

**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE TUESDAY, JULY 17, 2018 WORK SESSION**

Supervisor Stumbo called the meeting to order at approximately 5:04 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,  
Trustees: Stan Eldridge, Heather Jarrell Roe, Monica Ross-Williams, Jimmie Wilson, Jr. (arrived late)

**Members Absent:** Treasurer Doe

**Legal Counsel:** Wm. Douglas Winters

- 1. REQUEST TO ENTER INTO CLOSED SESSION PURSUANT TO MCL 15.268 SECTION (D) OF THE OPEN MEETINGS ACT..."TO CONSIDER THE PURCHASE OR LEASE OF REAL PROPERTY UP TO THE TIME AN OPTION TO PURCHASE OR LEASE THAT REAL PROPERTY IS OBTAINED" AND SECTION (H) "TO CONSIDER MATERIAL EXEMPT FROM DISCUSSION OR DISCLOSURE BY STATE OR FEDERAL STATUTE"**

**A motion made by Supervisor Stumbo, supported by Trustee Ross-Williams**

Jarrell Roe:	Yes	Stan Eldridge:	Yes	Ross-Williams:	Yes
Lovejoy Roe:	Yes	Stumbo:	Yes		

**The motion passed unanimously.**

**Closed session began at 5:05 PM and ended at 5:49 PM.**

- 2. DISCUSSION OF CITY OF YPSILANTI BRINGING RECYCLABLES TO YPSILANTI TOWNSHIP COMPOST SITE.....SUPERVISOR STUMBO**

Supervisor Stumbo explained the City of Ypsilanti must move their recycling center because they built it on grant land. She said the city was notified four years ago of this problem but had not found an alternative location. She said they need to find a location soon because the State will not award any other grant money to the City until they find a new recycling center. She said she and Clerk Lovejoy Roe met with

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the City Manager and discussed the city using our recycling center. She said if they use our center, the City would pay for their own recyclable container. She said they would pay for the disposal and processing of their recyclables. Supervisor Stumbo said they discussed the city also paying half the gate attendants' salary. She said if the Board agrees to allow the city to use our center, legal counsel would draft a contract and we would bring it back to the board at the next meeting. Trustee Jarrell Roe stated she agreed with this but wondered if we could negotiate to use the City's street sweeper a couple times a year. Supervisor Stumbo agreed to ask them. Trustee Eldridge asked how the ½ payment of the employees' salary would work. Supervisor Stumbo said our employee would handle the extra workload and that the city would pay ½ of their wage. Trustee Eldridge and Trustee Ross-Williams agreed to negotiate to have the street sweeper. Attorney Winters stated the city still owes the township \$24,000.00. Trustee Eldridge stated the township has helped pay for the resurfacing of a road that was not in the township but did it because township residents use the road, the city has denied helping us with street sweeping in the past, he said he doesn't mind helping them with the recycling but believes the help should be reciprocated. Supervisor Stumbo stated they would have a document drawn up and presented to the board at the next meeting.

**3. SNOW REMOVAL ORDINANCE DISCUSSION**

Trustee Eldridge stated he brought this back to the board for discussion so we could resolve the issue. He said he knows there are strong feelings from people who support an ordinance and those who do not. He would like a decision to adopt an ordinance, or a partial ordinance or none at all (see attached – Draft Snow Ordinance).

Supervisor Stumbo stated they had suggested beginning in the business districts so we could see if it's beneficial and to work out the bugs with it. She said we could have an ordinance, but if we can't enforce it, there would be no point in having the ordinance. She said she was aware that both sides have collected a lot of signatures regarding a snow ordinance. She said she was concerned with ice removal and was aware it was difficult to remove it from sidewalks. Trustee Eldridge agreed if you can't enforce an ordinance then it hurts the creditability of the enforcement unit

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and the municipality. He said he agrees to start it on a smaller scale rather than not do anything at all. Trustee Jarrell Roe stated she agreed to start a pilot program with one business district to see how it works and if it benefits the residents in the township. Trustee Eldridge stated if we do it the business districts, he said that he would want it to be in all business districts not just one. Supervisor Stumbo stated that all business districts do not have sidewalks. Trustee Ross-Williams questioned the enforceability of a snow ordinance. She also stated that there are elderly residents that may not be able to shovel their walk, which is not their sidewalk, it's the township's, and asked would the township contract someone to shovel those walks and charge residents a fee? Supervisor Stumbo stated the goal is always compliance and not to charge a fee. Trustee Wilson said it would be hard for residents especially snow birds who would have to arrange for removing the snow while they were away. He said he was in favor of a pilot program for businesses. Clerk Lovejoy Roe said that the elderly residents are mostly the people who do shovel their walks. She said some younger homeowners and rentals were usually where the problem lies. Clerk Lovejoy Roe stated that when people never shovel their walk and the accumulation of snow over the winter makes the sidewalks impassible. She said it was sad to see someone in a wheelchair that cannot use the sidewalk and therefore must be in the road. She said that a week would be enough time for someone to get their sidewalk cleared. She said it could be complaint driven and we could handle the complaints just like we do with grass complaints. Clerk Lovejoy Roe said there were residential homes in our business districts. Trustee Ross-Williams stated that if there were 200 homeowners who did not comply there would be a cost and asked what would they be fined? Supervisor Stumbo stated that some of the new homeowner's associations require their residents to shovel their walks. Trustee Jarrell Roe asked if there was a consensus to implement snow removal in the business districts. Supervisor Stumbo agreed that she would like to institute it in the business districts such as Michigan Ave., Ecorse Rd., Huron St., etc. Trustee Wilson asked if it was for all business or just business corridors. Trustee Ross-Williams asked if there would be fees during the pilot program if businesses did not comply with the snow removal. Supervisor Stumbo said there would be a fine assessed but our goal was always compliance. Trustee Eldridge said to make it for all businesses not business corridors. Trustee Eldridge stated that we take businesses and residents to court when their property isn't up to standards but we are having a difficult time to implement a pilot to ask

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businesses to simply shovel the snow from their sidewalk in front of their businesses which services our residents. He said we take businesses to court because they have too many cars parked on their lot and that doesn't impact our residents at all but we are concerned about an ordinance that could impact our resident's safety. Trustee Jarrell Roe stated she supported what Trustee Eldridge said and asked Supervisor Stumbo that since she was working on an ordinance to bring it back to the board at the next meeting. Supervisor Stumbo stated they would bring back the draft ordinance that they had previously proposed and make it for the businesses in Ypsilanti Township.

Steven Hudak, Township Resident stated that Packard Road has businesses, vacant land, and residents so if you refer to snow removal for major roads all of Packard Road would get shoveled. He said he would like to be on a committee if the township forms one for the snow ordinance.

Arloa Kaiser, Township Resident stated she was opposed to the snow ordinance. She stated there are a lot of residents opposed to it. She said she has lived in the township for 50 years and has not had any problems with not having a snow ordinance. She said many residents do not have any sidewalks including Mr. Hudak. Ms. Kaiser asked if that meant the Township would put in sidewalks for those residents so we are all on the same playing field. She said that she turned in a petition with 300 signatures against sidewalks and if she needs more signatures she could get them.

Jo Ann McCullum, Township Resident stated the older population, which is growing in Ypsilanti Township would have difficulty complying with a snow removal ordinance. She said if the Township passes a snow removal ordinance it would be added stress for our seniors who would want to comply but could not afford to have a service and therefore may try and remove it themselves which could be detrimental to their health. She said she was in favor of the businesses being required to remove the snow in front of their businesses.

Mr. Hudak, Township Resident stated as the population ages they would be in need of cleared sidewalks.

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**Work session adjourned at 6:45 p.m.**

Respectfully Submitted,

Karen Lovejoy Roe, Clerk

# **CHARTER TOWNSHIP OF YPSILANTI**

## **SIDEWALK ICE / SNOW REMOVAL & SNOW EMERGENCY POLICY**

### **A. PURPOSE:**

The purpose of this ordinance is to:

- (1) Provide standards for proper maintenance, as it relates to the removal of snow and/or ice upon public sidewalks for the safety of residents and those persons traversing the sidewalk and crosswalk areas.
- (2) Provide a mechanism for the Township Supervisor to issue a snow emergency directing vehicle owners to remove their parked vehicles, or other items, from the public roadways, so as to allow for the plowing and clearing of the roadways.

### **B. SIDEWALK ICE/SNOW CLEARING REGULATIONS:**

- (1) No person shall permit ice or an accumulation of snow to remain on any sidewalk adjacent to a lot or parcel occupied by them, or on a sidewalk adjacent to any unoccupied lot or parcel owned by them, for a period longer than thirty-six (36) hours after the same has formed or fallen. This does not include sidewalks to the rear of a lot or parcel. However, this ordinance does include walks and ramps leading to a crosswalk.
- (2) The removal of ice or the accumulation of snow must provide for a clearance of an open pathway of at least 36" in width, or the full width of the sidewalk if smaller, for the length of said sidewalk and crosswalk.
- (3) In business districts, the ice and/or snow accumulation must be removed within four (4) hours of when the ice and/or snow accumulation stops, or by the beginning of business hours on the next day of operation, whichever period is shorter. Again, this ordinance does include all crosswalk areas and the walks and ramps leading to them.
- (4) In all other zoning districts, ice or snow accumulation must be removed from sidewalks and crosswalks as identified in sections (B.1) and (B.2) within thirty-six (36) hours after the ice or snow accumulation ends. Subsequent drifting of snow on sidewalks must also be removed, in an appropriate time frame of thirty-six (36) hours, once the drifting has begun accumulating.

- (5) Should the ice or snow not be able to be removed without causing damage to the sidewalk, sand, sodium chloride, pet-friendly salt, similar melting materials or other abrasives must be used to prevent the surface from being slippery, until the weather permits for the removal without the likelihood of damage to the sidewalk.
- (6) All parties are reminded to **exercise caution and care when shoveling**, especially in extreme cold temperatures or during periods with heavy snow.

**C. FAILURE TO CLEAR:**

- (1) The neglect or failure to clear ice and/or snow as outlined herein shall result in a violation of this ordinance and the issuance of a Civil Infraction Violation shall occur. The Director of Residential Services, or their designee, may order the immediate removal of ice and/or snow at the expense of the owner/occupant of the lot or parcel of land. This removal may result in the lot owner not being notified prior to the removal. In addition, a first time Administrative Fee \$50.00 will also be billed to the owner/occupant of the lot or parcel of land.
- (2) Each subsequent violation from October 1 through May 1 shall be considered a new violation with a new Civil Infraction Violation being issued, and the Administrative Fee shall rise to \$75.00 for the second offense and \$100 for a third offense within the time frame listed in this section.
- (3) The administrative fee and associated costs must be remitted to the Township within thirty (30) days of receiving the bill. Failure to do so shall result in a LEIN being placed upon the property in question, or subsequent legal action being taken to remedy the situation. Ultimately, the goal of the Township is compliance with the ordinance for the safety of persons using sidewalks/crosswalks within the township.
- (4) Vacations, business trips and other obligations that require parcel owners to be away from their home does not exempt them from the obligations of this ordinance. To avoid civil fines and removal costs, occupants/property owners should make arrangements to have their sidewalks cleared when away from home.
- (5) Senior Citizens, or those who are physically unable to comply on their own, should seek the assistance of the Residential Services Department of Ypsilanti Township to find a solution via referral or volunteer programs, so that they remain in compliance with this ordinance, with the ultimate responsibility falling to the property/ lot owner.

- (6) Again, the goal of this ordinance is compliance from property/lot owners so that persons utilizing the sidewalks / crosswalks can do so in as safe a manner as possible.
- (7) The enforcement of this ordinance will be primarily complaint driven, however the Township maintains the right for proactive enforcement in severe situations. Persons lodging a complaint shall have the right to remain anonymous. The entire block for which a complaint is received, or where proactive action is taken, will be subsequently inspected to insure fair and consistent enforcement throughout the area.
- (8) A continuing violation of this ordinance shall be considered a nuisance per se and an immediate threat to the health and safety of the public, at which time the township may take appropriate action to abate the nuisance and place a LEIN for the cost of the abatement against the property.

**D. DECLARATION OF A SNOW EMERGENCY:**

- (1) The Township Supervisor, in consultation with designated staff, shall have authority to declare a snow emergency within the Charter Township of Ypsilanti on the basis of falling snow, sleet or freezing rain, or on the basis of a forecast by the U.S. Weather Bureau, or other weather conditions that make it necessary that parking on township streets and roadways be prohibited for snow plowing, or other purposes. This declaration shall be released to the local print and electronic media, as well as being placed on the township web site. Additionally, the public shall be notified via the use of the audible siren system located within the township. The emergency shall remain in effect until the Township Supervisor declares that it be terminated, with notices being released in the same fashion as noted above.
- (2) If an emergency is declared, or whenever ice or snow has accumulated to a depth of four (4) or more inches on any street or roadway within the township, as determined by the local U.S. Weather Bureau affiliate, a parking prohibition shall automatically go into effect on all public streets and roadways within the township.
- (3) During any declared snow emergency, no person shall park or allow to remain parked any vehicle on any public street or roadway within the Charter Township of Ypsilanti. Compliance is the primary goal of the ordinance. This ordinance does not apply to private drives, streets or roadways.

**E. FAILURE TO ABIDE:**

- (1) Any person who shall violate any provisions of this ordinance whether as the owner, clerk, agent, servant or employee shall be guilty of a municipal infraction and upon being found responsible in any court of competent jurisdiction be fined \$250.00.
- (2) Any vehicle parked contrary to the prohibitions of this ordinance, or any vehicle abandoned on any public street or roadway during a declared snow emergency shall be cited by the policing department of the jurisdiction for prohibited parking and shall be towed away at the risk and full expense of the owner of the vehicle by an authorized employee, or agent, of the policing department.

**F. PRIVATELY OWNED SIDEWALKS / DRIVEWAYS:**

- (1) This ordinance is not applicable to any sidewalks located on private property or within the right-of-way of a privately owned road or street.

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