

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE APRIL 7, 2015 WORK SESSION**

Supervisor Stumbo called the meeting to order at approximately 5:00 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

EMERGENT HEALTH PARTNERS FIRE DISPATCHING SERVICE CONTRACT

Eric Copeland, Fire Chief stated a few questions had been raised at the last meeting concerning billing. He introduced Kevin Erwin, the Dispatch Supervisor to the Board.

Kevin Erwin, Communications Manager for Emergent Health Partners and Huron Valley Ambulance provided a brief overview regarding the formula used to calculate the fees per alarm. He stated these fees did not allocate for any building maintenance, they were strictly operational fees. Mr. Erwin explained the process for calculating dual calls and the process used to arrive at the 2% increase.

Supervisor Stumbo asked if any 211 fees were included and Mr. Erwin stated they were not included, even though they were in the same building.

Treasurer Doe asked if the total was figured on the whole of Washtenaw County or Ypsilanti Township exclusively. Mr. Doe stated the calls had increased and provided an example using the formula and asked how Emergent Health had reached their assumption for the 2% increase.

Mr. Erwin stated Ypsilanti Township was the only place that Emergent Health dispatched for fire calls and agreed the calls had increased by slightly over 100 and explained his calculations had to be based on the fiscal year.

Treasurer Doe asked if we had 5,000 calls in 2015-2016 would the bill change and Mr. Erwin stated it would not, because the contract price would be locked in.

Mr. Erwin stated if the Board was uncomfortable with the two year contract, he could take the second year out.

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Trustee Eldridge asked if information regarding operational costs could be obtained and Mr. Erwin replied most of those costs were reflected by wages and benefits, along with the electric bill, telephone bill and computer among other expenses.

Supervisor Stumbo asked if they had a budget.

Trustee Eldridge asked for the budget and Mr. Erwin stated they were a non-profit and a budget could be provided.

Supervisor Stumbo stated she was comfortable with the two year contract and the Board agreed.

YANKEE AIR MUSEUM / PD STAGE I REZONING APPLICATION

Joe Lawson, Planning Director provided a brief overview of the proposed rezoning, from IC (Industrial Commercial) to PD (Planned Development) to permit the repurposing of 147,395 square feet of the former Willow Run Bomber Plant to serve as the headquarters for the National Museum of Aviation and Technology, otherwise known as the Yankee Air Museum (YAM). Mr. Lawson stated the request included approval of the construction of an approximate 12,000 square foot addition to the building which would house the lobby, store and miscellaneous needs, as well as parking and other site improvements. Mr. Lawson provided several current aerial views of the site, a brief history and a current site plan which utilized a concrete slab that had to be left in place for environmental concerns.

Dennis Norton, Yankee Air Museum stated the closing had taken place October 30, 2014 and stated some clean-up and demolition work had begun December 16, 2014. Mr. Norton stated they hoped to have the building completely enclosed by the end of summer 2015.

Supervisor Stumbo asked if this was Phase I of the project and if Phase II included a hotel and conference center.

Mr. Norton replied there had been an idea for a hotel for years and the possibility was there, especially when the conference center was complete, which would easily handle up to 1,000 people. Discussion followed regarding additional acreage surrounding the Museum. Mr. Norton stated he had spoken with Chris Mullen, Willow Run Airport Director and Bruce Rasher, RACER regarding possibilities for future projects if the Wallbridge project does not go through.

Supervisor Stumbo asked if the groundwater issue had been resolved yet and discussion followed on the Stormwater being directed to a new system that would join Yankee Air Museum, the Airport and RACER or whoever uses the property. Supervisor Stumbo clarified that the groundwater was under the slab and Mr. Norton clarified that was the responsibility of RACER, and the Stormwater was the responsibility of Yankee Air Museum and they were protected by the Baseline Environmental Assessment (BEA)

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and Performance Partnership Agreement (PPA) from the Feds and MDEQ had provided the documentation needed.

Joe Lawson provided a conceptual layout of the inside of the museum and a timeline process to date. Mr. Lawson stated the PD Stage I Rezoning Application would be brought back to the Board April 21, 2015 for consideration of the 1st Reading of PD Stage I.

Mr. Lawson provided the steps this project had gone through and still faced:

- Step One was a Pre-Conceptual Conference held with the Development Team on Jan. 15, 2015
- Submission of Technical Reviews, which had all come back positive for this phase
- Public Hearing was held before the Planning Commission February 24, 2015
- The Planning Commission made a positive recommendation to the Township Board on March 24, 2015
- PD Stage I to be brought back to the Board on April 21, 2015
- If Board approves PD Stage I, the Re-Zoning and Conceptual Use and Layout, the Developer will move into Step Six, the Detailed Engineering Phase (the Environmental, Stormwater issues, PD Agreement and Development Agreement would be addressed at this point)
- Once the PD Agreement and Development Agreement were approved it would be time for PD Stage II or Final Site Plan Approval - Similar to Stage I - it would go to the Planning Commission first for a review and recommendation
- PD Stage II / Final Site Plan / Approval of PD Development Agreement brought Board for approval
- Pre-Construction meeting which would include contractors, developers, engineers, Surety's posted, Insurance, Escrows and Issuance of Building or Construction Permits

Mr. Lawson stated if the PD Stage I Plan was approved by the Board, it was valid for two years in order to get through PD Stage II and if they were held up for some reason, they could apply for a twelve month extension. Once PD Stage II was approved, they would have one year for completion.

Dennis Norton thanked the Board for their support.

Supervisor Stumbo asked if there were any green building design elements planned, which Mr. Norton said they had approached DTE regarding solar panels for the roof, and they had a few other ideas, but because of the concrete slab it would be more difficult to plant trees.

Supervisor Stumbo asked how many employees would be there when everything opened.

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Mr. Norton stated he expected anywhere from 30 to 40 full-time employees, but if a full-service restaurant was installed it would be close to 60 or more.

Mr. Norton stated there were only four B-24's left in the world that were built at Willow Run. Two were in museums in England, one in Ottawa, in the Royal Air Force Museum and one in Barksdale, LA at a U. S. Air Force Base. He reported the Yankee Air Museum was an affiliate of the Smithsonian and when it became known there was an on-going search for a B-24, the one in Louisiana might become available if the U. S. Air Force was unable to put it inside a building within the next two years. He reported the one in Canada might be available, but with a \$4,000,000 price tag, since it was a flyable aircraft.

Attorney Winters stated it had been somewhat difficult to convince RACER Trust to preserve this portion of history, but the Township Board had persevered alongside YAM.

Mr. Norton stated his appreciation to the Board for their help and said stated RACER Trust had been helpful toward the end of the project.

PROPOSED SIGN ORDINANCE AMENDMENT

Joe Lawson provided a brief overview of the proposed changes to the sign ordinance.

He stated the current Township Zoning Ordinance regarding signs regulated:

- Type of sign – wall or ground
- Location on property
- Size – sign face, height
- Content regulated to some degree
- Wall may not exceed 10% of front façade – permit is required
- Window signs may not exceed 20% of total window area – no permit required unless it was illuminated
- Temporary and special event signs were permitted with issuance of permits – for special events – not more than 45 days per year – not necessary contiguous

Prohibited Signs:

- Any sign with obscene material
- Portable signs
- Sandwich Board Signs
- Signs on trees or utility poles
- Flashing or animated, including digital signage
- Signs mounted on roof
- Sign installed without permit

Exceptions to Prohibited Signs

- Builder Directional Signs – 3 sq. ft. max. - limited to 4 throughout the Township, Fri., 6:00 p.m. to Sun., 8:00 p.m. and not located in Right-of-Way-no permit required

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Political Signs Current

- Political sign permitted – installed or displayed 30 days prior to and 10 days after an election, may not exceed 16 sq. ft. in size (4 x 4), not located within public right-of-way, no permit is required

Political Signs Update Highlights

- No time limit or restrictions
- Based on previous case law:
 - No restriction on number of political signs per property
 - Size of political signs remain regulated to 16 square feet max.
 - Signs still may not be located within the public right-of-way
 - No permit required for posting of political signs

Billboards

- New regulations along I-94
- Regulations for electronic message billboards
- Update to total number of billboard sign faces permitted within Township
- Regulations brought into compliance with current MDOT standards
- Currently, there are 26 billboard faces within Township, most on I-94 and E. Michigan Ave.
- Under current and proposed ordinance, all signs along E. Michigan are non-conforming signs
- Any new billboards would need to be located within an industrial zoning district

Electronic Message Signs

- Updated standards in relation to digital messages
- No animation or flashing permitted
- Message change only every 10 seconds
- All digital signs must have automatic dimmer to adjust to ambient light levels

Clerk Lovejoy Roe asked what the protocol would be to include ordinance language to eliminate billboards all together in Ypsilanti Township.

Attorney Winters addressed the constitutionality of any action to eliminate billboards.

Joe Lawson stated the proposed changes had gone to the Planning Commission in July 2014 and this was the third or fourth proposal. He reported all of the proposed changes were in line with MDOT standards.

Supervisor Stumbo stated the section regarding sign maintenance didn't seem to be strong enough. Mr. Lawson said the proposed changes had not included that section but it could, if regarded as necessary.

Clerk Lovejoy Roe asked if any graduated fines could be levied for unlawful signs. Mr. Lawson stated those were already in effect and they had tried to gain compliance in the past.

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Mr. Lawson stated he wanted to introduce this item to the Board and bring it back for a 1st Reading.

REVIEW AGENDA

REQUEST OF KAREN WALLIN, HUMAN RESOURCES FOR AUTHORIZATION TO COMPENSATE FIRE CHIEF ERIC COPELAND AS OUTLINED IN MEMO DATED APRIL 2, 2015 BUDGETED IN LINE ITEM #206-206-000-705-002 FOR FIRE MARSHAL DUTIES PERFORMED BEGINNING FEBRUARY 5, 2015 AND FORWARD, FOR A PERIOD NOT TO EXCEED 6 (SIX) MONTHS WHILE AN EXAMINATION PROCESS IS CONDUCTED AND SUCCESSION PLAN IS APPROVED

Karen Wallin, Human Resources stated a packet of information had been forwarded to the Union at this point and she had not heard anything back. She stated the approval had been granted by the Civil Service Commission to test for the Fire Marshal position again.

Eric Copeland, Fire Chief explained that Vic Chevrette had requested to work only 20 hours each week, including any emergency hours accrued and only fill the position for a period of ninety days per the Civil Service guidelines. Chief Copeland felt there would be no opposition in requesting an extension from the Civil Service Commission.

Treasurer Doe asked if the Union had issued a Letter of Agreement since we could not hire Mr. Chevrette without it.

Chief Copeland stated part of the global package contained different components and one of the first steps was to outsource the temporary duties. He reported the Union was at the Civil Service meeting.

Mike Helisek, Vice President Ypsilanti Township Local 1830 shared that the Union contract stated no one from the outside could be hired without a Tentative Agreement and the proposal was not received until Saturday, April 4, 2015. He stated the Union Board would not get a chance to look at the proposal until next week due to several members being on Spring Break. He stated the Civil Service did approve the proposal with the assumption that the Union signed off on it, but as previously stated they had not had a chance to meet at this time.

Treasurer Doe stated it would be at least a week, possibly more, if there was any disagreement amongst the Union before any hiring could take place.

Mr. Helisek stated he was only one out of nine people on the Union's Board and the attorney for the Union, Michael O'Hearon, had received the proposal and already had questions because the Tentative Agreement did not separate the testing from the part-time hiring of the Fire Marshal position.

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Treasurer Doe asked if a simple Letter of Agreement for hiring a temporary Fire Marshal and another Letter of Agreement regarding testing would move this item forward.

Mr. Helisek stated he would do what he could to meet with the rest of the Union Board as quickly as possible, whenever they got back.

Clerk Lovejoy Roe suggested drafting two Letters of Agreement ready for the Union. She asked why it took so long to get the Letter of Agreement to the Union.

Chief Copeland stated the proposal was being fine-tuned. He requested to move forward to separate the hiring of the temporary Fire Marshal from the proposal for testing.

Supervisor Stumbo stated this would authorize the retention of Vic Chevrette, contingent upon the Letter of Agreement. She said the second part would be to authorize the compensation of Chief Copeland for duties performed as acting Fire Marshal.

Treasurer Doe asked Chief Copeland the amount of compensation for a call back and Chief Copeland stated he was requesting an amount of \$400. Treasurer Doe asked what case would constitute the actual need for the Fire Marshal's attendance and would he go to every fire.

Vic Chevrette explained the Fire Marshal was called to help determine the cause and origin of a fire, if there were injuries or a fatality or in the case of a large fire loss, but the Fire Marshal did not have to go to every fire. He explained a large fire loss was if a multi-family dwelling was involved or if the total loss was \$200,000 or more.

Treasurer Doe briefly discussed his hesitation to approve a \$400 call back compensation. Discussion followed on how many hours would be included for that fee.

Chief Copeland stated, in theory, a fire investigation could take longer than 4 hours to complete, based on criteria that Mr. Chevrette stated earlier about being called to a scene. He briefly explained that he was called to investigate two fires in the City of Ypsilanti on a weekend and it had cost \$600, so he had figured the same duties to be done for the Township at \$400.

Trustee Eldridge stated he had a hard time with the call back fee as well, stating personal experience as a Certified Fatal Crash Investigator and he had never heard of a flat rate for a call back, at least not in law enforcement. He asked why there was a different hourly rate.

Eric Copeland briefly explained how the flat fee rate had been arrived at over three years ago, whenever he had performed Fire Marshal Services for the City of Ypsilanti, based on 2,080 hours. He stated he had a contract from the City of Ypsilanti for the same fee schedule. He stated he had spoken to Madame Supervisor six months ago regarding discussions with the City of Ann Arbor to see if they could provide any services, but they couldn't provide the hours needed at the cost he had provided them.

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Trustee Mike Martin questioned the number of hours used for the formula and Chief Copeland explained he had factored in sick time, comp time, personal leave time and vacation time with extra time in order to contain the cost and end up with 1,600 hours.

Supervisor Stumbo stated we had to have a Fire Marshal in Ypsilanti Township.

Chief Copeland spoke to the admirable job that Vic Chevrette had done in filling the Fire Marshal role.

Trustee Eldridge stated he understood the process of contracting with another municipality and covering all the costs involved but we were talking about one of our own employees doing the work with our own equipment and the training we provided. He stated he could not overcome the call back being paid as a lump sum in addition to an hourly rate after four hours, why not just pay the hourly rate beginning at the moment the call came in.

Chief Copeland explained he thought when this subject was discussed two weeks ago, there had been issues regarding an hourly rate and now the problem was the flat fee component, so he wondered if there was another underlying issue. He stated it really made no difference how it was done to him.

Trustee Eldridge suggested simply paying per hour for the duties performed as Fire Marshal.

Clerk Lovejoy Roe asked what we would be paying Vic Chevrette for the 20 hours and Mr. Chevrette replied it would be \$30 an hour, which would total \$600. She asked for an average of hours worked per week and Mr. Chevrette responded he probably worked 50 hours a week. Clerk Lovejoy Roe suggested paying Vic Chevrette for 20 hours and Chief Copeland for an additional 30 hours per week.

Mr. Chevrette stated fire investigation was only a small part of the Fire Marshal duties, the largest workload was plan reviews, inspections and fire suppression testing.

Chief Copeland stated he was not asking for any compensation while Vic Chevrette was in the Fire Marshal office. The Chief explained he was asking that if Vic could not do a call back because of his exceeding 20 hours, that a fee could be set for the Chief, himself to cover the call.

Treasurer Doe stated that when we analyzed the City of Ypsilanti \$600 call back fee, the City was not paying that individual \$600, that was what they charged the Township for services that we need and then they paid the individual \$50 or \$60 an hour and putting the rest in their fire fund. He felt it was ridiculous for us to do the same thing. Mr. Doe stated he didn't have a problem for paying overtime and even double time for holidays but he did have a problem with the \$400 fee.

Supervisor Stumbo said the Board had to figure out how to pay Chief Copeland whenever there was a call back situation.

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Chief Copeland said he could rely of Mutual Aid, but it might be costly.

ADJOURNMENT

The meeting adjourned at approximately 6:52 p.m.

Respectfully submitted,
Karen Lovejoy Roe, Clerk