

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE JULY 21, 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 Larry Doe, Trustees Stan Eldridge, Mike Martin and Scott Martin

Members Absent: Trustee Jean Hall Currie

Legal Counsel: Wm. Douglas Winters

2014 AUDITED FINANCIAL REPORT

Rena Emmons, CPA from Post, Smythe, Lutz and Ziel provided an overview of the audited financial statements for the Charter Township of Ypsilanti fiscal year ended December 31, 2014. She stated the Township had received an unmodified opinion, which was the highest level possible.

AMENDMENT TO PROPERTY MAINTENANCE ORDINANCE

Mike Radzik, OCS Director presented historical background information leading to the need for an amendment to the Property Maintenance Ordinance to include registration and inspection of vacant commercial and industrial buildings. Mr. Radzik listed many of the current vacant commercial properties that are a blight to the community, such as Gault Village, D & C Plumbing, Party Time Ice, Burger King, EBay Resale Shop, Old Ypsilanti Market, Sunoco gas station and finally the old Ehman and Greenstreet Realty Office building. He stated there were close to 300 properties that needed attention, some more than others. Mr. Radzik proposed an amendment to the Property Maintenance Ordinance to include commercial and industrial facilities which would include stand-alone buildings, vacant spaces within the retail centers, apartment buildings (if completely vacant) and vacant mobile home units. He stated the requirements would be for registration and inspection similar to the requirements for vacant homes, requiring immediate total exterior Code Compliance, immediate Life Safety Interior Code Compliance and finally would require the property owner to maintain some type of Hazard Insurance. He also discussed fee schedules and stated the implementation for enforcement could be accomplished with existing staff. He requested the Board's permission to move ahead with the 1st Reading at the August 18, 2015 Regular Meeting, the 2nd Reading in September with an effective date at the end of September to begin enforcement.

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Mr. Radzik felt this would offer motivation to the corporate property owners to bring these commercial/industrial facilities into compliance and would contribute to improving economic development.

Mr. Radzik reported a future apartment complex rental inspection ordinance was a strategic part of economic development and would be the final piece to be added and would require additional staff upon adoption.

Supervisor Stumbo stated it was going to be interesting to see if the banks were holding these commercial/industrial properties as had been discovered with the single family homes. She stated she supported this action 100%.

Trustee Scott Martin questioned if this action would take away any current enforcement of houses and discussion followed assuring they would come first.

Supervisor Stumbo asked the Board if it was okay to proceed.

Clerk Lovejoy Roe fully supported this action for commercial and industrial vacant properties but suggested doing a "pilot" ordinance for rental inspection of apartment complexes to be able to start in a specific part of the Township. Discussion followed on this idea and Mr. Radzik said he would research the possibility of moving sooner on a pilot apartment rental inspection ordinance.

DISCUSSION OF YPSILANTI AREA CONVENTION AND VISITORS BUREAU

Larry Doe, Treasurer provided a brief history regarding the possibility of combining the Ann Arbor and the Ypsilanti Area Convention and Visitors Bureaus. He stated he had been on the Board and had been against the elimination of the Ypsilanti Bureau. Mr. Doe suggested sending a letter from the Ypsilanti Township Board in support of the Ypsilanti Area Convention and Visitors Bureau and suggesting they not combine with the Ann Arbor Bureau.

Supervisor Stumbo suggested letting the County Commissioners know that Ypsilanti Township wants to maintain the Ypsilanti Area Convention and Visitors Bureau.

Clerk Lovejoy Roe supported sending a letter of support for the Ypsilanti Area Convention and Visitors Bureau.

The Board agreed and Supervisor Stumbo suggested becoming more involved and increasing the Bureau's work in the Township .

Trustee Scott Martin stated he continued to get calls regarding the golf course and it was improving and he felt that was something we needed to promote in our community as well.

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AGENDA REVIEW:

Supervisor Stumbo suggested discussing the Majestic Lake issue at this point in the review.

OLD BUSINESS

- 1. 1ST READING OF RESOLUTION 2015-16, PROPOSED ORDINANCE 2015-448, TO AMEND PLANNED DEVELOPMENT #14 REZONING TO PLANNED DEVELOPMENT #20 STAGE 1 PRELIMINARY SITE PLAN AND REZONING AT THE REQUEST OF BLUE MAJESTIC, LLC (TABLED AT THE MAY 19, 2015 REGULAR MEETING)**

Attorney Winters provided an overview of events that have transpired since the May meeting in which this Resolution was tabled:

- Public Meeting with residents was held and well attended.
- Changes to the Development Agreement
 - Impose rental restrictions
 - No government subsidies
 - Timeline regarding leasing for legitimate reason, not to exceed three years
 - Requirement of using market rate for rentals / no housing vouchers
 - Maintenance program to insure properties are kept in compliance with Township codes (especially Nautica Point)

Attorney Winters stated this could well be the template for future developments because of the things we have learned from the experiences during the last eight years of the housing crisis.

Trustee Eldridge asked about the three year maximum time a homeowner could lease their home and what an extension with a good cause would entail. He stated he didn't see anything regarding the three year deadline and Supervisor Stumbo explained it was in the Development Agreement. Trustee Eldridge then asked what the basis would be for a good cause, if that was defined somewhere or was it open to interpretation.

Mark Cohn, Counsel for Blue Majestic responded the events of the last several years had tempered the flat time line restraints so this was a "safety belt" for a resident to be able to come to the association and ask for an extension.

Supervisor Stumbo affirmed it was not to be a subsidized rental and Mr. Cohn, reaffirmed it would never be subsidized and that was addressed in another part of the Resolution and Development Agreement,.

Trustee Eldridge asked what sets the market rate, since he understood Majestic did not want to use the rate set by Washtenaw County.

Mark Cohn stated Majestic didn't know if the market rate was as material to the single family homes as it was to the multi family, because the restriction placed on the

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homeowner that would not allow commercial activity in the first place. He said it could not be someone who just comes in to buy a home, to speculate on it and rent it, it required someone who qualified for a Homestead Exemption that must vacate and wanted to rent the home. Mr. Cohn stated again it would not be subsidized and was for a limited period of time, so the rental rate was the least important of all the things that were being protected regarding the single family homes.

Richard Batts answered for Redwood, in regard to the market rate question. He stated for the apartments, it was a question more in regard to the practicality of the index. He asked who was to say that the Washtenaw County index would be in existence forever or what were the components of the index and would they change. He stated rates would be set on income of the population and density of population and researching neighboring communities with similar demographics.

Clerk Lovejoy Roe stated the issue of the market rate was not going to guarantee anything, rather the issue was not renting with subsidies. Clerk Lovejoy Roe asked how the market rate even became an issue.

Trustee Eldridge stated the market rate issue did not come from the Planning Commission but was brought up at the meeting with the residents.

Clerk Lovejoy Roe indicated she thought it was an issue before the informational meeting with the residents.

Mark Cohn stated it had evolved from the need to have some sort of standard for business investors in order to keep the negative effects from coming into play but there was also a need to be careful in restricting, long-term with a recorded document tied to a certain set of statistics. He clarified he was speaking from the Developer's point of view.

Trustee Mike Martin stated he felt it was more important to get restrictions on rentals and subsidized housing than to have a dollar amount set for the market rate.

Attorney Winters stated the real game changer was not being allowed to accept subsidized housing or voucher programs and the provision that the Township had the legal standing to enforce that requirement. He stated other Developers were in the wings and he did not want to see the Board miss a very important opportunity to put safeguards in place for the future.

Discussion followed between Supervisor Stumbo, Clerk Lovejoy Roe, Attorney Winters and Mark Cohn regarding changing the phrase on page 15 of Planned Development Agreement from "consistent with market rates in the Township" to "comparable with market rates in the Township".

Clerk Lovejoy Roe discussed the issue of setting the apartments at Nautica Point back farther off Tuttle Hill Road and needing to change the site plan to show the setback for more open space and landscaping on the Boulevard entrance.

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Joe Lawson stated this set back could be taken care of at Stage 2 as long as the number of apartments did not go up.

Clerk Lovejoy Roe discussed the issue of the 50ft. lots. She stated she didn't mind the size of lots as long as the architectural standard was improved, such as half brick or something similar.

Joe Lawson stated the architecture and floor plans would be part of the PD Stage 2 Final Development Agreement and would come back before the Board for approval at that time.

Supervisor Stumbo stated the current Resolution stated the Developer shall work with the Office of Community Standards to reduce the proposed number of 50 foot lots. She asked Mr. Lawson if that came back in Stage 2.

Joe Lawson stated he would like something in the record so he could know what direction to take in order to reach the desired number and that could be taken care of in PD Stage 2.

Manny Kianicky, S.R. Jacobson stated he was happy to work with Joe Lawson and the Township in terms of getting the right balance between the 50 and 60ft. lots. He explained they wanted the 50ft. lots for two reasons, the first was product differentiation, neighborhoods that appeal to different groups and the second was the fact they were cheaper.

Trustee Mike Martin asked why a family with young children would want the smaller 50ft. lots.

Mr. Kianicky stated it was because the price was at least \$30,000.00 cheaper but the quality and square footage was still there, because the lots had a lot of depth.

Joe Lawson asked if the number of 50ft. lots could be taken care of before the 2nd Reading if the 1st Reading was approved this evening.

Supervisor Stumbo stated it could be. Discussion followed and it was decided to require improved architectural design standards, and to move units back from TuttleHill in the Nautica Development.

PEDDLER PERMIT APPEAL HEARING

- A. 7:00 PM – APPEAL HEARING REQUESTED BY JIMMIE L. MACK
REGARDING HIS PEDDLER PERMIT DENIAL
(PUBLIC HEARING SET AT JUNE 16, 2015 REGULAR MEETING)**

PUBLIC COMMENTS

CONSENT AGENDA

A. MINUTES OF THE JUNE 16, 2015 WORK SESSION AND REGULAR MEETING

B. STATEMENTS AND CHECKS

- 1. STATEMENTS AND CHECKS FOR JULY 7, 2015 IN THE AMOUNT OF \$2,918,317.84**
- 2. STATEMENTS AND CHECKS FOR JULY 21, 2015 IN THE AMOUNT OF \$1,585,843.61**
- 3. CHOICE HEALTH CARE DEDUCTIBLE ACH EFT FOR JUNE, IN THE AMOUNT OF \$46,067.91**
- 4. CHOICE HEALTH CARE ADMIN FEE FOR MAY IN THE AMOUNT OF \$1,177.50**

C. JUNE 2015 TREASURER REPORT

SUPERVISOR REPORT

CLERK REPORT

TREASURER REPORT

TRUSTEE REPORT

ATTORNEY REPORT

A. GENERAL LEGAL UPDATE

OLD BUSINESS

2ND READING OF RESOLUTION NO. 2015-16, ORDINANCE NO. 2015-448, TO AMEND PLANNED DEVELOPMENT #14 REZONING TO PLANNED DEVELOPMENT #20 STAGE 1 PRELIMINARY SITE PLAN AND REZONING AT THE REQUEST OF BLUE MAJESTIC, LLC (TABLED AT THE MAY 19, 2015 REGULAR MEETING)

Supervisor Stumbo stated some of the comments that had been made regarding the change of some 50ft. lots to 60ft., improved architectural design standards and moving units back from TuttleHill in the Nautica Development would be incorporated into the Resolution.

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NEW BUSINESS

BUDGET AMENDMENT #9

RESOLUTION 2015-21, PURCHASE TAX FORECLOSED PROPERTIES LOCATED AT 1476 BLOSSOM, 1410 BLOSSOM, 1334 FALL RIVER, 1156 PARKWOOD, 5977 S. MOHAWK, 1191 LAUREL CT AND 1241 REDLEAF LANE FROM THE WASHTENAW COUNTY TREASURER LIST UNDER THE RIGHT OF FIRST REFUSAL IN THE AMOUNT OF \$78,630.00 BUDGETED IN LINE ITEM #101-950-000-969-011

Supervisor Stumbo stated the Board had previously authorized the Township to purchase Tax Foreclosed Properties for \$120,000.00 but the final cost was \$78,630.00. She explained this was under the Right of First Refusal, which the Township had worked with Habitat in the past.

Treasurer Doe stated there had been an additional cost of \$2,455.00 for clean out to Washtenaw County Treasurer Office.

RESOLUTION 2015-22, PURCHASE TAX FORECLOSED PROPERTIES LOCATED AT K-11-24-107-006 3174 MORRIS AVENUE AND K-11-24-100-004 MORRIS AVENUE FROM THE WASHTENAW COUNTY TREASURER LIST UNDER THE RIGHT OF FIRST REFUSAL IN THE AMOUNT OF \$2,936.00 BUDGETED IN LINE ITEM #101-950-000-969-011

Attorney Winters stated this was the former Liberty Square property that had been demolished on Grove Road.

Mike Radzik stated this purchase brought the number of Township owned parcels in Liberty Square to 148 parcels and a large park, from the original 151 townhouse parcels.

RESOLUTION 2015-23, ABANDONED TAX DELINQUENT PROPERTY

Supervisor Stumbo stated the adoption of this Resolution would accelerate the forfeiture/foreclosure of certified abandoned properties under the General Property Tax Act.

Mike Radzik explained the normal process was that taxes had to be delinquent for two years before the forfeiture was complete and then a third year before the County Treasurer foreclosed. He stated this would allow the Township to identify abandoned, tax delinquent properties and cut the forfeiture time in half, to one year and get them into foreclosure and back into productive hands much sooner, helping stabilize neighborhoods.

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**1st READING POLICY RESOLUTION 2015-24, TO IMPOSE RESTRICTIONS AND
CONDITIONS ON ALL COLLECTION BOXES IN THE TOWNSHIP BY WAY OF AN
ADMINISTRATIVE REVIEW AND AMENDMENT TO THE SITE PLAN**

Attorney Winters provided a brief overview of the new process required which included an application process and site plan amendment by the property owner. He stated this had stemmed from a lawsuit that had been brought against the Township by Planet Aid. He stated the Resolution would have two readings since it was a Policy Resolution and would be treated the same as an Ordinance.

(The rest of the Agenda was not reviewed due to time restraints)

RESOLUTION 2015-25, DESIGNATION OF NEWSPAPER CIRCULATION

**REQUEST TO APPROVE NEW AUTOMOTIVE SALVAGE/SCRAP YARD BUSINESS
LICENSE FOR FPT YPSILANTI, BUSINESS PREVIOUSLY KNOWN AS ABCAT,
LOCATED AT 2220 E. MICHIGAN AVENUE**

**REQUEST OF MIKE RADZIK, OCS DIRECTOR FOR AUTHORIZATION TO SEEK
LEGAL ACTION IF NECESSARY TO ABATE PUBLIC NUISANCE FOR
PROPERTIES LOCATED AT 800 GATES AVENUE, 671 W. CLARK RD., 7064 ST.
ANDREWS DRIVE, 527 EMERICK STREET AND 1762 EMERSON AVENUE IN THE
AMOUNT OF \$25,000.00 BUDGETED IN LINE ITEM #101-950-000-801-023**

**REQUEST AUTHORIZATION TO SIGN PURCHASE AGREEMENT WITH DTE FOR
CONVERSION OF 24 (TWENTY-FOUR) 100 WATT HIGH PRESSURE SODIUM
COBRA HEADS TO 65 WATT LED LOCATED IN THE APPLERIDGE
NEIGHBORHOOD IN THE AMOUNT OF \$6,192.00 BUDGETED IN LINE ITEM #101-
956-000-926-050**

**REQUEST TO POSTPONE THE PUBLIC HEARING FOR CREATION OF A SPECIAL
ASSESSMENT DISTRICT FOR OAKLAWN/HAWTHORNE NEIGHBORHOOD
CAMERAS SCHEDULED FOR AUGUST 18, 2015 AT APPROXIMATELY 7:00PM
UNTIL A FUTURE DATE YET TO BE DETERMINED**

OTHER BUSINESS

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AUTHORIZATION AND BIDS

**REQUEST TO AWARD LOW BID FOR PURCHASE OF YPSILANTI TOWNSHIP
VACANT PROPERTY LOCATED AT 5871 S. MOHAWK AVENUE K-11-22-480-050
WITH DEED RESTRICTIONS REQUIRING HOMEOWNER OCCUPIED SINGLE
FAMILY HOME ONLY TO PROHIBIT GOVERNMENT SUBSIDY FOR RENTALS IN
THE AMOUNT OF \$500.00 AND ALL TITLE WORK/CLOSING COSTS TO JOSEPH
KISSELLA, JR.**

ADJOURNMENT

The meeting adjourned at approximately 6:53 p.m.

Respectfully submitted,
Karen Lovejoy Roe, Clerk