

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE MARCH 3, 2015 WORK SESSION**

Supervisor Stumbo called the meeting to order at approximately 5:03 p.m. in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township.

Members Present: Supervisor Brenda L. Stumbo, Clerk Karen Lovejoy Roe, Treasurer Doe, Trustees Stan Eldridge, Mike Martin and Scott Martin

Members Absent: Trustee Jean Hall Currie

Legal Counsel: Wm. Douglas Winters

NATIONAL CHURCH RESIDENCES SENIOR HOUSING REHABILITATION CLARK EAST TOWERS

Dan Stanley, Attorney with Honigan Miller for National Church Residences introduced Eric Walker, Senior Project Manager for Clark East Towers and Anthony Paiano, Alliance Architects. He reported they were here to provide additional information regarding Clark East Towers and answer any questions regarding proposed renovations.

Eric Walker, Senior Project Manager of National Church Residences, the owner and management company of Clark East Towers, reported it was developed in 1979 and was in need of capital repairs, therefore NCR was making application to Michigan State Housing Development Agency (MSHDA) for the tax credit program, under the preservation and senior set aside pools with the intent of a substantial renovation. He stated a Scope of Work had been developed that addressed critical life safety needs, security issues and energy efficiency. He reported it would be a challenging application, competing against developers, statewide, to obtain these funds. Mr. Walker stated they did not have a cost at the present time but they hoped it would not exceed ten million dollars. He stated they would submit the application April 1, 2015. He reported there was a typical 90 day turnaround and if awarded, NCR would be able to do a significant renovation and recapitalization of Clark East Towers. Mr. Walker reported they had a team in place to handle residents that would need to be temporarily relocated during the construction of 25 units per phase.

Supervisor Stumbo stated the Board would not vote on this issue at this time, but would continue discussion and anticipate the completed application by Wednesday or Thursday before the March 17, 2015 Board Meeting.

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Trustee Scott Martin asked Mr. Walker if they had ever relocated residents before, what kind of environment they were provided during the relocation and if this information had been shared with the residents.

Eric Walker stated they had just completed similar projects in Sterling Heights and Harper Woods, Michigan. He stated the main goal was to relocate to vacancies on the premises first and would then comply with the Uniform Relocation Act, federal guidelines for safe, compatible housing if there were not enough vacancies. Mr. Walker said this would be shared with the residents once they were assured of the funding and provided an overview of the process they would use to update the residents.

Supervisor Stumbo asked for an estimated time frame regarding renovation.

Mr. Walker reported the General Contractor would provide a phasing schedule, but he estimated 90 to 120 days per phase, which would be done by a team of contractors, working under a General Contractor.

Anthony Paiano, Alliance Architects proved a brief overview of the planned improvement. He listed site improvements which would include a vehicular gate access to each drive, upgrades to fencing with controlled pedestrian access, increased parking, addition of security cameras, addition of bus stop along the public right of way, replacing the parking lot and exterior building lighting, and possibly adding a canopy for the main entrance.

Eric Walker stated he had spoken to Jeff Murphy from AAATA who had provided a schematic of what they would like regarding the bus stop.

Anthony Paiano continued listing site improvements: exterior masonry repairs, replacement of exterior sign, outdoor amenities for residents, reworking of entry vestibule to create a more controlled access, improvements to community areas, complete renovation of individual units, with a percentage of the units being fully handicapped assessable and finally, life safety improvements.

Treasurer Doe asked if the unit improvements would encompass all units and Mr. Paiano reported depending on funding, at least 50% of the units would have the bathtubs removed and stand up showers installed.

Attorney Winters stated he was unaware that relocation of residents was part of the plan during the renovations until today. He raised several questions regarding the length of time and proximity of the relocations and stated this would create a lot of anxiety for the residents concerning their security, schedules and appointments,

Mr. Walker stated if the funding was received it would take 7 to 8 months to actually close and they would be creating vacancies for the relocations of residents during that time period. He reported seven vacancies were currently available, which would allow residents to stay within the building. He stated a team was in place to begin the process of procuring an appropriate relocation facility and they would be in constant communication with the residents regarding appointments and routine visitors. He

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stated Manager Makeda Hunt had experience with this whole process and was very good at helping to ease any anxiety that might arise.

Attorney Winters stated NCR was required by HUD to hold \$2 million in capital funds for improvements and wondered why they wouldn't use those funds to do 100% of improvements for all units.

Eric Walker stated NCR would be using those reserved funds for this renovation. He discussed the possibility of making 100% improvements, in view of the funding and preferences of the residents. He said he would update the Scope of Work, based on pricing for the Board to review.

Treasurer Doe asked why they didn't just relocate the residents to a few vacant units they had available at the time and then make the renovations. Eric Walker responded they wanted the renovations to go as quickly as possible and efficiently, as far as time and finances were concerned so it was better to complete the renovations in phases of 25 units at a time.

Supervisor Stumbo stated the Township's main concern was the residents to which Mr. Walker agreed their goal was to return the residents back to their normal routines as quickly as possible.

Supervisor Stumbo stated the residents at the Neighborhood Watch meeting had been excited about the upcoming project, but they were not aware that they would need to be relocated during the process. Mr. Walker responded NCR did not typically communicate the details with residents beforehand, because many rumors usually took hold which caused fear for them. He stated they liked to wait until the funds had actually been awarded and then they would meet with the residents as a whole and then individually.

Supervisor Stumbo asked if the building had central air. Mr. Paiano responded it was too costly to install central air since the building was older, however air conditioning would be brought into the common areas and the individual apartments would be provided with a new window air conditioner.

Clerk Lovejoy Roe asked if NCR was working with a security firm to do security upgrades in the main entrance area. Mr. Paiano reported they wanted to ensure the tenants had either a key fob or access card to gain entrance into the building and visitors would have to either buzz into the building with some sort of intercom system with a closed circuit TV or something similar. Discussion followed on some scenerios that could be used. Clerk Lovejoy Roe voiced her concern about people sneaking in and wanted to ensure some solution would be utilized to stop that from happening. She asked what NCR planned to invest if the funding was denied.

Mr. Walker stated NCR had a few projects scheduled, but no major renovations would be possible without MSHDA funds.

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Supervisor Stumbo asked how many one and two bedroom units were in the building.

Eric Walker stated there were 179 one bedroom units and 20 two bedroom units.

Supervisor Stumbo stated the management of Clark East Towers had worked hard to resolve several issues at the Clark East Towers, especially bedbugs and Mr. Paiano responded that a "hot box" was actually in their plans, for new residents to put their furniture in to address the bedbug issue even before they moved in. She said the complex was 32 years old and since there had been no real investment or renovation to date, it was needed, but it was really important for the Board to understand what was going to be done.

Attorney Winters voiced his opinion, to include the residents at the beginning of this project to reduce their anxiety and offer input they might have regarding potential updates. Mr. Winters stated that if, in fact, the Township Board approved the application and MSHDA awarded the funding, the Municipal Services Agreement would still be binding and needed to be amended.

Supervisor Stumbo asked about holding current open units and Eric Walker stated NCR would immediately stop renting when they received verification that the funding was granted.

Attorney Stanley clarified this was not the only opportunity the Township Board would have to review the security plan. He stated, at this point, everything was preliminary and if the funding was approved, architectural plans would have to be submitted to the Township at that time. He also asked Mr. Winters to send the proposed amendment language to his attention.

REVIEW AGENDA

CONSENT AGENDA

ATTORNEY REPORT

Attorney Winters stated he would wait for the Board Meeting for the General Legal Update.

OLD BUSINESS

- 1. 2nd READING OF RESOLUTION 2015-2, PROPOSED ORDINANCE NO. 2015-443, AMENDING THE CODE OF ORDINANCES, CHAPTER 66 ENTITLED VEGETATION** (1ST READING HELD AT THE FEBRUARY 17, 2015 REGULAR MEETING)

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Supervisor Stumbo stated the news article regarding this issue had erroneously reported a \$5.00 fee was currently being charged for mowing.

2. RESOLUTION 2015-3, VEGETATION ENFORCEMENT ADMINISTRATIVE FEE
(TABLED AT THE FEBRUARY 17, 2015 MEETING)

Mike Radzik, OCS Director briefly reviewed the process used to ascertain the Administrative Fee amount.

Trustee Mike Martin asked if the Township was charged if a contractor showed up to mow a property that had already been mowed. Mr. Radzik stated there would be no charge per the mowing contract.

Trustee Mike Martin asked if the fee arrived at was \$50.00, to which Mike Radzik stated that was the average fee. Mr. Martin asked if the fee had to be based on a mathematical formula.

Mike Radzik stated the administrative fee was designed to recover the cost of the enforcement and was based on the analysis that would cover the cost. Discussion followed regarding the fact that the \$50.00 administration fee was added to the actual mowing cost, bringing the total to \$85.00, if approved.

Treasurer Doe asked if the residents were charged the \$50.00 administrative fee if they received notice from the Township but mowed it themselves.

Mike Radzik stated, currently, there was not a charge, but if the Board wanted to do that, it would have to be calculated differently. He stated the current fee was based on receiving the complaint by clerical staff, assigning someone to service the complaint, inspection of the property, opening the case in a software system, adding information and generating the work order for the mowing company. If, at that point the mower showed up and it was already mowed, the charge was terminated.

Treasurer Doe and Clerk Lovejoy Roe agreed the fee should be changed to recoup some of the fee, but Supervisor Stumbo stated caution should be exercised.

Trustee Mike Martin asked if a different fee could be charged for bank owned properties and stated he liked the idea of a progressive fee.

Supervisor Stumbo asked Attorney Winters if we could legally charge different fees. Attorney Winters responded it was possible to phrase it differently and could possibly be increased for repeat offenders.

Supervisor Stumbo stated a progressive fee could be considered for next year.

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Trustee Eldridge asked if language for graduated fees for repeated mowing could be added at this point and, was there enough time to get this done before mowing season. Discussion followed that there would not be enough time to change the language since it had to be published.

Mike Radzik stated he would look to legal counsel for guidance regarding graduated, multiple offenders.

Attorney Winters stated the Noxious Weed Ordinance allowed putting fees on the tax roll but in terms of actually setting a graduated increase, he was not sure that was controlled by State Law.

Discussion followed on publication dates and timeframes to move forward with this item. Mike Radzik requested moving forward by adopting this Administrative Fee, publishing it and, if any changes were needed, bring them back to the Board so we were on stable ground for the 2015 mowing season.

The Board agreed to proceed and bring back a new fee schedule proposal as soon as possible.

**3. REQUEST TO CONSIDER MAJESTIC LAKES PD STAGE 1 AMENDED
PRELIMINARY SITE PLAN**

Joe Lawson, Planning Director stated his recommendation was to refer the Majestic Lakes PD Stage 1 Amended Preliminary Site Plan back to the Planning Commission for further consideration.

Attorney Winters reported he had spoken with the Attorney for the Majestic Lakes Developers in regard to language restricting rental of the single family homes and had received a letter which set forth several restrictions to ensure the intent of single family home ownership.

Mark Cohn, Attorney for Blue Majestic LLC addressed concerns raised at the February 17, 2015 Board Meeting. Mr. Cohn stated they were proposing a balance between not having commercial leasing activity and not taking away the right of a homeowner to rent because of difficult and unforeseen circumstances. He said the proposal was in respect to the 50 ft. units and commercial leasing activity would be prohibited by only allowing a homeowner that qualified for a Homestead Exemption to lease.

Scott Jacobson, Developer of Majestic Lakes stated they would not be able to sell homes with rental restrictions. He felt that was why the proposal Attorney Cohn had presented made sense.

Supervisor Stumbo referred to the Housing Affordability & Economic Study which stated market rate for multiples was needed, which had been presented as part of this development and the need to stop the number of rentals within the Township.

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Attorney Winters stated he could foresee that if a person were allowed to lease, it would have to be comparable to the study the County had done.

Mark Cohn stated caution was needed regarding over-regulation and the consideration of creating a need for someone to monitor it all.

Manny Kniahynycky, S. R. Jacobson Development Corporation stated he was under the impression that Stage I was conceptual and the details would be hammered out at Stage II. He requested the Board agree to Stage I in order for them to move forward with the engineered drawings so they did not run the risk of losing the 2015 construction season.

Supervisor Stumbo stated Majestic Lakes needed to have a better presentation of the project and should have had Attorney Cohn present at the last meeting. She said it was not a good presentation to the Planning Commission either and the project still had to go back to the Planning Commission.

Joe Lawson briefly presented the reasoning for recommending the project back to the Planning Commission. He stated it would go back to the Planning Commission for their recommendation regarding PD Stage I and the Amended Rezoning and then come back to the Board by May. He also presented a timeline regarding the rest of the approvals.

Attorney Winters concurred the Planning Commission would be the proper body to digest all of the discussion and issues that had been addressed.

Mark Cohn stated his opinion that the Planning Commission was comfortable with the site plan itself and had recommended approval, but wanted the Board to deal with the issues that had been raised. He felt, for that reason, it would not be productive to send it back to the Planning Commission, since the issues before the Board were not really site plan issues, but rather policy issues.

Joe Lawson agreed with Mr. Cohn's assessment of the policy issues. He stated his reasoning for taking it back to the Planning Commission was in regard to the Board's hesitation and discussion regarding the 50 ft. lots. He voiced concern in relation to how the Site Plan was attached to the rezoning from 2002.

Discussion followed on the possibility that PD Stage I Amendment and PD Stage II could conceivably be approved at the same time, depending on how much engineering could be accomplished and how quickly.

Attorney Winters expressed the Preliminary Development Agreement would need to be changed because the issues being dealt with were radically different than normally seen with a PD Stage I, going forward with the plan that was approved in 2002 - 2003. He stated if it were tabled it would delay the project a lot longer.

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Scott Jacobson stated he felt there were no major changes to the plan that was submitted to the Planning Commission and they had moved it forward to the Board. He stated they had done a reasonable job addressing the issues that had been raised.

Joe Lawson provided a point of clarification in terms of the major change. He stated the change wasn't from the Planning Commission to the meeting tonight but was from the original plan submitted from 2002 or 2006 and this plan currently before the Board. He said the changes which consisted of the type of units, the number of units and location of units were considered major changes and they were referred to as major changes in the ordinance.

Supervisor Stumbo stated whenever the property was purchased at the tax foreclosure, there was a site plan assigned and it had been rezoned to that site plan and when an amendment was requested, the property had to go through the rezoning changes.

Mr. Lawson added, whenever the Developer wanted to get approval for the existing plan, it was just a straight PD Stage II re-approval and Supervisor Stumbo added the Board had approved that and a Development Agreement came from that process.

Ms. Stumbo explained a major change was now being proposed to the site plan.

Mr. Jacobson stated he realized that, but it had already been to the Planning Commission for those changes and the Planning Commission had moved it forward to the Board.

Supervisor Stumbo stated the Planning Commission didn't do the rezoning and it had to be rezoned. She said the Planning Commission had moved it forward to the Board for their input and they were now sending it back to the Planning Commission for the rezoning of the property.

ADJOURNMENT

The meeting adjourned at approximately 7:02 p.m.

Respectfully submitted,
Karen Lovejoy Roe, Clerk