

Board of Trustees Minutes

May 9, 2006

Supervisor Reaume called the meeting to order at 6:02 p.m.

MEMBERS PRESENT:

Richard Reaume, Supervisor
Marilyn Massengill, Clerk
Ron Edwards, Treasurer (arrived at 6:35 p.m.)
Kay Arnold, Trustee
Robert Doroshewitz, Trustee
Charles Curmi (arrived at 6:30 p.m.)
Steven Mann (arrived at 6:58 p.m.)

ABSENT: None

OTHERS PRESENT:

Timothy Cronin, Township Attorney
Mark Lewis, Building Official
Randy Maycock, Fire Chief
Thomas Tiderington, Police Chief
Michael Bailey, Dietrich Bailey & Associates
Bob Antal, Police Lieutenant
Joe Bridgman, Deputy Clerk
Alice Geletzke, Recording Secretary
10 Members of the Public

D. APPROVAL OF AGENDA

Regular Meeting - Tuesday, May 9, 2006

Mrs. Massengill amended the agenda with the additions under New Business of Item J.5, Amending the 2006 General Fund Budget, and Item J.6, Request from Karmann Manufacturing to Set Date for Public Hearing for Industrial Facilities Exemption. She also added a Closed Session at the end of the meeting to discuss the purchase or lease of real property. She then moved to approve the Agenda for the Board of Trustees Regular Meeting of May 9, 2006, as amended. Seconded by Ms. Arnold.

Ayes all, with Edwards, Curmi, and Mann absent.

CLOSED SESSION

At 6:04 p.m., it was moved by Mrs. Massengill and seconded by Ms. Arnold that a closed session be called for the purpose of discussing pending litigation

RE: Bauss vs. Plymouth Township

This is a permissible purpose under the Michigan's Open Meeting Act, Public Act No. 267, Article 15.268, Section 8, Paragraph (e)

Ayes all on a roll call vote, with Edwards, Curmi and Mann absent.

At 7:09 p.m., it was moved by Mrs. Massengill and seconded by Mr. Mann to return to open session.

Ayes all on a roll call vote.

Proclamations recognizing "National Police Week", May 14 - 20, 2006 and Plymouth-Canton Educational Park's Class of 2006

Supervisor Reaume presented the proclamation recognizing National Police Week, May 14-20, to Police Chief Tiderington and offered congratulations to the 2006 graduating class of Plymouth-Canton Educational Park, proclaiming June 4 as their Official Day of Recognition.

E. CONSENT AGENDA

E.1 Approval of Minutes

Regular Meeting - Tuesday, April 25, 2006

E.2 Approval of Township Bills

		Year 2006
General Fund	(101)	\$338,465.19
General Fund Loan to Downtown Development Authority	(101)	--
Water/Sewer	(592)	126,854.49
Improvement Revolving	(246)	757,682.85
SWD	(226)	4,915.60
Trust and Agency	(701)	-
Tax Pool	(703)	-
Drug Forfeiture	(265)	130.00
Special Assessment Capital Project Fund	(805)	-
	Total:	\$1,228,048.13

E.3 Approval of Easements

Demco 27 L.L.C. - Karmann

E.4 Communications-Resolutions-Reports

A. Communications - N/A

B. Resolutions - N/A

C. Reports - N/A

Mrs. Massengill moved to approve the Consent Agenda for the May 9, 2006, Regular Board of Trustee Meeting as presented. Seconded by Ms. Arnold.

Ayes all on a roll call vote.

F. PUBLIC COMMENT AND QUESTIONS

Mr. Tom Kato of Capital Acquisitions and Development asked if he could ask questions regarding his offer to purchase the Township property. He was informed that the Board was going into closed session at the end of the meeting to discuss purchase or lease of real property.

G. PUBLIC HEARING

- G.1 Request from Plastipak Packaging, Inc., to amend Industrial Facilities Exemption Certificate #2003-206 to reflect the actual cost of building and capital improvements for their facility located at 41605 Ann Arbor Road.
Resolution No. 06-05-09-15

Mr. Tom Mellnick, Director of Taxation for Plastipak, addressed the Board and answered questions.

Ms. Arnold moved to approve Resolution No. 06-05-09-15, granting the request from Plastipak Packaging, Inc., to amended Industrial Facilities Exemption Certificate #2003-206 to reflect an increase in the cost of the building improvements, furniture and fixtures, and computer equipment and a decrease in machinery and equipment and office and testing equipment for their facility located at 41605 Ann Arbor Road, Plymouth Township, Wayne County Michigan, amending their original request approved by the Board on July 15, 2003. Seconded by Mr. Mann.

Ayes all on a roll call vote.

The Resolution reads as follows:

WHEREAS: Plastipak Packaging, Inc., in conformity with Act 198 of Michigan Public Act 198 of 1974, as amended, has submitted a request to amend Industrial Facilities Exemption Certificate #2003-206 to reflect the actual cost of building improvements, furniture and fixtures and computer equipment to be installed within their facility located at 41605 Ann Arbor Road, Plymouth Township, Wayne County, Michigan, and a decrease in the machinery and equipment and office and testing equipment; and

WHEREAS, on July 15, 2003, the Plymouth Township Board of Trustees granted a twelve (12) year Industrial Facilities Exemption Certificate to Plastipak Packaging, Inc., for the building improvements, machinery, equipment, furniture and fixtures, office and testing equipment and computer equipment; and

WHEREAS, upon commencement of the project, Plastipak Packaging, inc., discovered that the capital improvements they expected to make were not needed and other expenditures they had not considered were being included in the project, thus changing the scope of the project as stated in the original application; and

WHEREAS, the amended application reflects an increase in the cost of the building improvements,

furniture and fixtures, and computer equipment and a decrease in machinery and equipment and office and testing equipment; and

WHEREAS, the applicant requests to amend the certificate to reflect the project's actual capital improvements and expenditures; and

WHEREAS, upon approval of the final total project cost by the Charter Township of Plymouth, the applicant shall request that the State Tax Commission issue a revised certificate; and

WHEREAS, the applicant expects to create 10 new jobs within two years of completion of the project;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Charter Township of Plymouth does hereby amend Industrial Facilities Exemption Certificate #2003-206 to reflect the increase in the cost of the building improvements, furniture and fixtures, and computer equipment and a decrease in machinery and equipment and office and testing equipment; and

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions in conflict with this resolution are hereby rescinded.

H. COMMUNITY DEVELOPMENT - N/A

I. UNFINISHED BUSINESS

I.1 Amendment to Water and Sewer System Ordinance Ordinance No. C-06-02 Second Reading

Township Attorney Cronin noted the change of rates to \$2.36 per 1000 gallons for water consumption, and \$3.06 per 1000 gallons of water consumption for sewage disposal, with the effective date of billing as July 1, 2006, and upon publication as required by law.

Mrs. Massengill moved to approve the second reading of Ordinance C-2006-02, adopting the amendment to the water and sewer rates. Seconded by Ms. Arnold.

ROLL CALL: AYES: Massengill, Arnold, Curmi, Doroshewitz, Mann, Reaume
NAYS: Edwards
Motion carried.

A copy of the Ordinance is on file in the Clerk's office for public perusal.

J. NEW BUSINESS

J.1 Cable/Video Franchising Resolution No. 06-05-09-16

Supervisor Reaume explained the lobbying of AT&T for the ability to obtain a statewide cable franchise instead of having to deal with individual cities and townships.

Ms. Arnold moved to approve the issuance of the attached letter to AT&T of Michigan President, Ms. Gail Torreano, and Resolution #06-05-09-16, expressing that the Charter Township of Plymouth is open-for-cable/video business and extends an invitation to apply for a cable franchise. Seconded by Mr. Curmi.

Ayes all on a roll call vote.

The Resolution reads as follows:

WHEREAS, cities/villages/townships have a long and very successful history of supporting the introduction of new cable/video services, a successful deployment made possible in large part by the current system of local cable franchising, and

WHEREAS, AT&T and Verizon have been actively advocating across the country that local cable franchise agreements be eliminated, and

WHEREAS, AT&T is blaming Michigan communities as the reason they cannot enter into the cable/video business. While local communities and local residents want more cable competition and would quickly allow AT&T into their community, AT&T has refused to negotiate a franchise with any city, village or township, and

WHEREAS, local communities' participation in the cable franchising process ensure build-out requirements so that all residents irrespective of age, race, education, or income level, receive the same service, and

WHEREAS, our community believes that all residents should have access to the same cable/video service, and

THEREFORE, BE IT RESOLVED that the Charter Township of Plymouth is open-for-cable/video business, and can guarantee that within days of a formal request that we can have a franchise agreement ready for any new cable/video provider's consideration.

BE IT FURTHER RESOLVED that the Charter Township of Plymouth, Board of Trustees, hereby affirms its support for the current local cable franchise agreement system and urges federal and state policymakers to only support legislation that:

1. Maintains local control of the cable franchise process;
2. Ensure build-out requirements so that providers are not able to "cherry-pick" customers, or stops current cable providers from shutting down service to current cable service areas;
3. Ensures no reduction in direct revenues and that Michigan's Metro Act is preserved.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to our state legislators in Lansing, our Congressional representatives in Washington, D.C., Governor Granholm, and the Michigan Municipal League.

J.2 Transfer of the Hilltop Co-Liquor License
Resolution No. 06-05-09-17

Township Attorney Tim Cronin indicated the original license never included Sunday sales; however, this is now included.

Mr. Curmi asked how best to avoid any delays in future liquor license transfers so sales could coincide with the beginning of the golf season. Mr. Cronin said negotiations at the end of a contract should begin earlier, probably November.

Mrs. Massengill moved to approve Resolution 06-05-09-17, the LCC Resolution transferring the Hilltop Co-Liquor License from American Golf to Fellows Creek Golf Club of Canton, Inc., and authorize its execution and submittal to the LCC. Seconded by Mr. Curmi.

Ayes all on a roll call vote.

A copy of the Resolution is on file in the Clerk's office for public perusal.

J.3 Lakeview Condominiums, Plymouth Township, L.L.C.
Amended Storm Drain Agreement and Resolution
Resolution No. 06-05-09-18

Michael Bailey, Township Engineer, explained the Wayne County requirement for this agreement.

Mr. Edwards moved to adopt Resolution 06-05-09-18, authorizing the Township Supervisor to sign Wayne County Permit C-42636 and approve Storm Drain Agreement with Lakeview Condominiums, Plymouth Township, LLC, and authorize the Township Supervisor and Clerk to execute same. Seconded by Mrs. Massengill. Ayes all on a roll call vote.
A copy of the Resolution is on file in the Clerk's office for public perusal.

J.4 New Township Hall Phone Service

Township Attorney Cronin and the Board discussed the memo of Greg Grant from his office regarding the differences in the McLeodUSA and AT&T contracts for phone service and portions they were, as yet, unable to investigate.

Mr. Edwards moved to authorize the Supervisor and Clerk to enter into the contract with AT&T for phone services to the new Township Hall. Seconded by Mr. Mann.

Ayes all.

The Board recessed briefly at 8:10 p.m., resuming the meeting 8:20 p.m.

J.5 Approve Resolution Amending the 2006 General Fund Budget.

Mr. Edwards asked that adoption of a Resolution amending the 2006 Improvement Revolving Fund Budget also be included. He noted the amendments were necessary, transferring \$2,500,000 from the General Fund Budget to the Improvement Revolving Fund Budget, until the money from the current township hall property sale has been received.

Ms. Arnold moved to approve Resolution 06-05-09-19, adopting the Amended General Fund Budget for 2006. Seconded by Mr. Edwards.

AYES: Arnold, Edwards, Doroshewitz, Mann, Massengill, Reaume.

NAYS: Curmi

Motion carried.

A copy of the Resolution is on file in the Clerk's office for public perusal.

Ms. Arnold moved to approve Resolution 06-05-09-20, adopting the Amended Improvement Revolving Fund Budget for 2006. Seconded by Mr. Edwards.

AYES: Arnold, Edwards, Doroshewitz, Mann, Massengill, Reaume.

NAYS: Curmi

Motion carried.

A copy of the Resolution is on file in the Clerk's office for public perusal.

J.6 Set Date for Public Hearing per request of Karmann Manufacturing, LLC

Mr. Curmi moved to establish June 13, 2006, for public hearing per the request of Karmann Manufacturing, LLC, for an Industrial Facilities Exemption in an unfinished building which received speculative building status on August 14, 2001. The facility is located at 15035 Pilot Road, Metro West Industrial Park, Subdivision No. 7, Plymouth Township, Wayne County, Michigan. Seconded by Mrs. Massengill.

Ayes all.

K. SUPERVISOR COMMENTS

Mr. Reaume distributed copies of an update on Township Hall. The Board discussed furniture purchases, phone system and installation, communications center, and other items.

Mr. Edwards moved to approve the additional furniture purchases for the Clerk and Treasurer's offices from Facilities Matrix Group in the amount of \$16,710.80. Seconded by Mrs. Massengill.

AYES: Edwards, Massengill, Arnold, Doroshewitz, Mann, Reaume

NAYS: Curmi

Motion carried.

L. TRUSTEE COMMENTS

In answer to Mr. Doroshewitz question regarding architectural firm A3C, Attorney Cronin indicated he has been conversing with Attorney Neal Julyar.

Mr. Curmi referred to the MTA newsletter regarding strings attached to revenue sharing and encouraging shared services. He asked if negotiations continue with the City of Plymouth regarding dispatch and fire service.

Mr. Reaume indicated he and the Police Chief have heard informally from the City regarding dispatch, but not on the Fire Service which now automatically extends to the end of 2007.

M. PUBLIC COMMENT - There was none.

CLOSED SESSION

At 9:15 p.m., it was moved by Mrs. Massengill and seconded by Ms. Arnold that a closed session be called for the purpose of discussing

RE: Purchase or Lease of Real Property

This is a permissible purpose under the Michigan's Open Meeting Act, Public Act No. 267, Article 15.268, Section 8, Paragraph (d)

Ayes all on a roll call vote.

At 9:55 p.m., it was moved by Mrs. Massengill and seconded by Mr. Edwards to return to open session. Ayes all on a roll call vote.

The high bidder for the purchase of the current Township Hall site, Mr. Thomas Kato, Bloomfield Hills, spoke to the Board concerning his bid. He stated that his company decided to place a high bid because he thought being on Ann Arbor Road, with its high traffic count, would command the rents and the economics to pay that much for the property. He stated that he told Mr. Reaume and Mr. Edwards when he picked up the purchase agreement that he was going to try to make this number work, if it did not work he would be back and ask to lower the bid. He asked to place a

For Lease sign on the front of Township property to see if he could get tenants and was asking for \$28-\$29 per square foot. He received a ton of calls, but no one signed a lease. He then dropped the price down to \$20 a square foot and still did not get a signed lease.

Mr. Cronin recommended that the Board contact the second bidder and see if they are interested in raising their price. The Board has a fiduciary duty to see if Mr. Kato's offer can be beat.

N. ADJOURN

Mr. Edwards moved to adjourn the meeting. Seconded by Mr. Mann.

Ayes all.

Meeting adjourned at 10:09 p.m.

Marilyn Massengill, Clerk
Charter Township of Plymouth

PLEASE TAKE NOTE; The Charter Township of Plymouth will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at all Township Meetings, to individuals with disabilities at the Meetings/Hearings upon two weeks notice to the Charter Township of Plymouth by writing or calling the following: Human Resource