the City Commission chose to opt-in myriad ordinances, regulations, zoning, and planning policies would need to be written and/or amended. Various members of the administration, consultants, commissions, and boards would have to develop and adopt a regulatory ordinance including the number of businesses permitted, an application process, rules and procedures, review criteria including "competitive process" criteria. In addition, from a zoning standpoint most, if not all, the City's zoning districts would need to be amended. This would include, but not be limited to, amending permitted and special uses within each zoning district and all associated ordinances and regulations to clearly define where the businesses could be located. Additionally, the city has had an ordinance, for years, that requires all businesses to abide by local, state, and federal law. As of this writing marijuana is a Schedule 1 Controlled Substance and is against federal law to sell/possess etc. Should the City Commission choose to opt in this provision of the ordinances would need to be amended to not include federal law. The City of Westland, which has opted in,

has a section in their ordinance that reads as follows: "As of the effective date of the ordinance codified in this chapter, marijuana is classified as a Schedule 1 controlled substance under federal law which makes it unlawful to manufacture, distribute, cultivate, provide, possess, dispense or transport marijuana. Nothing in this chapter is intended to grant immunity from any criminal prosecution under federal law."

The issues raised above, and the expectation of further litigation and case law related to marijuana businesses in the state are two key reasons why the administration does not recommend opting in at this time. Additionally, if the City Commission were to opt in myriad resources financial, personnel and otherwise would be required to develop the necessary ordinances, policies, procedures, applications, zoning amendments, etc.

**RECOMMENDATION:**

The Administration recommends that the city continue its position of opting out of the MRTMA. Based on the available information the administration has serious concerns that opting in would open the City up to legal challenges, new and different zoning ordinance/business location complaints, and other issues many of which we likely are not able to contemplate in advance. While opting in may generate some revenue for the city the resources necessary to develop and maintain all the necessary puzzle pieces to operate the system would likely exceed the revenue generated.

Should you have any questions in advance of the meeting please feel free to contact either one of us.

# The Detroit News

## DETROIT

# Lawsuit challenges Detroit recreational marijuana shop licensing rules

**Mark Hicks and Sarah Rahal** The Detroit News

Published 2:38 p.m. ET Mar. 3, 2021 | Updated 3:18 p.m. ET Mar. 3, 2021

Detroit's new ordinance regulating licensing for recreational marijuana shops, which gives preferences to longtime Detroiters, has sparked a lawsuit claiming the rule is unfair and could unravel the city's plans to license stores.

In the suit filed Tuesday in Wayne County Circuit Court, Crystal Lowe, who has lived in Detroit for 11 of the past 30 years, indicates she plans to apply for an adult-use retail establishment license.

However, the city "has almost certainly denied" Lowe's chances to obtain a license because the city's "licensing scheme favors certain Detroit residents over other Michiganders based on the duration of their residency" there, the filing said.

After two years of debate, the City Council in November unanimously approved the ordinance that gives special preference to residents under a certification the city calls "Detroit Legacy."

Applicants can qualify if they've lived in Detroit for 15 of the last 30 years; 13 of the last 30 years and are low-income; or 10 of the last 30 years and have a past marijuana-related criminal conviction; or have parents who have a prior controlled substance record and still live in the city.

Lowe, who has lived in the city for the past 11 years, fails to meet the legacy requirements, although she briefly lived in nearby River Rouge and spent several years in Georgia. The city ordinance, she contends, violates a commerce clause in the U.S. Constitution because it "discriminates against out-of-state residents and punishes people for moving between states."

City officials have said only a fraction of the city's 46 medical marijuana dispensaries, permitted under an ordinance the council approved in 2018, are owned by Detroit residents.

But Lowe, who has worked in the state's marijuana industry since 2012, argues in the suit that the policy is unconstitutional and discriminates against all non-residents and other longtime residents.

"Because Defendant has decided to cap the number of licenses available for adult-use retail establishments, it has set up a competitive licensing scheme ... unlike any other in the state," Lowe's Lansing-based attorney Kevin Blair of Honigman law firm wrote.

The ordinance allows a maximum of 75 licenses and no less than 50% have to be granted to Detroit legacy applicants, without a cap on those awarded to that group, the filing said.

"It further provides that City shall not issue a license for an adult-use legal establishment if such issuance would cause the number of licenses held by Detroit legacy licensees to be less than 50% of the total licenses for this category," according to the suit. "Thus, Detroit legacy applicants can compete for 75 licenses, whereas applicants without Detroit legacy status can only compete for a potential maximum of 37 licenses, a number that will shrink depending on how many Detroit legacy applicants succeed in obtaining licenses."

Detroit Deputy Mayor Conrad Mallett told The Detroit News Wednesday the state law gives local municipalities the ability to approve or prohibit adult use of recreational marijuana within its boundaries. Through legislation sponsored by Detroit Councilman James Tate, the city acted on that authority, he said.

"The ordinance was crafted to make sure longtime Detroit residents benefit significantly from this new industry and can build generational wealth," Mallett said. "The ordinance states that if any part of the Legacy Detroit provision is struck down, no recreational marijuana licenses will be issued in Detroit.

"That's how strongly we feel about making sure Detroiters are the ones benefitting from this new industry. If they don't have a share of this industry, then it's not an industry we want in our city."

The city's Office of Civil Rights, Inclusion, and Opportunity is certifying legacy Detroiters, overseeing the licensing process and reviewing the neighborhood plans, as it pertains to community benefits, Director Charity Dean said in January.

In January, the city opened a six-week application window reserved for legacy residents seeking to operate recreational marijuana shops.

Legacy Detroiters have until March 12 to submit their applications and 180 certifications have been issued by the city so far.

After the exclusive six-week licensing period for legacy residents, individuals who already operate medical marijuana facilities in Detroit will get their own reserved six-week application process before other applications will be reviewed.

The city will license up to 75 medical marijuana provisioning centers, officials have said.

Qualifying residents get a 99% discount on licensing fees this year and a 75% discount in 2022. They also receive a 75% discount on city-owned land.

Lowe's suit highlights the window for applicants and claims "it seems almost certain that (the city) will award all 75 adult-use establishment licenses to Detroit legacy applicants before it even considers any non-legacy applicants.

Meanwhile, the lawsuit notes, a legacy applicant-owned business "cannot be transferred, sold, or conveyed to anyone other than another Detroit legacy applicant for a period of five years from the date the initial license is granted or else the business will lose its Detroit legacy status and must re-apply..."

Detroit Legacy applicants will be reviewed starting May 1. General applicants with existing marijuana licenses will be reviewed starting June 16 and applicants without an existing medical marijuana license will be reviewed starting Aug. 1, the city said.

Mitzi Ruddock, a 40-year-old single mother with a past marijuana conviction, grew up in Detroit and helped the city craft the ordinance, although she currently doesn't live in the city.

"These are taxpayer dollars supporting this program and should go to those currently in the city of Detroit. That's just how the cookie crumbles," said Ruddock, who runs Black Cannabis Access, which she said helps urban communities "break the cycle of wealth and economic disparities." Ruddock helps educate communities, consults potential business owners, aids in the licensing process and provides legal representation in the Black cannabis business community.

She said the ordinance requirements are intentional to show the applicant's "foothold in the city" and that's what is important.

"It's to ensure that they get the benefits and in most social equity programs, the target markets are often missed," Ruddock said. "I know a lot of people complaining, but like

councilman Tate has said 'there are people who lived here and stuck it out through the good and the bad.' We can't argue with that."

*srahal@detroitnews.com*

*Twitter: @SarahRahal\_*

# The Detroit News

## DETROIT

# Federal ruling looms in legal challenge to Detroit's recreational pot law

**Sarah Rahal** The Detroit News

Published 2:29 p.m. ET May 27, 2021 | Updated 5:25 p.m. ET May 27, 2021

A federal judge in Detroit heard arguments Thursday in a legal battle that has halted the processing of applications for recreational marijuana businesses in the city.

U.S. District Judge Bernard Friedman last month ordered Detroit to temporarily stop processing applications amid a lawsuit that argues a provision of a new city ordinance regulating recreational pot operations gives unfair preference to longtime residents deemed legacy Detroiters.

Friedman granted the preliminary injunction in favor of Crystal Lowe, a resident and prospective marijuana business operator, who sued the city over the ordinance on claims the law is "discriminatory" and limits her chances.

Lowe's attorney Kevin Blair argued to the judge Thursday that the ordinance is a penalty for people, like Lowe, who temporarily moved out of the city and it does nothing to help "folks who have been disproportionately affected by the war on drugs."

"The city has stated they're purposely restricting to allow 'naïve and unsophisticated' legacy applicants to get ahead," Blair told Friedman.

Emily Palacios, an Ann Arbor-based attorney representing the city, countered Blair has failed to demonstrate how the ordinance provisions violate Lowe's equal protection rights under the Michigan Constitution, as alleged.

The ordinance, Palacios told the judge, only gives preference in the order in which applications are certified and it gives a boost to Detroiters who would be disadvantaged.

"The city's licensing program is not causing residents and nonresidents to face-off in direct competition," Palacios said. "The city has constructed a program by which there are two sets of licenses available; 50% of the licenses are going to go to Detroit legacy applicants and 50%



to non-Detroit legacy applicants. Their opportunity to compete is equal on both sides of the ledger."

Friedman listened to a half-hour of arguments from each side Thursday before noting he intends to issue a ruling within three weeks.

After two years of debate, the City Council in November unanimously approved the ordinance that gives special preference to residents under a certification the city calls "Detroit Legacy." As of April, there were still no legal recreational pot businesses operating in the city.

Being granted legacy status does not guarantee a license, and there are already more applications filed than the city can accommodate, officials have noted.

To qualify for legacy status, residents must have lived in Detroit for 15 of the last 30 years; 13 of the last 30 years and be low-income; or 10 of the last 30 years and have a past marijuana-related criminal conviction or have parents who have a prior controlled substance record when the child was under 18 years old and still live in the city.

► **RELATED REPORT:** Michigan's recreational pot sales dampened by pandemic but projected to set records

Lowe has lived in Detroit for 11 of the past 30 years and her mother was charged with a marijuana-related offense in 2007 when Lowe was 19. She has spent a decade working in the state's marijuana industry, but "according to the City, (Lowe) has not lived in Detroit for long enough to deserve an equal shot at this opportunity," the lawsuit states.

"By guaranteeing that at least 50% of the 75 licenses go to Detroit legacy applicants, the city has put non-legacy applicants at a stark disadvantage," according to the suit.

The Civil Rights, Inclusion & Opportunity Department reported to the City Council on March 29 that more than 400 Detroit legacy applicants had been certified. Qualifying residents get a 99% discount on licensing fees this year and a 75% discount in 2022. They also receive a 75% discount on city-owned land.

The ordinance includes a provision that if the legacy program is struck down by courts, no adult licenses will be issued by the city.

Blair previously told The Detroit News that he's never seen a similar provision anywhere in the state.

"It's usually the exact opposite so that if any provision is struck down, the rest of the ordinance remains in place, and the City Council decided to do the exact opposite here, so that if anyone challenged the constitutionality of this, then there won't be any adult-use licenses in Detroit," said Blair.

"A business might open and a year later, the ordinance could get challenged, and then that license would essentially be worthless because, according to the ordinance, the license isn't going to be renewed," he added.

Nickolas Calkins, senior partner at Scott Roberts Law, a boutique marijuana law firm based in Detroit, said he's impressed Friedman is taking time to flesh out the arguments in the impactful case.

"It's not just going to be related to the city of Detroit, but other municipalities," he said. "... if the residency requirement is upheld in Detroit, I think you're going to see this kind of process implemented throughout the state and vice versa if it's struck down."

Of Michigan's 1,773 communities only 95, or 5%, including Detroit, have opted-in to the Michigan Regulation and Taxation of Marijuana Act to allow marijuana businesses, according to the state's Marijuana Regulatory Agency.

*srahal@detroitnews.com*

*Twitter: @SarahRahal\_*

# Chesaning residents complain about marijuana odor and expansion

APRIL 10, 2021

BY JEANNE MARCELLO  
STAFF REPORTER

**CHESANING** – The odor of marijuana and recent activity near a couple of established marijuana facilities prompted several Chesaning residents to speak out during the Chesaning Village Council’s Tuesday, April 6 virtual meeting.

Village resident Gail Schwandt said she is concerned about how the marijuana regulating ordinance is being rewritten. She read from Ordinance #2017-05 which states, “No provisioning center shall be operated in a manner creating noise, dust, vibration, glare, fumes or odors detectable to normal senses beyond the boundaries of the property on which the provisioning center is operated.”

Schwandt contends that while the ordinance names provisioning centers in this portion of the ordinance, she believes this provision should also apply to growing facilities to better protect the citizens.

Schwandt said she feels the council should put public welfare first in writing ordinances and work to protect quality of life in Chesaning.

For months, citizens have been told that the High Life facility is going to install odor sensors at its fence line, but odor is still a problem. The village will be monitoring odor levels recorded by these devices. The idea is to gather data to determine where strong odors originate.

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process involves citizen participation. Ongoing interactions of the council and the village administrator with the public seem to disregard the concerns of the citizens. At the Feb. 16 village council meeting, the council unanimously voted to place a six-month moratorium to Sept. 1, on new cannabis developments and new licenses.”

She talked about her surprise when learning that the Peet Road rezoning and Volkmer Road 425 development may be exempt from the marijuana moratorium. “This contradicted the action of the council and then negated the understanding of the people present at that meeting,” Kukulis said.

During the village council’s March 16 meeting, she learned that outdoor grow would not be part of the new ordinance, however, the 2020 open grow at Eden Way might be grandfathered in.

“Eden Way developments continue to expand,” she said, explaining that ground had been cleared in new areas, new fencing has been installed and new foundations have been set for what appear to be new buildings. “Additionally, Country Boys’ development is expanding its fencing in preparation for what looks to be new development, too. The odors from all the developments, including High Life, are becoming much more prevalent and prominent. The marijuana developers appear to be free to do what they want with no accountability,” Kukulis said.

“Better decisions are needed to enhance and uphold the democratic processes. Trust is a basic foundation of good government. It builds credibility; credibility with those who will be affected by your decisions. We are urging the council to start listening to the people of this community. We are all impacted by the decisions you make,” she concluded.

Chesaning resident Rod Toma addressed the council saying, “High Life agreed to

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Councilman Phil Lerner responded, “Anything coming from Canada is on hold now.”

Toma asked if the village keeps a log of people complaining about marijuana.

Village President Matthew Hoover confirmed that the village office does keep a log of marijuana complaints.

Toma asked, “Knowing the village has (marijuana) odor problems, will the licenses be renewed?”

Hoover said, “We’re waiting for the software that monitors odors.”

Toma asked, “What if High Life’s license were to come up for renewal next week?” Village officials did not respond.

Chesaning Township resident Adam Lewis said, “According to the last meeting, Troy Feltman didn’t think outdoor grow would continue. Odor is the big problem, even with indoor grows. We know they have a lot of money to throw around. I would hope that ‘putting teeth in the ordinance’ means pulling licenses. The reality is, if odor is the problem, then outdoor grow can’t be part of it. How is the open grow allowed?”

Councilwoman Danielle Chludil said, “The licenses were already approved. They are already allowed to grow. They are expanding under the license they already have.”

Lerner said, “Farmers can grow hemp anyplace. Hemp farmers can grow hemp and the federal government allows it without a license.”

Councilman Keith Wenzel said, “The moratorium is on anything new. They are allowed to put up fences. Everything is licensed out there.”

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Chesaning Township resident Neil Pullman said, “Chesaning started with more restrictive buffering criteria for medical growers, but became less restrictive to allow more opportunities for recreational growers. For those who live upwind of grow or processing facilities, buffering criteria may not seem very important; but for those who live nearby or have respiratory issues, there is a point where good health is more important than financial gain.”

He said, “Most people have not experienced living next to an open grow site. During the peak pollination season, they would be ashamed to invite friends to their homes. Outdoor activities are not an option. Being outside for more than a few minutes is not tolerable and the smell permeates a house that is exposed 24/7. The condition is worst during summer when people want to be outside. Our friends and neighbors are talking about moving if they can afford it.”

“By clustering multiple open grow facilities into an area, it amplifies the environmental effect. Personally, I believe that allowing open grow at six lab facilities is a mistake. If you think that there are a lot of complaints now, it will get much worse. Open grow marijuana will polarize the Chesaning community between those who financially benefit and those who suffer the ill effects.”

Pullman said, “The federal government allows hemp. What does the federal government say about marijuana? The federal government says ‘no.’ Please listen. There’s a number of people in both the village and township concerned about why we still have an odor issue.”

Councilmember Shawn Bueche said, “The federal government is coming around to make it not illegal.”

Several other residents impacted by the marijuana facilities in Chesaning also spoke.

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“We’re treading very softly in this area,” she said. “People have a right to grow marijuana in their house, but everyone needs to be considerate of their neighbors so the odor isn’t affecting their enjoyment of the outdoors.”



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Bessemer is 6 miles (9.5 kilometers ) from the Wisconsin border. The Michigan law has attracted people from Wisconsin and Minnesota who are buying houses and growing marijuana indoors, Loper said.

It’s possible that some Bessemer residents might require an air-filtration system in their homes, she said.

“Somebody’s got to take a stand. This is a piece of equipment we need,” council member Terry Kryshak said of the Nasal Ranger.

The council voted 4-1 in favor of the device, the  English  d.



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Medical marijuana has been around since 2008. But Michigan’s 2018 law, which cleared the way for homegrown pot for recreational use, has brought challenges to communities.

The odor problem in Bessemer, population 1,905, occurs when marijuana plants are in bloom, especially during warmer months, Loper told The Associated Press.

“The bloom period lasts six to eight weeks,” Loper said Thursday. “A lot of people describe it as a skunk-like odor. It can be strong.

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BESSEMER, Mich. (AP) — Is that a skunk? No, it's marijuana.

A small town in Michigan's western Upper Peninsula is buying an odor-detection device and drafting an ordinance to crack down on the unpleasant smell of blooming marijuana plants.

Bessemer City Manager Charly Loper said the Nasal Ranger could be used to check a variety of bad-air complaints, but she acknowledged that marijuana appears to be the key target.

"The city of Bessemer stinks," council member Linda Nelson said Monday as the council voted to buy the device, which will cost \$3,400 with training. "You can smell marijuana everywhere. We've got people who can't sit in their backyard because the smell from their neighbor is so bad."

# Lake News Online

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## City contemplates regulations to limit odor of medical marijuana

By Erik Cliburn

Posted Feb 28, 2020 at 7:04 AM

As the first medical marijuana dispensaries prepare to open their doors in downtown Moberly, city officials are contemplating possible ordinances to address the potential smell of marijuana in the areas surrounding the dispensaries and in residential areas.

In a report submitted to the Moberly City Council, Public Works and Community Development Director Tom Sanders highlighted the potential issue of odors coming from the growth, use and processing of medical marijuana. Although there are no regulations set in stone yet, the city needs to be prepared to avoid potential complaints, he said.

“Do we want to be proactive and address some of these things or do we want to wait until we get complaints about it and try to do deal with it after the fact?” Sanders said. “I’d rather it be the first.”

Sanders recalled a recent trip he took to Colorado, where recreational marijuana is legal. The smell of cannabis coming from the dispensaries was fairly strong even from outside, Sanders said.

“The people who don’t want to be around it and don’t want to smell it have rights as well,” Sanders said.

The practice of establishing local marijuana odor regulations is not uncommon. Many municipalities have drafted public nuisance ordinances related to excessive marijuana smells, including some in Maine, Oregon, Michigan, Nevada, Colorado and California.

Ordinances can impose fines on violators, including individual smokers, growers and dispensaries. Some communities where medical marijuana is legal have required the installation of ventilation systems to filter out the smell of

marijuana smoke so it does not spread to neighboring apartments.

Moberly officials are looking at a number of potential regulations, but nothing has been decided yet, Sanders said.

The only ordinance in the city code that addresses legal marijuana is ordinance 9505, which was passed Feb. 25, 2019. The ordinance regulates where medical marijuana dispensaries are zoned and how far away they must be from churches, parks, schools and day cares.

Regardless of the city's decision on medical marijuana regulations, there will likely be passionate supporters and detractors, Sanders said.

"The medical marijuana issue is going to be controversial," Sanders said. "There are going to be people who think we're not doing enough or others who think we're messing with it too much. Our only goal is try to be as fair as possible to those who want it and don't want it and to try finding a middle ground where everyone gets a reasonable stake in the game."

[ecliburn@moberlymonitor.com](mailto:ecliburn@moberlymonitor.com)



Elsa Olofsson / CC

## Coldwater business threatens to relocate over potential marijuana grow facility smell

By Jim Measel

🕒 May 3, 2021 9:10 AM

COLDWATER, MI (WTVB) – A request from Yuma Way of Colorado for a Special Land Use Permit which is needed to establish a proposed Recreational Marijuana Grow operation at 127 Industrial Avenue has drawn the ire of a nearby business owner.

The request is scheduled to be considered by Coldwater Planning Commission Monday night.

In a letter that was included in the Planning Commission's packet, Putnam Machine Products President and General Manager Rob Putnam asked Coldwater Mayor Tom Kramer "to please do everything in your power as mayor and a concerned citizen of Coldwater to prevent the establishment of a marijuana grow operation within the industrial park of Coldwater." Putnam says the grow facility will give off a "horrible smell" and that, "The establishment of a marijuana grow facility next to our business would not only destroy the nearby property values, but make it difficult to maintain employees." Putnam went on to say that the business will be forced to relocate if the smell can not be mitigated which would mean the loss of 40 jobs.

OBITUARY: Adam L. Cook

Putnam Machine Products has been a part of the Coldwater business com

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Yuma Way wants to operate the Marijuana Grow Establishment from the southern portion of the industrial building at 127 Industrial Avenue. They have included two letters of reference which stated they implemented an odor control plan for their facility in Denver and that they have complied with all local and state regulations. The City of Coldwater's zoning codes has numerous requirements marijuana grow operations must follow to control and eliminate odors. The proposed Class C establishment is in an area zoned D-2 Heavy Industrial.

Two other marijuana-related requests are on Monday's agenda. Galenas Michigan, LLC is requesting permission to operate an Adult Use Recreational Marijuana Processing Establishment and an accessory Retail Establishment from the vacant property at 290 Butters Avenue while Northeast Alternatives, Inc. of Fall River, Massachusetts is requesting permission to operate an Adult Use Recreational Marijuana Retail Establishment from the western most suite of the commercial strip development which was previously occupied by Radio Shack.

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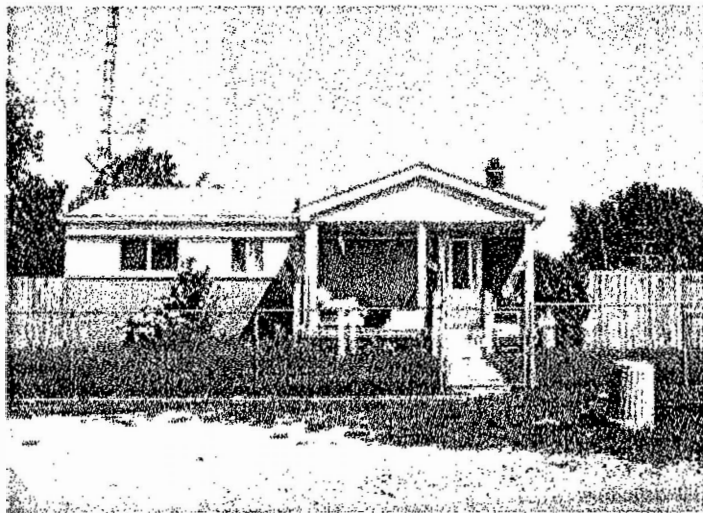
## Officials say intense marijuana smell emanating from home violates zoning

By Tom Perkins

For months, a flag bearing a marijuana leaf flew above Ypsilanti Township resident **Michael Engle's** home.

And for months, neighbors have complained about the "intense" marijuana odor being pumped from his home.

Officials aren't certain how much marijuana Engle is growing in the Ypsilanti Township residence or whether he is processing it, but officials do know neighbors are fed up with the strong odor they say has made them physically sick and prevents them from opening their windows.



Neighbors have complained that the smell of marijuana coming from 1397 Crestwood St.

Tom Perkins | For AnnArbor.com

Now, the township is asking a Washtenaw County Circuit Court judge to order Engle to stop the emissions, which officials say is especially prevalent between 10 p.m. and 6 a.m.

**Mike Radzik**, director of Ypsilanti Township's office of community standards, stressed that the case has nothing to do with a violation of the state's medical marijuana laws. He said the case is about the violation of the township's zoning code relating to odors.

The zoning ordinance states that the "creation of offensive odors shall be prohibited" in any zone. Radzik said the odor coming out of the home constitutes an offensive order, and a district court judge

agreed.

Neighbors first began complaining earlier this year and Engle was cited for the violation along with the home's owner, **Deborah Klochubar**. On May 8, 14-B District Court Judge **Charles Pope** ordered Engle and Klobuchar to abate the odor.

Officials say that order has gone ignored and neighbors still are complaining.

Radzik said Ypsilanti Township and law enforcement officials aren't sure what is causing such a strong smell, but he said an exhaust vent in the basement is in place and pumping air out of the home.

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"The only thing we know for sure is there is a harmful odor emission, primarily at night, and the quality of the neighbors' life is severely impacted," he said. The district court order to cease those emissions has been ignored, so we're left with no alternative other than to ask the circuit court to try to help us put an end to this."

AnnArbor.com could not reach Engle for comment. Neighbors also declined to speak to a reporter.

The medical marijuana state law has been widely debated since it was approved by voters in 2008. Ypsilanti Township, like many other municipalities, put in zoning laws to regulate where medical marijuana is grown.

According to state law, a person with a medical marijuana patient's card can grow up to 12 plants for their personal use. Ypsilanti Township ordinance allows residents to grow their personal plants in residential zones.

But state law says registered caregivers can grow up to 72 plants for up to five patients and their own personal use. Ypsilanti Township's zoning ordinance doesn't permit caregivers to operate in residential zones.

Pope required Engle to let a township ordinance inspector to see Engle's grow operation to determine if there are less than the 12 plants allowed in a residential zone.

Radzik said a code inspector went to the home and was turned away before an attorney representing Engle said a mistake was made and the inspector could go back to the home. Engle did not allow photography and permitted only one inspector. Radzik said conditions with zoning ordinance inspections are unusual.

When the inspector went into the home, he found Engle had placed black plastic over all the entryways, creating a small, dark hallway. Radzik said Engle led the inspector down the hallway and into a basement where the inspector was shown 10 medical marijuana plants.

But Radzik said officials don't know if there are more plants in the house and have no idea what was behind the plastic.

Washtenaw County Sheriff's Department deputies have made contact with Engle on several occasions and forwarded information to the Washtenaw County Prosecutor's Office. But the prosecutor's office declined to give authorities a search warrant or pursue charges because of insufficient evidence that any state law was being broken, Radzik said.

But Radzik underscored that the state law is not the township's concern in this case.

"We don't know what the situation is at this house - I won't speculate - but we're trying to deal with the offensive order," he said.



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# More than 100 Michigan municipalities split \$10 million in marijuana tax proceeds



Michigan businesses sold \$341 million worth of recreational marijuana in 2020. (WHSV)

By ABC12 News Staff

Published: Mar. 4, 2021 at 1:00 PM EST



LANING, Mich. (WJRT) - The Michigan Department of Treasury is distributing \$10 million of marijuana tax revenue to more than 100 cities, villages, townships and counties based on 2020 sales.

The Treasury Department says 38 cities, seven villages, 21 townships and 38 counties each will receive about \$28,000 from the state for each licensed adult-use marijuana retail store or microbusiness in their jurisdictions.

"The revenue generated from marijuana taxes and fees is important to our local governments," State Treasurer Rachael Eubanks said. "In this extraordinary time, our staff is working to get those payments to impacted municipalities and counties. Every dollar helps right now."

Recreational marijuana sales in Michigan totaled more than \$341 million in 2020, which netted the state \$31 million from the 10% excise tax. Fees from marijuana businesses brought in an additional \$15 million in 2020.

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The Michigan School Aid Fund and Michigan Transportation Fund each received about \$11.6 million in marijuana tax revenue in addition to the \$10 million distributed to local governments. The Michigan Marijuana Regulatory Agency and state government spent \$12.5 million of the proceeds on

"Infusing over \$28,000 per retailer and microbusiness into local government budgets across the state is very impactful and shows how strong and successful the industry is becoming," said Marijuana Regulatory Agency Executive Director Andrew Brisbo.

Mid-Michigan local governments collecting recreational marijuana tax revenue include:

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- Bangor Township -- \$280,013.
- Bay County -- \$420,019.
- Bay City -- \$84,003.
- Burton -- \$140,006.
- Chesaning -- \$56,002.
- City of Flint -- \$84,003.
- Genesee County -- \$280,013.
- Iosco County -- \$56,002.
- Isabella County -- \$28,001.
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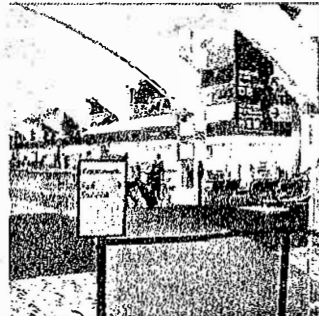
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# EDITORIAL: An insider denounces Big Marijuana

Apr 4, 2021

As one of the architects of legalized marijuana in Colorado, Rob Corry has profound regrets. That's clear from his extensive commentary published in today's Sunday Perspective section. It is a recounting of dashed hopes; a confession of his own naïveté; an exposé by an insider — and a denunciation of the cynical industry that dominates today's marijuana market (see: “A founding father of legal pot reveals regrets,” on page B1).

Corry's change of heart is noteworthy because he has played a prominent role in Colorado's legalization movement. The Stanford-trained lawyer helped draft groundbreaking Amendment 64, adopted by voters on the statewide ballot in 2012. The complicated measure's many moving parts created the framework for the legal use, production, sales and taxation of marijuana statewide. Corry also designed and implemented the dispensary framework for patients and caregivers under Amendment 20, enacted by the state's voters in 2000 to allow medical use of marijuana. He has extensive experience representing clients accused of marijuana-related offenses, and he has been involved in litigation and administrative actions concerning the implementation of Amendment 64.

Nearly a decade after Colorado voters bought into legalization, Corry now says he is deeply dismayed by the results. While he continues to support legalization in itself, he acknowledges the reality is not at all what he envisioned and has left him with wide-ranging misgivings.

His original vision as one of the framers of legalization strikes us in hindsight as having been doomed from the start. He writes in today's commentary that he had sought to “protect individual rights to grow and distribute on a personal level,” and

to, “focus limited police resources against real crime with actual victims.” He had wanted to, “create a free-enterprise system, taxed and regulated similar to alcohol for commercial sales,” and, “to allow for true competition and innovation by upstanding business people.”

Once the genie was out of the bottle, those like Corry who had let it loose had little hope of reining it in. It wound up answering to a far more formidable master — notably, a big industry Corry now sees as an “oligopoly of crony capitalists” that he likens to a “criminal cabal.”

Corry’s jaundiced view of pot’s latter-day purveyors is in fact one of at least three important takeaways from his eye-opening commentary:

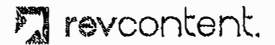
- Big Marijuana is reckless, greedy and ruthless. He observes, “No true free enterprise exists in this regulated industry, but rather a small oligopoly of crony capitalists who are given privileged government licenses. Licenses are capped, and new entry is nearly impossible. Extreme regulations are created and supported by the big players, and benefit these big players over smaller competitors. The regulators themselves daily pass through an unrestrained revolving door between government and the industry they supposedly regulate. True competition is lacking. Industry exploits its centrally-planned regulatory system to fix inflated prices, and government chips in extreme taxes at levels imposed on no other product. Regressive pricing disproportionately harms the poor. And the quality of this overpriced commercialized product is awful, and actually harmful to both adults and children alike.”
- State and local policy makers pander to the industry. Corry reveals, “... the inmates are running Colorado’s marijuana asylum. Amendment 64 created a corporate lobby that punches far above its actual weight. To demonstrate this industry’s unjustified political clout, even during a pandemic, the governor and the Denver mayor deemed marijuana businesses ‘essential,’ while schools, churches, gyms and most other non-big box stores were shut. So, it was not ‘essential’ to educate our children — our future — but it was ‘essential’ to maintain those children’s access to high-potency corporate marijuana. And access it they surely do. ... The fawning that legislators and executive branch officials bestow on this criminal cabal is mystifying.”
- Big Marijuana is a big polluter. He writes, “On a proportional basis, corporate marijuana is Colorado’s worst environmental polluter. It pumps chemicals and carbon greenhouse gases into our air, uses tons of energy, harms our climate, dirties our drinking water, and ruins our environment. It stinks, literally and figuratively. Most of the foul-smelling warehouses are next door to a poor or minority neighborhood, whose children grow up smelling the skunky chemical stench.”

Also worth noting are Corry’s harsh words for high-potency pot concentrates that weren’t envisioned a decade ago. He unwaveringly supports pending legislation by Democratic state Rep. Yadira Caraveo to cap pot potency.

All in all, not an outright repudiation — as noted, Cory still supports legalization — yet a remarkable turnabout in its own right. As he puts it, “What I have changed my mind on ... is the wisdom of a commercialized, for-profit, elitist, government-

protected, privileged, monopolistic industry that perpetuates itself and its obscene profits, to the detriment of the public good and the planet earth.”

### Around the Web



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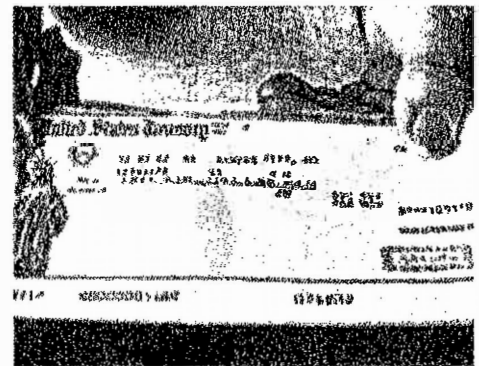
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# Polis signs bill expanding access to medical marijuana at schools

By PAT POBLETE pat.poblete@coloradopolitics.com

May 5, 2021



With advocates watching on, Senate Minority Leader Chris Holbert, R-Douglas County, speaks to the Gov. Jared Polis prepares to sign it into law.

By PAT POBLETE pat.poblete@coloradopolitics.com

Gov. Jared Polis on Wednesday signed into law a bill that expands students' access to medical marijuana while at school.

The bill boasted bipartisan support, led by Senate Minority Leader Chris Holbert, a Republican from Douglas County. It was approved by the General Assembly:

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Read The Story Here

Those measures, passed in 2016 and 2018 respectively, allow non-smokable medical marijuana to be administered to a student. Jack's Law allows parents or caregivers to administer the medicine while Quintin's Amendment gave principals the authority to allow it to be stored on campus and administered by school nurses and designated personnel.

Despite that discretion allowed under law, policymakers in some districts have opted against allowing on-campus storage or administration by school officials — including the Douglas County school board in Holbert's district. That left a pair of his constituents entangled in a legal battle to provide potentially life-saving medication to their high school-age son.

Brad and Amber Wann told lawmakers at the hearing their son, Ben, an epileptic, uses hemp oil to prevent seizures and relies on a nasal spray with THC to stop seizures if they occur. But he was banned from keeping the nasal spray at school, a move Holbert said during a committee hearing he found especially troubling because Ben is severely allergic to the nasal pharmaceutical that rescue paramedics normally apply to treat seizures.

Speaking at the bill signing, Holbert said he learned of the “challenges of the constitutional difference” between a prescription and a doctor's recommendation when on a Zoom call with school nurses last summer.

“I asked during that, ‘What if I just passed a law that said a doctor's recommendation was the same as a prescription?’ And they said, ‘Yeah, that would pretty much do it,’ ” Holbert said.

While the bill isn't that straightforward — Holbert said he learned through the process he shouldn't call a physician's medical marijuana recommendation a prescription — it largely provides the same practical solution to school nurses.

With the Wann family watching on, Polis praised Brad and Amber's broad outreach on behalf of their son as “a perfect example of citizen-led advocacy.”

“Brad and Amber went above and beyond the call of duty, contacted everyone they could: their school district, that Douglas County School Board, the superintendent, they contacted me, they contacted their state legislators, exactly what citizens should


do when they need a change,” he said.

The bill’s House sponsors, Reps. Matt Gray, D-Broomfield, and Kevin Van Winkle, R-Highlands Ranch, also heaped praise on the Wanns. Van Winkle noted the family “made this happen from beginning to end” and added the Wanns were “the driver behind it” while Gray highlighted the need for lawmakers to engage with their constituents.

“As the governor said, when we do our best work is when we listen and then we respond and we deliver so I am just very proud to be a part of this effort today,” he said.

pat.poblete

### Around the Web

 revcontent.



4 Sisters Took Same Photo for 40 Years. Last One is Just Sad  
Poplively



Md: if You Have Tinnitus (Ringing Ears), Do This Immediately (Watch)  
Newhealthylife



Reduce Low Back Pain & Sciatica With One Seated Stretch (Watch)



How Dogs Cry For Help: 3 Warning Signs Your Dog Is Crying For Help





## Administrative Recommendation

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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 - Waste & Recycling Rates 2021 06-07-21.docx  
Date: June 3, 2021  
RE: Waste & Recycling Rates 2021 - 22 – No Increase

---

### Background

We have had discussion related to the trash cart/bag fees worked through our budget process. Our current solid waste and recycling contract was renewed in 2019 and trash cart rates were raised in January of 2020.

We have attached information from our budget document which will provide additional background on the Solid Waste and Recycling Fund. The efficiencies of our programs with the automated collections have allowed the City Commission to maintain a low millage rate on this Fund as well as keeping the cart and bag rates in check over a number of years. We have also attached a memorandum from Finance Director John Scanlon.

The proposal would be for no increase in cart or bag rates and no increase in the millage rate. We have the City Commission take formal action on these types of items on an annual basis to provide a historical record that the Commission did review and took action on the rates issue. This is in part due to the incident from about 30 years ago, when the City Commission did not review water rates for 10 years and this created a significant under funding of that operation. It also resulted in the City Commission establishing that they wanted to review rates annually, even if no increase is needed.

### Recommendation

The City Administration recommends that the City Commission maintain the rate of \$10.25 per month for trash carts and the current \$3.00 rate for trash bags. In addition, we are proposing that the property tax millage rate be maintained at 1.82 mills (*no increase in millage since 2016 – 17*). We have attached a proposed Resolution for the City Commission to consider regarding this matter. Should you have any questions in advance of the meeting please feel free to contact me.



# CITY OF PLYMOUTH

www.plymouthmi.gov

201 S. Main  
Plymouth, Michigan 48170-1637

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

## MEMORANDUM

Date: June 2, 2021  
To: Paul J. Sincock, City Manager  
From: John Scanlon, Finance Director  
Subject: Waste and Recycling Rates

**Issue:** Proposed Waste and Recycling Rates – 2021-22 City Budget

**Analysis:** Enclosed are pages 61 through 63 of the proposed 2021-22 City budget, which pertain to the determination of proposed waste and recycling service rates to begin on July 1, 2021 for the new fiscal year.

The waste and recycling services of the City are funded by three sources: an operating millage rate, cart user rates for the disposal of waste and recycling and bag sales for those who opt out of the cart disposal program. The City is authorized to levy up to 3 mills under a state statute for waste and recycling purposes. However, since the millage levy is an operating levy, the 3-mill cap is subject to the Headlee Amendment and has been rolled back from 3.0000 mills to 2.0898 for the 2021-22 budget.

Unlike its impact on the General Fund, this Headlee limit has no effect on system revenues because the current levy is only 1.8200 mills, which is well below the Headlee cap. Page 63 provides an updated history since 2002 of the key revenues funding this service, primary expenditure categories, and year-end fund balances, along with rates for taxes, bags and carts. The operating taxes generate 72% of system revenues while bags and cart fees amount to 26% of revenues. The rates proposed in the 2021-22 budget have been in effect since January 1, 2020 for bag fees at \$3.00 per bag and cart fees at \$10.25 per month, and the proposed millage rate of 1.82 mills has been the same since 2016-17.

The Waste & Recycling Fund is in excellent financial health, with a projected fund balance in excess of \$1,000,000 as of June 30, 2020. The budget, as presented, shows no proposed increase in any of the three rates for this fund.

**Requested Action:** Approve the 2021-22 Waste and Recycling Rate Resolution

**Attachment(s):** A resolution and Rate Determination for City Commission consideration

# WASTE & RECYCLING RATE DETERMINATION

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The City provides waste and recycling services to its citizens. Plastic, paper, and yard waste are disposed of weekly along with the regularly scheduled waste disposal. In 2014, the City converted to an automated cart system to collect waste and recycling on a weekly basis. The change was well received by residents. In addition, the City periodically disposes of brush, cut branches and larger waste materials. Beginning with the 2009/10 fiscal year, the City was no longer obligated for long-term debt associated with the capping of a former City-operated landfill located at Chubb Road and Five Mile Road in Salem Township. However, the City could continue to face future financial obligations regarding monitoring and maintenance of this former waste facility.

The current disposal system is financed with a combination of taxes authorized under Public Act 298 of 1917, monthly trash cart fees for both waste and recycling containers and by the sale of waste disposal bags used primarily by low volume consumers.

Prior to December of 2004, the system was funded only by taxes and the sale of bags and/or tags. In fiscal year 1992/93, nearly 68% of the costs were paid by taxes while 29% were paid by the sale of bags and tags and other user charges. Over the years since that time, the funding has shifted at times between tax and user fees but has generally remained supported approximately 2/3 by taxes. Historically, the administration has attempted to match tax support with recycling service costs and landfill debt service, while relying on user fees to support waste removal costs. Recycling costs historically have represented less than 20% of the total cost of the operations. However, after the implementation of the new contract in 2020, recycling has taken a larger portion of the cost share. Because the millage rate available for this service under Public Act 298 of 1917 is subject to Headlee rollbacks as an operating millage, it is prudent to continually monitor the current rate structure of this fund. It is generally the recommendation of the administration to reduce the reliance on taxes by shifting financing to user-based charges that more realistically reflect the total costs of providing this service.

Public Act 298 authorizes the levy of up to 3 mills for waste removal services. However, the Headlee rollback provisions have reduced that maximum authorization from 3 mills to 2.1137 mills. For fiscal year 2014/15, the City Commission increased the levy for this service from 1.72 mills to 1.92 mills but, because of solid financial performance of the fund for that year and for 2015/16, the millage rate was reduced for fiscal year 2016/17 to 1.82 mills. Since 1993, millage rates for this service have ranged from a low of 1.25 mills to a high of 1.97 mills in 2006.

In April of 2010, the administration shifted street sweeping and tree removal and replacement services from the Major and Local Street Funds to the Waste and Recycling Fund. This resulted in an increase in refuse cart rates from \$7.15 per month to \$9.42 per month, a rate which was maintained for four consecutive fiscal years until July 1, 2013. That year, the anticipated escalation of contract rates for waste and recycling pickup, coupled with the effects of six consecutive years of reduced tax revenues, resulted in an increase in the cart rate from \$9.42 per month to \$10.00 per month. This rate was continued on into fiscal year 2014/15, at which

time a new, slightly lower rate of \$9.50 was implemented reflecting lower waste removal costs and slightly higher recycling costs in the new contract. With the implementation of our most recent contract, recycling cost continued to rise, at which time the City adopted a new rate of \$10.25 beginning January of 2020.

For the new fiscal year, the City continues to face financial stress dealing with funding needed to eliminate rapidly escalating liabilities associated with legacy costs in addition to funding for future contract cost increases included in the new waste and recycling contract, which was renewed in 2019. Nevertheless, the Waste & Recycling Fund built up significant fund balance over the years allowing the fund to lend money to the General Fund to close out the previous fire contract with Plymouth Township. Thus, the Waste and Recycling Fund will receive guaranteed payments over the next eight years from the General Fund at an interest rate of 2.3%. Our recommendation is to maintain the current millage rate of 1.82 mills, the current cart rates of \$10.25 per month and the current rate of \$3.00 per bag.

Listed on the following page is some key historical financial data related to the waste and recycling program.

## WASTE & RECYCLING FUND HISTORY - KEY FINANCIAL FACTORS

| Fiscal Year Ending   | INCOME           |                   |                |               |                  | EXPENSES        |                |               |                |                  | RESERVES         | RATES       |             |              |             |
|----------------------|------------------|-------------------|----------------|---------------|------------------|-----------------|----------------|---------------|----------------|------------------|------------------|-------------|-------------|--------------|-------------|
|                      | Operating Taxes  | Bag / Tag Revenue | Cart Revenue   | Other Income  | Total Income     | Personnel Costs | Contract Costs | Landfill Debt | Other Costs    | Total Expenses   | Year End F/B     | Taxes       | Bags Tags   | Carts per/mo | Pct. Change |
| 2002                 | 581,303          | 155,109           | N/A            | 18,410        | 754,822          | 135,098         | 418,839        | 75,508        | 118,861        | 748,306          | 129,042          | 1.56        | 1.00        | N/A          | N/A         |
| 2003                 | 565,413          | 160,021           | N/A            | 11,745        | 737,179          | 136,201         | 450,887        | 75,508        | 115,684        | 778,280          | 87,941           | 1.50        | 1.00        | N/A          | N/A         |
| 2004                 | 726,023          | 202,097           | N/A            | 14,486        | 942,606          | 245,462         | 401,019        | 75,508        | 225,903        | 947,892          | 82,655           | 1.80        | 1.50        | N/A          | N/A         |
| 2005                 | 720,106          | 161,982           | N/A            | 21,328        | 903,416          | 204,055         | 418,629        | 75,508        | 163,567        | 861,759          | 124,312          | 1.80        | 1.50        | N/A          | N/A         |
| 2006                 | 715,056          | 13,304            | 206,003        | 37,453        | 971,816          | 215,126         | 427,587        | 75,508        | 217,840        | 936,061          | 160,067          | 1.74        | 1.80        | 6.28         | N/A         |
| 2007                 | 846,988          | 12,188            | 220,114        | 35,040        | 1,114,330        | 289,308         | 446,727        | 75,508        | 235,597        | 1,047,140        | 227,257          | 1.97        | 2.25        | 6.50         | 4%          |
| 2008                 | 835,475          | 10,393            | 239,750        | 31,364        | 1,116,982        | 344,036         | 441,407        | 64,970        | 273,019        | 1,123,432        | 220,807          | 1.90        | 2.25        | 6.93         | 7%          |
| 2009                 | 763,050          | 8,541             | 249,494        | 22,117        | 1,043,202        | 175,263         | 462,844        | -             | 232,067        | 870,174          | 393,835          | 1.72        | 2.25        | 7.15         | 3%          |
| 2010                 | 756,833          | 7,137             | 267,098        | 10,195        | 1,041,263        | 223,699         | 476,375        | -             | 262,807        | 962,880          | 472,218          | 1.72        | 2.25        | 7.15         | 0%          |
| 2011                 | 734,418          | 9,196             | 338,885        | 10,835        | 1,093,334        | 238,843         | 486,855        | -             | 309,283        | 1,034,981        | 530,570          | 1.72        | 3.00        | 9.42         | 32%         |
| 2012                 | 717,177          | 7,365             | 343,473        | 12,049        | 1,080,064        | 253,090         | 497,705        | -             | 317,894        | 1,068,689        | 541,946          | 1.72        | 3.00        | 9.42         | 0%          |
| 2013                 | 705,136          | 7,276             | 348,314        | 11,660        | 1,072,386        | 270,456         | 502,979        | -             | 308,075        | 1,081,510        | 532,822          | 1.72        | 3.00        | 9.42         | 0%          |
| 2014                 | 720,263          | 5,455             | 370,305        | 12,152        | 1,108,175        | 258,874         | 542,555        | -             | 314,671        | 1,116,100        | 524,897          | 1.72        | 3.00        | 9.42         | 0%          |
| 2015                 | 815,876          | 6,570             | 356,777        | 11,287        | 1,190,510        | 288,580         | 481,404        | -             | 365,945        | 1,135,929        | 579,479          | 1.92        | 3.00        | 9.50         | 1%          |
| 2016                 | 835,873          | 4,599             | 354,567        | 10,842        | 1,205,881        | 256,492         | 455,363        | -             | 349,142        | 1,060,997        | 724,363          | 1.92        | 3.00        | 9.50         | 0%          |
| 2017                 | 803,578          | 4,393             | 353,489        | 12,516        | 1,173,976        | 290,086         | 482,908        | -             | 406,198        | 1,179,192        | 719,147          | 1.82        | 3.00        | 9.50         | 0%          |
| 2018                 | 875,181          | 5,269             | 360,584        | 14,502        | 1,255,535        | 269,606         | 463,386        | -             | 390,476        | 1,123,469        | 851,213          | 1.82        | 3.00        | 9.50         | 0%          |
| 2019                 | 964,406          | 5,281             | 369,900        | 24,524        | 1,364,110        | 307,195         | 403,012        | -             | 592,478        | 1,302,684        | 912,639          | 1.82        | 3.00        | 9.50         | 0%          |
| 2020                 | 1,110,502        | 4,256             | 388,950        | 35,368        | 1,539,076        | 311,931         | 576,730        | -             | 459,613        | 1,348,274        | 1,103,441        | 1.82        | 3.00        | 9.50         | 0%          |
| *2021                | 1,043,841        | 4,423             | 337,971        | 28,680        | 1,414,916        | 278,783         | 420,781        | -             | 360,615        | 1,060,179        | 1,458,179        | 1.82        | 3.00        | 10.25        | 8%          |
| **2021               | 1,064,022        | 5,000             | 406,000        | 32,183        | 1,507,205        | 354,000         | 621,850        | -             | 459,550        | 1,435,400        | 1,175,246        | 1.82        | 3.00        | 10.25        | 8%          |
| <b>PROPOSED 2022</b> | <b>1,095,770</b> | <b>5,000</b>      | <b>415,050</b> | <b>80,890</b> | <b>1,596,710</b> | <b>406,468</b>  | <b>662,680</b> | <b>-</b>      | <b>527,562</b> | <b>1,596,710</b> | <b>1,175,246</b> | <b>1.82</b> | <b>3.00</b> | <b>10.25</b> | <b>0%</b>   |

\* Through first ten months of fiscal year 2020 / 21

\*\* Projected through June 30, 2021

# **Resolution**

The following resolution was offered by Commissioner\_\_\_\_\_and Seconded by Commissioner\_\_\_\_\_.

WHEREAS, The City of Plymouth operates a solid waste and recycling program to help protect the public health, safety and welfare; and

WHEREAS, The City Commission of the City of Plymouth reviews rates for the Solid Waste and Recycling Program as a part of the budget review process; and

WHEREAS, The City Commission did conduct a review of the program during the recent Budget Study Session; and

WHEREAS, Public Act 298 of 1917 authorizes an operating levy of up to 3.00 mills for waste disposal and recycling, subject to the restriction of the Headlee Amendment to the state constitution; and

WHEREAS, The maximum operating rate for the levy of 2021 is 2.0898 mills pursuant the requirement of the Headlee Amendment; and

WHEREAS, The City Commission, after reviewing the financial condition of the Waste & Recycling Fund at a budget study session concluded that the operating millage rate for the 2021-22 can be maintained at 1.82 mills without causing significant adverse financial impact;

NOW THEREFORE BE IT RESOLVED THAT, the City Commission of the City of Plymouth does hereby adopt the current rate of \$10.25 per month for trash cart and \$3.00 per trash bag for solid waste disposal and that this rate shall be effective on July 1, 2021;

BE IT FURTHER RESOLVED THAT, the City Commission for the City of Plymouth hereby establishes a rate of 1.82 mills to be used to provide tax support for operation of the Waste & Recycling Fund for the 2021-22 Fiscal Year and that such millage rate be incorporated into the City's Annual Budget.



## Administrative Recommendation

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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 - Renewal Lexipol Policy Subscription Service 06-07-21.docx  
 Date: June 2, 2021  
 RE: Lexipol Policy Subscription Service Renewal Fiscal 21 - 22

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### Background

The City Commission is aware that we spend a lot of time working on liability related issues. With any operation in our City there are three things that are critical to reducing our liability. Those are directly related to policy, training, and supervision. Without one of those elements the city is open to significant liability. Therefore, we annually do training specific to our Boards and Commissions, and this is why we have Bob give his "soup talk" annually. Each Department has several internal/operational policies that are reviewed for best practices, and for changes because of legal decisions. However, it is the Police Department where policy, training and supervision are critical to the safe, legal, and ethical operation. The police policies must meet the test of constitutionality and police best practices.

Our Department is small, and we do not have the internal resources for reviewing court cases and the potential impact on policies. By joining other Departments across the State through a subscription service allows us to stay on top of current court rulings and policy changes. Further, the City Commission places a high value on ensuring that our police officers have the most current standards as a part of our training programs. Therefore, over the past several years the City Commission has authorized funding for use of Lexipol Knowledge Management System as part of the training budget. This is a constantly updated online subscription service for policies, procedures, and best practices. In addition, the subscription forwards a daily training bulletin to every officer's email to help ensure that every officer is constantly aware of new case law or changes in policy.

To continue the use of the Lexipol service, the Commission will need to authorize a renewal subscription. This has been included as part of the 2021 - 22 Budget. This follows the Strategic Plan related to Service Infrastructure and more specifically, to the analysis of current public safety delivery systems and how do we improve upon our delivery methods.

The Lexipol Subscription is a sole vendor; however, due to the dollar amount of the contract we are required to seek City Commission approval for the expense. The cost of the contract is \$8,340.00 for the Fiscal 2021 - 22 year. It should be noted that in 2018 - 19 the subscription cost was \$8,486.00. We have attached a memorandum from Director of Public Safety Al Cox which will provide additional background on this authorization.

### RECOMMENDATION:

The City Administration recommends that the City Commission authorize the purchase of the Lexipol Subscription Service in the amount of \$8,340.00. This is a budgeted item in the Police Department Budget. It is critical to the overall delivery of services that our Police Policies remain current with the law and best practices.

We have attached a proposed Resolution for the City Commission to consider regarding this matter. Should you have any questions regarding this matter please feel free to contact either Al or myself.

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## PLYMOUTH POLICE DEPARTMENT MEMORANDUM

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**TO:** PAUL SINCOCK, CITY MANAGER

**FROM:** A.L. COX, DIRECTOR OF PUBLIC SAFETY *A.L. Cox*

**SUBJECT:** LEXIPOL, LLC SUBSCRIPTION

**DATE:** 6/2/2021

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### **BACKGROUND**

Since 2017, our Department has subscribed to the Lexipol Knowledge Management System. This is an online service to a Michigan based Law Enforcement Policy Manual of 150 policies. The manual is written by attorneys who know and are familiar with current Federal and Michigan statutes, case law and law enforcement best practices. The subscription provides the ability to customize policies and procedures to a department's operation, before pushing them out to officers and department members. Included in the subscription service is regular immediate notification of any statutory or case law updates that would affect the policies and procedures in such a way that would require an update/change to same. In addition, the subscription also includes Daily Training Bulletins in every officer's email that trains them to each policy. Immediate notification of changes in law provides a timelier update than the standard annual review.

### **RECOMMENDATION**

Current comprehensive and defensible policy and procedure are critically important to the proper functioning of a police department. Lexipol provides an up-to-date template that will allow for quick implementation of required policy and procedure as well as assist us in moving toward State Accreditation. For this reason, I would like to request that the City Commission approve the continuation of an annual subscription to the Lexipol Knowledge Management System. The subscription rate for FY 21/22 is \$8,340.00 and the City Commission has already budgeted for same.

If you have any questions or concerns, please let me know. Thank you for your consideration.



RESOLUTION

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

WHEREAS The City of Plymouth operates a Police Department to help protect the public health, safety, and welfare, and

WHEREAS There is a need to ensure that the Department's policies are current and in line with current law and best practices, and

WHEREAS The City Administration has requested the use of the Lexipol Subscription Service to assist with the review of Department policies and procedures and this expense has been budgeted by the City Commission.

NOW THEREFORE BE IT RESOLVED That the City Commission of the City of Plymouth does hereby authorize the purchase of the Lexipol Subscription Service in the amount of \$8,340.00 for the City of Plymouth Police Department. Lexipol Subscription Service is a sole vendor and is recommended by the City Administration.



## Administrative Recommendation

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

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

To: Mayor & City Commission  
From: Paul J. Sincock, City Manager

CC: S:\Manager\Sincock Files\Memorandum - Delinquent Charges On The Tax Roll - 06-07-21.docx

Date: June 3, 2021

RE: Delinquent Charges on the Tax Roll Summer 2021

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### Background

Each year the City Administration is required to present to the City Commission a listing of delinquent charges that have gone unpaid and are eligible to be placed on the tax rolls. This listing is for delinquent water bills and/or other payments that are eligible to be placed onto the tax roll.

As you will recall, City Commission policy indicates that we turn off only commercial accounts for non-payment in excess of 90 days, and we do not turn off residential accounts. The volume of our commercial delinquent accounts has gone down with the 90 day policy. It should also be noted that there is a 25% fee added when we place delinquent commercial or residential water bills on the tax roll.

This has also had a significant impact on reducing our delinquent accounts.

### Recommendation

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

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



# CITY OF PLYMOUTH

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

201 S. Main  
Plymouth, Michigan 48170-1637

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

## MEMORANDUM

Date: June 2, 2021  
To: Paul Sincock, City Manager  
From: John Scanlon, Finance Director  
Subject: Delinquent Charges/Transfer to 2021 Summer Tax Roll

**Issue:** Delinquent Charges

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

The resolution for consideration by the City Commission is attached. This resolution facilitates the delinquent transfers to the 2021 summer tax roll.

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

**Requested Action:** Approve the resolution to transfer of the delinquent invoices to the 2021 Summer Tax Roll

**Attachment(s):** Resolution and list of outstanding invoices

June 2, 2021

**DELINQUENT CHARGES TO BE PLACED ON SUMMER 2021 TAX ROLL**

**Water Bills**

|           |             |
|-----------|-------------|
| SECTION 1 | \$18,265.13 |
| SECTION 2 | \$10,961.98 |
| SECTION 3 | \$18,742.70 |
| SECTION 4 | \$3,765.36  |

\$51,735.16

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Maureen Brodie, City Clerk

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John Scanlon, Finance Director/  
Treasurer

### DELINQUENT WATER TO TAXES 2021

| Parcel Number              | Location ID         | Address             | Delinquent Amount   | Penalty            | Total to Tax        |
|----------------------------|---------------------|---------------------|---------------------|--------------------|---------------------|
| 002-01-0610-000            | STAR-001069-0000-01 | 1069 STARKWEATHER   | \$ 335.90           | \$ 83.98           | \$ 419.88           |
| 003-01-0543-000            | HOLN-001017-0000-01 | 1017 N HOLBROOK     | \$ 637.90           | \$ 159.48          | \$ 797.38           |
| 003-01-0545-000            | HOLN-001059-0000-01 | 1059 N HOLBROOK     | \$ 1,108.33         | \$ 277.08          | \$ 1,385.41         |
| 004-01-0453-000            | YORK-000743-0000-02 | 743 YORK            | \$ 196.23           | \$ 49.06           | \$ 245.29           |
| 004-01-0487-000            | SPRE-000148-0000-01 | 148 E SPRING        | \$ 249.41           | \$ 62.35           | \$ 311.76           |
| 005-03-0048-000            | LIBW-000173-0000-01 | 173 W LIBERTY       | \$ 649.07           | \$ 162.27          | \$ 811.34           |
| 006-07-0683-000            | ARTW-000450-0000-01 | 450 W ANN ARBOR TRL | \$ 292.43           | \$ 73.11           | \$ 365.54           |
| 006-08-0015-000            | ROES-000302-0000-01 | 302 ROE             | \$ 2,166.80         | \$ 541.70          | \$ 2,708.50         |
| 006-10-0722-000            | ARTW-000409-0000-01 | 409 W ANN ARBOR TRL | \$ 605.91           | \$ 151.48          | \$ 757.39           |
| 006-10-0780-000            | WING-000641-0000-02 | 641 WING            | \$ 393.69           | \$ 98.42           | \$ 492.11           |
| 006-12-0801-000            | MAPL-000523-0000-01 | 523 MAPLE           | \$ 2,565.94         | \$ 641.49          | \$ 3,207.43         |
| 006-14-0009-000            | JOYS-000203-0000-01 | 203 JOY             | \$ 1,012.71         | \$ 253.18          | \$ 1,265.89         |
| 006-16-0024-000            | DEES-000733-0000-02 | 733 DEER ST         | \$ 259.85           | \$ 64.96           | \$ 324.81           |
| 007-03-0089-000            | PARV-000525-0000-02 | 525 PARKVIEW        | \$ 39.79            | \$ 9.95            | \$ 49.74            |
| 007-04-0054-000            | LINY-000340-0000-01 | 340 LINDSAY         | \$ 267.59           | \$ 66.90           | \$ 334.49           |
| 011-02-0022-000            | HARD-000824-0000-02 | 824 HARDING         | \$ 389.79           | \$ 97.45           | \$ 487.24           |
| 011-03-0016-000            | DEWE-001068-0000-01 | 1068 DEWEY          | \$ 764.81           | \$ 191.20          | \$ 956.01           |
| 011-05-0015-000            | HATS-000345-0000-02 | 345 HARTSOUGH       | \$ 1,385.77         | \$ 346.44          | \$ 1,732.21         |
| 011-05-0073-000            | BURR-000325-0000-01 | 325 BURROUGHS       | \$ 879.35           | \$ 219.84          | \$ 1,099.19         |
| 011-99-0005-000            | FAIR-000259-0000-01 | 259 FAIR            | \$ 389.79           | \$ 97.45           | \$ 487.24           |
| 011-99-0010-000            | FARG-000814-0000-01 | 814 FAIRGROUND      | \$ 21.04            | \$ 5.26            | \$ 26.30            |
| <b>TOTAL FOR SECTION 1</b> |                     |                     | <b>\$ 14,612.10</b> | <b>\$ 3,653.03</b> | <b>\$ 18,265.13</b> |
| 005-01-0369-000            | AMEL-000163-0000-01 | 163 AMELIA          | \$ 13.68            | \$ 3.42            | \$ 17.10            |
| 005-08-0013-000            | KARM-000703-0000-01 | 703 KARMADA         | \$ 104.91           | \$ 26.23           | \$ 131.14           |
| 005-08-0023-000            | KARM-000662-0000-02 | 662 KARMADA         | \$ 103.46           | \$ 25.87           | \$ 129.33           |
| 005-11-0010-000            | ADAM-000390-0000-01 | 390 ADAMS           | \$ 309.91           | \$ 77.48           | \$ 387.39           |
| 008-01-0046-000            | ANNS-000599-0000-01 | 599 ANN             | \$ 513.32           | \$ 128.33          | \$ 641.65           |
| 008-03-0192-000            | IRVI-000551-0000-02 | 551 IRVIN           | \$ 251.81           | \$ 62.95           | \$ 314.76           |
| 008-03-0215-001            | IRVI-000518-0000-02 | 518 IRVIN           | \$ 1,786.48         | \$ 446.62          | \$ 2,233.10         |
| 008-04-0047-000            | IRVI-000451-0000-02 | 451 IRVIN           | \$ 814.80           | \$ 203.70          | \$ 1,018.50         |
| 008-04-0053-000            | IRVI-000371-0000-03 | 371 IRVIN           | \$ 752.11           | \$ 188.03          | \$ 940.14           |
| 008-04-0187-000            | BLUN-000190-0000-01 | 190 BLUNK           | \$ 48.47            | \$ 12.12           | \$ 60.59            |
| 009-03-0332-000            | PENN-001011-0000-01 | 1011 PENNIMAN       | \$ 1,075.34         | \$ 268.84          | \$ 1,344.18         |
| 010-02-0009-002            | BEES-001048-0000-01 | 1048 BEECH          | \$ 628.30           | \$ 157.08          | \$ 785.38           |
| 010-04-0100-300            | PALM-001117-0000-02 | 1117 PALMER         | \$ 400.80           | \$ 100.20          | \$ 501.00           |
| 010-05-0042-000            | ROSS-000957-0000-02 | 957 ROSS            | \$ 400.80           | \$ 100.20          | \$ 501.00           |
| 010-05-0067-000            | SIMP-000912-0000-02 | 912 SIMPSON         | \$ 1,052.07         | \$ 263.02          | \$ 1,315.09         |
| 010-99-0012-000            | CARO-001180-0000-02 | 1180 CAROL AVE      | \$ 513.32           | \$ 128.33          | \$ 641.65           |
| <b>TOTAL FOR SECTION 2</b> |                     |                     | <b>\$ 8,769.58</b>  | <b>\$ 2,192.40</b> | <b>\$ 10,961.98</b> |

|                            |                     |                 |                     |                     |                     |
|----------------------------|---------------------|-----------------|---------------------|---------------------|---------------------|
| 008-02-0059-000            | JUNC-001430-0000-02 | 1430 JUNCTION   | \$ 701.80           | \$ 175.45           | \$ 877.25           |
| 008-02-0073-000            | JUNC-001290-0000-01 | 1290 JUNCTION   | \$ 1,054.71         | \$ 263.68           | \$ 1,318.39         |
| 008-02-0076-000            | JUNC-001260-0000-01 | 1260 JUNCTION   | \$ 396.16           | \$ 99.04            | \$ 495.20           |
| 008-03-0064-300            | AUBU-000601-0000-02 | 601 AUBURN      | \$ 1,288.23         | \$ 322.06           | \$ 1,610.29         |
| 008-03-0069-000            | AUBU-000725-0000-01 | 725 AUBURN      | \$ 177.34           | \$ 44.34            | \$ 221.68           |
| 008-03-0079-000            | AUBU-000650-0000-01 | 650 AUBURN      | \$ 2,323.08         | \$ 580.77           | \$ 2,903.85         |
| 008-03-0153-300            | PACI-000600-0000-02 | 600 PACIFIC     | \$ 33.09            | \$ 8.27             | \$ 41.36            |
| 008-03-0171-000            | ATHU-000675-0000-02 | 675 ARTHUR      | \$ 715.88           | \$ 178.97           | \$ 894.85           |
| 008-07-0034-000            | PACI-000342-0000-01 | 342 PACIFIC     | \$ 287.76           | \$ 71.94            | \$ 359.70           |
| 009-02-0160-002            | SHES-000539-0000-02 | 539 S SHELDON   | \$ 1,080.94         | \$ 270.24           | \$ 1,351.18         |
| 009-07-0081-002            | JENS-000616-0000-02 | 616 JENER       | \$ 838.78           | \$ 209.70           | \$ 1,048.48         |
| 010-06-0015-000            | ROSS-001340-0000-03 | 1340 ROSS       | \$ 308.74           | \$ 77.19            | \$ 385.93           |
| 010-07-0008-000            | MCKI-000840-0000-01 | 840 MCKINLEY    | \$ 890.49           | \$ 222.62           | \$ 1,113.11         |
| 010-07-0026-000            | EVES-000721-0000-02 | 721 S EVERGREEN | \$ 898.71           | \$ 224.68           | \$ 1,123.39         |
| 012-01-0004-000            | SHEN-000619-0000-01 | 619 N SHELDON   | \$ 973.93           | \$ 243.48           | \$ 1,217.41         |
| 012-02-0064-000            | GLOU-001599-0000-01 | 1599 GLOUCESTER | \$ 1,295.58         | \$ 323.90           | \$ 1,619.48         |
| 012-02-0097-000            | GLOU-001745-0000-01 | 1745 GLOUCESTER | \$ 1,728.94         | \$ 432.24           | \$ 2,161.18         |
| <b>TOTAL FOR SECTION 3</b> |                     |                 | <b>\$ 14,994.16</b> | <b>\$ 3,748.54</b>  | <b>\$ 18,742.70</b> |
| 004-01-0474-000            | MILN-000790-0000-01 | 790 N MILL      | \$ 689.15           | \$ 172.29           | \$ 861.44           |
| 005-07-0027-000            | BLAN-000301-0007-05 | 301 BLANCHE #7  | \$ 581.29           | \$ 145.32           | \$ 726.61           |
| 008-01-0013-000            | BLUN-000747-0000-01 | 747 BLUNK       | \$ 1,741.85         | \$ 435.46           | \$ 2,177.31         |
| <b>TOTAL FOR SECTION 4</b> |                     |                 | <b>\$ 3,012.29</b>  | <b>\$ 753.07</b>    | <b>\$ 3,765.36</b>  |
| <b>TOTAL</b>               |                     |                 | <b>\$ 41,388.13</b> | <b>\$ 10,347.03</b> | <b>\$ 51,735.16</b> |

## **RESOLUTION**

The following resolution was offered by Commissioner \_\_\_\_\_ and Seconded by Commissioner \_\_\_\_\_.

WHEREAS, the City Administration has reported delinquent water charges in the amount of \$51,735.16

WHEREAS, these delinquent charges totaling \$51,735.16 have remained unpaid and are transferable by City Charter and applicable Ordinances to the summer taxes

NOW, THEREFORE BE IT RESOLVED that the delinquent charges described above be assessed against the property benefitted and placed on the 2021 summer tax roll.



## Administrative Recommendation

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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 - Traffic Control Order 21-01 Parking in the DDA 06-07-21.docx*  
 Date: June 3, 2021  
 RE: Approval of Traffic Control Order 21-01 – Parking in the DDA

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### Background

The City Commission will recall that they granted the City Administration broad authority to issue parking system changes as part of the pandemic response. The City Administration in consultation with the downtown merchants and restaurants created multiple 15-minute parking areas/spots around the city to accommodate carry out pick up and quick run in and out for retail shops. There have been multiple iterations of these areas/spots as the rules from the State and the needs of the parking system have changed.

These orders are first handled administratively with the temporary Traffic Control Order being issued by our Street Administrator and filed with the Police Chief and City Clerk. Following a “waiting period” (between 70-90 days), they are reviewed can either expire or be adopted by the City Commission. The final step to make the signs legal would be confirmation/approval of the City Commission.

On April 1, 2021, a Traffic Control Order (TCO) was issued for changes to curbside takeout/pick up spots on several streets in the downtown. These changes were recommended by owners of multiple business establishments around downtown and implemented by the Municipal Services Department. Basically, we changed some parking regulations for on-street parking.

It is now necessary for the City Commission to formally adopt the Traffic Control Order now that the required “waiting period” is nearly complete. If the City Commission does not approve/confirm the TCO, the order will be rescinded and the signs for the 15-minute parking will be removed from the DDA.

We have attached a memorandum from Chris Porman which further outlines this situation.

### RECOMMENDATION:

The City Administration recommends that the City Commission adopt Traffic Control Order (TCO) 21-01 for parking in the Downtown Development Authority District. We have prepared a proposed Resolution for the City Commission to consider regarding this matter.





## Department of Municipal Services

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

Date: Thursday, June 3, 2021  
To: Paul Sincock, City Manager  
From: Chris S. Porman, Assistant City Manager/Director of Municipal Services  
Re: Approval of Traffic Control Order No. 21-1

### Background

On April 1, 2021, Traffic Control Order (TCO) No. 21-1 was issued for the changes to Downtown parking for 15 Min parking throughout the Downtown Development Authority District.

According to the Uniform Traffic Code, all Traffic Control Orders are temporary until approved by the City Commission and filed with the Clerk. The temporary Traffic Control Order for these signs is set to expire on June 23, 2021.

### Recommendation

Based upon the effectiveness of the signage and the feedback from the residents, business owners, City staff, and Police Department, I am recommending that the Traffic Control Order be approved as a permanent order, effective upon approval of the City Commission. I have enclosed a copy of the original order for reference. This approval is allowed under City Ordinance Article II, Section 70-26.a as well as Section 28.11.53 of the Uniform Traffic Code of the City of Plymouth.

Should you have any questions, please feel free to contact me in advance of the meeting.



## **Department of Municipal Services**

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

Date: Thursday, April 1, 2021  
To: Paul Sincock, City Manager  
From: Chris S. Porman, Director of Municipal Services  
Re: Report of Traffic Control Order No. 21-1

Today, April 1, 2021, I issued Traffic Control Order No. 21-1 for the changes to Downtown parking for 15 Min parking throughout the Downtown Development Authority District. Traffic Control Order No. 21-1 will affect parking regulations in the following locations:

- Ann Arbor Trail, between Harvey and Elizabeth
- Penniman, between Harvey and Union
- Forest, between Ann Arbor Trail and Wing
- Fralick, between Harvey and Main
- Wing, between Main and Deer
- East Central Parking Lot
- Wing/Harvey Parking Lot

According to the Uniform Traffic Code, all Traffic Control Orders are temporary until approved by the City Commission and filed with the Clerk. The temporary Traffic Control Order for the signs in the locations listed above is set to expire on June 23, 2021. Formal action will be taken after seventy days from the issue date and before the expiration date above.

The parking signs will be installed by Municipal Services crews beginning Thursday, April 1, 2021.

Should you have any questions, please feel free to contact me.



## Traffic Control Order

Traffic Control Order No. 21-1

TO: Maureen Brodie CMC  
City Clerk

FROM: Chris S. Porman  
Street Administrator

RE: Traffic Control Order

DATE: April 1, 2021

Pursuant to the authority provided by Section 28.11.53 of the Uniform Traffic Code of the City of Plymouth, the following parking regulatory signs are directed to be installed.

Ann Arbor Trail, Harvey to Elizabeth:

On Ann Arbor Trail adjacent to 600 W. Ann Arbor Trail, install one (1) 15 Min parking Curbside Pick Up sign on portable pole base.

On Ann Arbor Trail adjacent to 777 W. Ann Arbor Trail, install two (2) 15 Min parking Curbside Pick Up signs on portable pole bases.

On Ann Arbor Trail adjacent to 805 W. Ann Arbor Trail, install two (2) 15 Min parking Curbside Pick Up signs on portable pole bases.

On Ann Arbor Trail adjacent to 990 W. Ann Arbor Trail, install one (1) 15 Min parking Curbside Pick Up sign on portable pole base.

Fralick, Harvey to Main:

On Fralick St adjacent to 860 Fralick, install two (2) 15 Min parking Curbside Pick Up signs on portable pole bases.

Penniman, Harvey to S. Union:

On Penniman St adjacent to 865 Penniman, install two (2) 15 Min parking Curbside Pick Up signs

on portable pole bases.

On Penniman St adjacent to 849 Penniman, install one (1) 15 Min parking Curbside Pick Up sign on portable pole base.

On Penniman St adjacent to 843 Penniman, install two (2) 15 Min parking Curbside Pick Up signs on portable pole bases.

On Penniman St adjacent to 298 S Main St, install two (2) 15 Min parking Curbside Pick Up signs on portable pole bases.

On Penniman St adjacent to 770 Penniman, install one (1) 15 Min parking Curbside Pick Up sign on portable pole base.

Forest, Ann Arbor Trail to Wing:

On Forest adjacent to 447 Forest, install two (2) 15 Min parking Curbside Pick Up signs on portable pole bases.

On Forest adjacent to 550 Forest Ste. 8, install two (2) 15 Min parking Curbside Pick Up signs on portable pole bases.

On Forest adjacent to 575 Forest, install three (3) 15 Min parking Curbside Pick Up signs on portable pole bases.

Wing, Main to Deer:

On Wing St adjacent to 744 Wing, install one (1) 15 Min parking Curbside Pick Up sign on portable pole base.

East Central Parking Lot:

In the East Central public parking lot adjacent to the Plymouth District Library, install one (1) 15 Min parking Curbside Pick Up, Plymouth District Library sign on portable pole base.

Wing/Harvey Parking Lot:

In the Wing/Harvey public parking lot adjacent to 580 Forest Ste. 5A, install one (1) 15 Min parking Curbside Pick Up signs on portable pole base.

Parking restrictions other than those listed above exist and are unaffected by this TCO.

No action was taken by the City Commission to make Traffic Control Order No. 20-4 permanent within the allotted 90 days. Traffic Control Order No. 21-1 replaces Traffic Control Order No. 20-4 and is deemed temporary until the City Commission takes action to make this order permanent.

This emplacement is ordered temporary subject to review in seventy (70) days with reports and recommendations to the City Manager prior to the expiration of the 90 day test period.

cc: Paul J. Sincock, City Manager  
Al Cox, Director of Public Safety

**RESOLUTION**

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

WHEREAS The City operates several streets and roads which need Traffic Control Orders, and

WHEREAS A Temporary Traffic Control order has been in place in the Downtown Development Authority District

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby adopt Traffic Control Order number 21-01 for parking restrictions in the downtown area related to parking allowed time.

BE IT FURTHER RESOLVED THAT the City Clerk shall make Traffic Control Order 21-01 a part of the official meeting minutes of this City Commission Meeting.