

**CHARTER TOWNSHIP OF YPSILANTI**  
**MINUTES OF THE MARCH 7, 2017 WORK SESSION MEETING**

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 Larry Doe, Trustees: Heather Jarrell Roe, Jimmie Wilson Jr., Monica Ross-Williams

**Members Absent:** Trustee Stan Eldridge

**Legal Counsel:** Wm. Douglas Winters

**AGENDA REVIEW**

- A. MINUTES OF THE FEBRUARY 21, 2017 WORK SESSION AND REGULAR MEETING**
- B. STATEMENTS AND CHECKS**
  - 1. STATEMENTS AND CHECKS FOR MARCH 7, 2017 IN THE AMOUNT OF \$960,645.50**

**ATTORNEY REPORT**

- A. GENERAL LEGAL UPDATE**

**NEW BUSINESS**

Supervisor Stumbo requested to delete item #1 under New Business and item #3 under Authorizations and Bids. She stated that after several conversations with staff and Treasurer Doe and OHM it was determined the project had changed substantially from the bids received last year and the project needed to go back out for bid. She stated the bids would come back to the board.

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- 1. BUDGET AMENDMENT #4 (agreed to delete from agenda)**
- 2. REQUEST FOR LOCAL GOVERNMENT APPROVAL OF A MICRO BREWER LICENSE FOR MELISSA ZEMPER OF THREE RING BREWERY AND MAKERSPACE TO BE LOCATED AT 2839 E. MICHIGAN AVENUE**

Michael Radzik, Director of Office of Community Standards shared that everything was in proper form to approve this request. He said it would be located next to Los Amigos in the prior Am Vets building and would be a good addition to the area. He said the Micro Brewer License is a manufacturing and wholesaler license that allows beer sales of the on premise manufactured beer only, to licensed wholesalers and to consumers for on premises or take out consumption. He said the township currently had one other active Micro Brewer License and that was being used by Unity Vibration Living Kombucha Tea, LLC at 93 Ecorse Rd. Mr. Radzik also reported that the Micro Brewer License does not count against the Township's allotted quota of on premise retail licenses. He also said the applicant would be attending the meeting.

- 3. REQUEST OF FRIENDS IN DEED FOR LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSE**

Supervisor Stumbo indicated this organization had come before the board for a few years and they raised funds to help low-income individuals. Clerk Lovejoy Roe explained the resolution and how the State of Michigan Gaming Control Board required it.

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**4. 1<sup>st</sup> READING OF RESOLUTION 2017-04 PROPOSED ORDINANCE 2017-472,  
AN ORDINANCE TO AMEND THE TOWNSHIP ZONING CODE, SECTION 2109  
SIGNS**

Richard Carlisle, Township Planning Consultant gave an overview of the proposed changes to the sign ordinance. He referenced the need for the changes due to a recent Supreme Court Gilbert v. Reed decision. He said the changes included: a stated intent of the ordinance, definition for bench sign, consolidation of all temporary sign regulations into one section of the ordinance and the removal of the prohibition on advertising tobacco and alcohol from the ordinance due to the recent Supreme Court Case. Trustee Monica Ross-Williams asked for clarification regarding the court decision and signs for alcohol and tobacco. Carlisle shared that the court case involved content regulation and tobacco and alcohol content could not be regulated as in the past. Attorney Winters shared information about the Lamar Lawsuit and how the township adopted a sign ordinance to protect the neighborhoods but he said new regulations require an update of the sign ordinance.

**MICRO BREWER LICENSE FOR THREE RING BREWERY AND MAKERSPACE  
(continued discussion)**

Melissa Zemper the applicant for the Micro Brewer License arrived at the work session meeting and Supervisor Stumbo asked her to make a presentation. Ms. Zemper explained the micro brewer licensing process and that the township approval was required before she moved on to state and federal requirements. She explained she was in the process of purchasing the building at 2839 E. Michigan Ave and in response to a

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question from Supervisor Stumbo indicated the building was a stand alone building on a separate parcel. She explained in response to Trustee Ross-Williams question about education programs for youth that the camps or programs would be about the science of fermentation and where the process was used in foods such as making of cheeses. She said the children would not learn the process of making beer. She did say that the business plan included having classes for adults that were interested in learning the beer brewing process. She said the space was small about 1,400 square feet and 500 square feet would be used for brewing and the other space would be for seating. Supervisor Stumbo asked if she was working with Spark East and Ms. Zemper said she was. She shared she was a finalist in the Pitch Ypsi competition to receive a grant for her start up business and that would occur at Eastern Michigan Business School tomorrow. She shared how beer brewing was a tourism initiative and that Michigan is considered one of the top brewing states. She said she was working in collaboration with other brewers in the City of Ypsilanti. She said she was very excited about helping with the redevelopment of the East Michigan Avenue corridor and said it was a perfect location for her start up business and she hoped to grow at this location.

**5. 1<sup>st</sup> READING OF RESOLUTION 2017-05, PROPOSED ORDINANCE 2017-473,  
AN ORDINANCE TO AMEND THE TOWNSHIP ZONING CODE, SECTION 401  
TO PERMIT RAISING UP TO FOUR (4) HENS ON RESIDENTIAL PARCELS  
WITH ONE ACRE OR MORE**

Richard Carlisle, Township Planning Consultant reviewed the proposed ordinance change. He said the change as proposed would allow up to four backyard hens in R-1 through R-4 residential zoning districts for parcels of land owned outside of the boundaries of either a proprietary, supervisor's plat or site condominium and

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having an area of land not less than one acre. He said there were specific regulations on the care of chickens. He reviewed the Planning Commission public hearing and meetings when discussion and a vote for recommendation to the township board occurred.

Trustee Jarrell Roe stated she supported sustainable community initiatives but she said she questions the reasonableness of only allowing chickens on one acre or more of land. She said with 22,000 households as listed in the census that less than 3% of township households could have backyard chickens under the proposed ordinance. She said the ordinance would further widen the divide between socio economic groups in Ypsilanti Township and create different cultures between sections of the township. She shared that she researched the lowest cost of a home currently listed on Zillow located in Ypsilanti Township that was on one acre and the home listed for \$210,000 for a 2,000 square foot home. She said that the cost to purchase a home on one acre would not allow for a sustainable existence for most township residents. She said she did not support the one-acre limitation. Trustee Jarrell Roe asked why only allow chickens on one acre or more, she asked what was the rationale behind one acre only.

Richard Carlisle responded that the acreage amount is based on the structure of the zoning districts. He said he speculated the planning commission believed it was difficult on smaller lots and perhaps also because of the deed restrictions in these areas.

Trustee Jarrell Roe followed up by stating her position was to serve the entire community and that includes those who wish to raise backyard chickens regardless of the size of their lot size.

Trustee Wilson asked the planning consultant what were the neighboring communities doing in regards to lot size.

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Richard Carlisle responded that Pittsfield Township required 2.5 acres. He said Pittsfield Township had different zoning districts of 5, 2.5 and 1 acres and then smaller lots.

Supervisor Stumbo shared that moving to one acre was a step towards allowing more township residents to have chickens than the current ordinance with a five-acre requirement allowed. She explained the background of moving to the one-acre ordinance by the planning commission. She indicated there was not support by the commissioners for smaller lot chickens and that when residents with one acre parcels requested a change in the ordinance to one acre the former Planning Director brought the issue to the Planning Commission.

Trustee Ross-Williams asked if it was because cities were landlocked that they allowed chickens on smaller lots.

Richard Carlisle stated he was not sure but in Ann Arbor, residents were required to get permission from their neighbors to have chickens. He also said that allowing chickens on smaller lots could increase conflict with zoning issues and with chicken owners that did not fulfill their moral responsibility of taking care of their animals. He said the current ordinance was extremely restrictive with the 5-acre requirement and he cautioned sending the ordinance back to the planning commission, and that he did not think the change to one acre was unreasonable.

Trustee Ross-Williams asked if there were costs associated with permits for chickens and enforcement.

Richard Carlisle responded that you must enforce all your ordinances but he did not think this new change would be a burden on the ordinance department.

Treasurer Doe said he thought the smaller lots would cause a lot of complaints and issues between neighbors.

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Clerk Lovejoy Roe shared that she had attended all the public meetings of the planning commission when the chicken ordinance was discussed. She said the planning commission held a public hearing on the text amendment that was before the board tonight. She said the Planning Commission voted 3 in favor and 2 against the proposed ordinance and that one of the Commissioners that voted against did so because she supported the smaller lots for chickens. She also stated that both the City of Ann Arbor and Ypsilanti had backyard chicken ordinances for years and there were no complaints registered. She gave a history of the movement towards backyard chickens that she said began in Ypsilanti Township in 2012 with several township residents working with the township attorney to develop a small lot chicken ordinance that the Planning Commission did not take up. She shared that those in support of the backyard chickens were frustrated because they have been waiting since 2012 for movement on the backyard chicken issue. Clerk Lovejoy Roe said she supported the smaller lots for chickens. She said she had grown up with chickens on a small lot on the north side and she said she had chickens herself on a small lot in a subdivision at Oakland Estates and was not aware until a news article about a court case in Ypsilanti Township regarding chickens on small lots that township ordinance did not allow chickens. She said that chickens were a great source of protein and she supported local food initiatives.

Trustee Ross Williams shared that she had done a survey on Next Door, a social media site, where most residents responded in favor of backyard chickens but there were also residents that were concerned with odor. She said she did not know if residents were aware of the issue and said she wanted more public input on the issue. She also asked Richard Carlisle if he was aware of the number of complaints filed regarding chickens in the City of Ypsilanti or Ann Arbor. He responded he did not.

Ms. Kaiser, resident, said she was not in favor of chickens on lots of less than one acre. She indicated that residents would not respond to a survey because they do not even vote.

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Angela Barbash, resident, said she lived in West Willow and supported smaller lots for backyard chickens as a food source and for sustainability. She questioned the reasoning behind a one-acre requirement and she said most residents cannot afford the larger lots to raise chickens on.

**6. REQUEST OF JEFF ALLEN, RESIDENTIAL SERVICES DIRECTOR FOR AUTHORIZATION OF THE DECLARATION AND NOTICE AS REQUIRED BY THE DEPARTMENT OF NATURAL RESOURCES TO RESTRICT THE DEED TO FORD LAKE PARK TO COMPLETE THE GRANT FOR THE RENOVATION OF THE FORD LAKE PARK TENNIS COURTS**

Jeff Allen explained the need for this authorization and said it was the final item needed to complete the grant requirements.

**7. REQUEST OF JEFF ALLEN, RESIDENTIAL SERVICES DIRECTOR FOR AUTHORIZATION OF THE MICHIGAN DEPARTMENT OF TRANSPORTATION RESOLUTION FOR RIGHT OF WAY ACCESS**

Jeff Allen explained this was a new requirement of MDOT.

**8. REQUEST OF MIKE RADZIK, OCS DIRECTOR FOR AUTHORIZATION TO SEEK LEGAL ACTION TO ABATE PUBLIC NUISANCE DRUG HOUSES BY PADLOCKING LOCATED AT 2368 PINERIDGE COURT AND 139 WIARD RD. IN THE AMOUNT OF \$10,000 BUDGETED IN LINE ITEM #101.950.000.801.203**

**9. REQUEST OF BRIAN MCCLEERY, ASSISTANT ASSESSOR TO ENTER INTO NEGOTIATIONS FOR THE SALE OF TOWNSHIP OWNED PROPERTY LOCATED AT 110 JOHNSON STREET PARCEL #K-11-10-211-004**

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**OTHER BUSINESS**

**AUTHORIZATIONS AND BIDS**

- 1. REQUEST OF MIKE SARANEN, HYDRO OPERATIONS TO AWARD THE LOW BID FOR THE PURCHASE AND COMMISSION OF ONE(1) NEW DUAL FUEL GAS GENERATOR WITH SELECTED OPTIONS IN THE AMOUNT OF \$21,207.00 BUDGETED IN LINE ITEM #232-252-000-977-000**
  
- 2. REQUEST OF JEFF ALLEN, RESIDENTIAL SERVICES DIRECTOR TO AWARD THE LOW QUOTE FOR THE PURCHASE OF A TORO BAT WING MOWER TO SPARTAN DISTRIBUTORS IN AN AMOUNT NOT TO EXCEED \$62,000.00 BUDGETED IN LINE ITEM #101-774-000-977-000**
  
- 3. REQUEST TO WAIVE THE FINANCIAL POLICY AND AUTHORIZE THE THREE FULL TIME OFFICIALS TO AWARD THE LOW QUOTE FOR THE GREEN OAKS GOLF COURSE PATH IMPROVEMENTS IN AMOUNT NOT TO EXCEED \$250,000.00 BUDGETED IN LINE ITEM #584-584-000-971-000**

Board agreed to remove this item from the agenda.

Trustee Ross-Williams read from a statement regarding lack of coverage of the Township Board meetings and township issues that are important to township residents by MLIVE Ann Arbor.com. She shared her concerns with the lack of coverage with the board members.

**Work Session Adjourned at 6:52 P.M.**

**Respectfully Submitted,**

**Karen Lovejoy Roe, Clerk**