

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF WORK SESSION
FEBRUARY 5, 2019**

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 Lovejoy Roe, Treasurer Larry Doe, Trustees: Stan Eldridge, Heather Jarrell Roe, Monica Ross-Williams and Jimmie Wilson, Jr.

Members Absent: None

Legal Counsel: Wm. Douglas Winters

Supervisor Stumbo stated Evan Pratt, Water Resource Commissioner had requested to reverse the order of Agenda Item #1 and #2.

**2. WASHTENAW REGIONAL RESOURCE MANAGEMENT
AUTHORITY.....THEO EGGERMONT,
WASHTENAW COUNTY WATER RESOURCE COMMISSION
AND BOB DAVIS, SOCCRA**

Theo Eggermont, Public Works Manager of Washtenaw County stated he was excited about presenting the Regional Authority that would be launching over the next couple of months. He said Evan Pratt, Water Resources Commissioner and Attorney Bob Davis who had helped to form the authority over the last year would also be presenting.

Mr. Eggermont provided a brief history as to how the Authority was formed. He stated the vision was to focus on increasing quantity and quality of recycling and reported on the benefits of having the Authority. He reported on some of the things that could happen in the future:

- More regional collaboration to increase negotiating power
- Increase buying power and optimize routes

CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF FEBRUARY 5, 2019 WORK SESSION
PAGE 2

- Opportunity to pool contracts
- Work with haulers and processors

Robert Davis Attorney with SOCCRA stated, since 2001 he had been working with an Authority of a different size and composition than this one, in Oakland County, but organized with the same legal principles that we were starting with here. He reported he had used a bid process based on a geographic area as opposed to a community boundary which resulted in a bulk geographic area where the rates went down 6%. He said he had restructured their recycling program in the last couple of years and did a bond to build a single stream, state of the art facility in the Troy transfer station area and had a 26% increase in recycling, over the last year.

He reported the Authority would narrow thinking and focus on recyclables, recycling management, recycling messaging, and recycling consistency with a goal of recycling rising in terms of quality and quantity. He said it was possible to create drop off centers for defined materials.

He stated the Authority's articles expressly stated they would not own or purchase property that would be used, or had been used in the past, as a disposal of waste materials or property that might become a landfill.

Mr. Davis reported the voting structure would be very simple, every member shall have one vote.

Mr. Davis said they had inserted an annual budget process whereby the Authority Board would prepare a budget which would come back for review. He stated combined with an Activity Report there would be an annual audit process.

Mr. Davis stressed any changes to the Articles must be unanimous.

Mr. Davis stated if there were any changes, they could be approved by all members now and then the final product could be done.

CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF FEBRUARY 5, 2019 WORK SESSION
PAGE 3

Supervisor Stumbo asked what other communities this had been presented to.

Mr. Davis stated it had been presented to Saline, Ypsilanti City, Ann Arbor, Ann Arbor Township, Scio Township, Pittsfield Township and Dexter.

Trustee Jarrell Roe asked for a clarification regarding insufficient income. Mr. Davis stated there really should not be an insufficient income situation and that was the reason they had backed up and put in the budget process. He provided they had divided up a way to address it by asking, "Was it something that had been preapproved or not," He said they wanted to reserve the right to have some creativity in that process.

Trustee Ross-Williams asked if each member community would be contributing \$5,000.00 and Mr. Davis explained there would be an initial contribution by each member community to begin and the County would contribute matching funds for each community. He added the county was going to help out for a couple of years. Trustee Ross-Williams asked what if a member wanted to bid outside of the process. Mr. Davis responded they could.

Mr. Davis stated the economy of scale was effective. He provided information on a firm called Car Trucking. He said the bid process as a group attracted a lot of attention.

Clerk Lovejoy Roe asked if the money from County was a match and it was confirmed by Mr. Davis.

Supervisor Stumbo stated they attended several meetings and Trustee Stan Eldridge had attended one as well. Supervisor Stumbo stated the reason they had begun discussions on the topic was a change of rules regarding contamination as well as a drop in the market regarding recyclable materials that had come together to cause unintended financial consequences, so it just made sense to have a regional authority rather than individual communities dealing with the issue.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF FEBRUARY 5, 2019 WORK SESSION
PAGE 4**

Mr. Davis reiterated the goal of this authority was to help communities determine where their current recycling contract was, get them in sync and work with them to get out clauses, and then in four years, when the market had changed, somebody would look at this group to realize it had quality and quantity and give a good price.

Supervisor Stumbo voiced hope that new products could be found for the recycled materials.

Attorney Winters stated he had emphasized that Ypsilanti Township had invested in our compost center which had resulted in a very successful operation, to the point of expanding to include Canton Township. He stated his focal point, going forward, was for clarity to make sure Ypsilanti Township was doing nothing to have a negative impact on our compost facility.

Mr. Davis reported there was facility in Rochester he would like to have a look at operations in Ypsilanti Township and have Ypsilanti Township view their operation as well, because according to DEQ there was a statewide shortage of viable composting material.

**1. YPSILANTI TOWNSHIP ASSET MANAGEMENT PLAN FOR COUNTY
DRAINS.....SCOTT MILLER,
DEPUTY WATER RESOURCES COMMISSIONER**

Scott Miller, Deputy Water Resources Commissioner stated he was hoping to speak to the Storm Water Management and present an overview of the proposed changes, touch on how to pay for them and present a specific proposal for Ypsilanti Township.

Scott Miller presented an overview of how the 90 legally established drains in Ypsilanti Township were taken care of. He reported the County was responsible for the repair, maintenance upkeep and functioning of those drains. He stated currently, a lot of the work they did was reactive, by fixing problems regarding drainage as they arose. Mr. Miller reported one of their responsibilities was the inspection of the drains and proactive work involving the catch basin and cleaning

CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF FEBRUARY 5, 2019 WORK SESSION
PAGE 5

the grate of debris such as snow, ice or leaves which caused flooding. He stated this method was not cost effective,

Mr. Miller reported many of these drains are quite old and as shown in the report, as they age many were deteriorating at a faster rate because there had been no periodic maintenance.

Mr. Miller stated the Asset Management plan proposes to maintain infrastructure instead of reacting to our problems by being proactive. He proposed getting ahead of the problem and get drains rehabilitated before they deteriorated to a point of constantly needing maintenance. He stated he envisioned approval of a plan to revisit periodically to update.

Mr. Miller provided a brief explanation of how things were paid for. He stated there was no running tax bill, no money from state or federal taxes paid for any work done on the drains. He explained when any work is done on a drain, the Drain District was responsible for paying the cost and depending where it was, some cases would involve the Township and the Road Commission, while others would involve the Township, the Road Commission and the property owner. He said the process was: the Water Resources Commission borrowed the money to do the work and then sent out an assessment bill at the end of the year.

Mr. Miller presented a proposal for Ypsilanti Township for 2019 and a plan to revisit either annually or more frequently if needed. He said the first step was to analyze a list of data which included:

- Age of the drain
- Size of the drain
- What it is made of
- Assessment
- Maintenance history
- Consequence of failure (property damage due to flooding, road closure, and spending limits)
- Economic burden on the Township and/or property owner

CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF FEBRUARY 5, 2019 WORK SESSION
PAGE 6

Mr. Miller stated they would still respond to service requests, which would be variable for any given year. He then provided a list of proactive items they were requesting and the last step would be the renewal of drains.

Supervisor Stumbo asked if he had done this analysis in every community. He responded he had talked to Augusta and Northfield Township and now Ypsilanti Township and would love to involve every community.

Supervisor Stumbo asked if he had staff to maintain program. Mr. Miller responded that there was sufficient staff right now but if twenty five communities joined, he would have to add staff.

Supervisor Stumbo said she was under the impression that he wanted the Township to adopt the Asset Management Plan at another meeting and then look at funding.

Mr. Miller explained, going back to the Drain Code, they could spend up to \$5,000 for one mile without asking permission, but if repairs required spending \$15,000 then the costs would be applied to the drain district property owners as allowed under the Statutory Drain Code. He continued, if owners of private property had to pay and he wanted to exceed the limit, in those cases, he had to get either a Resolution from the Township, To Allow To Exceed The Limit, or get a petition. Mr. Miller said to get back to Supervisor Stumbo's point, they were asking to have the Township adopt the Asset Management Plan and update it at least annually and include resolutions along with that to Allow To Exceed Spending where needed.

Supervisor Stumbo asked if that would be Chapter 20 Drains and he answered it was Chapter 3, 4, and 18 of the Drain Code.

Trustee Jarrell Roe asked for clarification about the Appendix A, the percentages between the total cost and the Township portion, was indicative of what we would pay based on the Watershed Area. Mr. Miller said the percentage was not based on the Watershed Area but the chapter of the Drain Code, when the drain was established and then how the costs were apportioned for that district. She asked for a paper copy of the Drain Code. Mr. Miller gave Trustee Jarrell Roe his copy.

CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF FEBRUARY 5, 2019 WORK SESSION
PAGE 7

Clerk Lovejoy Roe, asked, according to Appendix A, how the costs for the Township were figured. Mr. Miller stated the Township percentage was estimate of the assessment, if the Township adopted the plan. Mr. Miller said he had provided a separate sheet of the private owner portion and either the Road Commission or MDOT's road portion.

Mr. Miller stated the Township historically had paid every assessment on a year to year basis.

Supervisor Stumbo stated it was sometimes easier for the Township to pay those small amounts rather than have them billed separately to each property owner. She asked if he could prioritize a plan.

Evan Pratt, Water Resources Commissioner stated the good thing about starting a program where there had not been any systematic maintenance was there was no bad place to start because everything was so far behind. Mr. Pratt stated another thought was they were seeking approval of the 2019 game plan. Mr. Pratt explained Scott would be monitoring the progress and keep the Township apprised.

Clerk Lovejoy Roe asked for direction regarding payment and Mr. Miller said he was looking at how this would work best for Ypsilanti Township. He said the request was higher than the \$300,000 the Township had historically paid and the Township could choose which projects made sense. He said resolutions would be necessary in some cases, depending on the type of drain.

Evan Pratt stated it would be possible to add, "At the discretion of the elected officials," when adopting the resolution, if the Board wanted to pick a dollar amount.

Trustee Ross-Williams asked about Beyer Relief Drain and wondered if there were any drains on the west side of Tyler Road. She reported that area was often flooded. Mr. Miller stated there were drains in that area but the question was who had jurisdictional authority in that area.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF FEBRUARY 5, 2019 WORK SESSION
PAGE 8**

Trustee Ross-Williams asked for a definition of open channels. Mr. Miller said he didn't know if there was an official, legal definition, but he explained an open channel would be an earthen or agricultural channel where you can look down and see the water flowing rather than a pipe underground, where you can't see the water running.

Trustee Ross-Williams said the last question related to the maintenance Beyer Relief Drain, which was one of the more historical areas in the township and spoke to the issue of clearing the drain. She asked if he would recommend a street sweeper in order to help with the drain maintenances, to which he started by saying they didn't have one, but also stated that was a part of many asset management plans, to get debris off the street before it got into the drain.

Supervisor Stumbo thanked Mr. Miller for his presentation.

Trustee Jimmie Wilson thanked him for providing an explanation of the Asset Management Plan for County Drains as it had helped him as a new Trustee.

3. AGENDA REVIEW.....SUPERVISOR STUMBO

CONSENT AGENDA

The January 15, 2019 verbatim minutes were distributed and it was agreed to include them in the Official Minutes of the January 15, 20-19 minutes. She explained they were just finished at 4:00 this afternoon, since it was a very tedious process.

Supervisor Stumbo asked if the approval would be added into the Special Meeting Minutes. Clerk Lovejoy Roe said they would add the verbatim minutes of that one section into the motion.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF FEBRUARY 5, 2019 WORK SESSION
PAGE 9**

Supervisor Stumbo asked if the Statements and Checks would be added to the packet. Clerk Lovejoy Roe stated there had been a computer glitch and they had just been completed, distributed to everyone and would be added to the packet.

Trustee Ross-Williams asked if they would be approving the Statements and Check without seeing them. Both Supervisor Stumbo and Clerk Lovejoy Roe explained they had been distributed at the beginning of the meeting and would be added to the packet.

OLD BUSINESS

1. REQUEST OF TRUSTEE MONICA ROSS-WILLIAMS TO RESCIND LOCAL GOVERNMENT APPROVAL OF A SMALL WINEMAKERS LICENSE AND AN ON PREMISE TASTING PERMIT FOR PATRICK ECHLIN AND JEFFREY FRASURE TO BE LOCATED AT 1497 ECORSE RD.

Trustee Ross-Williams offered explanation as to why she was requesting the recension, stating she was looking at a memo on her iPad dated December 15, which did not list the request for an On Premise Tasting Permit. She apologized for her Call To Question at the January 15, 2019 meeting. She stated she did not want to keep the petitioner from getting approval, and as long as everything else was in order, which she felt was a debatable issue, before the Board.

Trustee Wilson said since he had to leave during that part of the meeting on January 15, he wanted to make sure everyone had received all of the information that was in question and felt comfortable moving forward. He stated his opinion that the applicant had been more than willing to provide the information requested and he, personally, did not want to hold him up any further.

Supervisor Stumbo stated the only information she didn't have at this point was what was submitted to the Clerk in December. She stated the Board could not move forward at that point because there was just not enough information provided.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF FEBRUARY 5, 2019 WORK SESSION
PAGE 10**

Clerk Lovejoy Roe responded the only two things she had at that point was the memo from the applicant and the memo from Charlotte, and both were in the packet for December.

Clerk Lovejoy Roe stated since that time she has tried to make sure everyone had all the information needed. She stated she had sent a packet late last night which included all the emails she had received with the exception of 80 to 90 of the ones sent between Charlotte and the applicants that went back to March of 2018, the application for the State of Michigan and LARA and the building department reviews and sketch. She reported the only other things the Ordinance required was the Fire Marshal's report which would be included later, after any construction was finished and he had inspected before the Certificate of Occupancy was granted; and the other piece of information not included was the Sheriff's Department report which was not complete.

Further discussion on the original information which Supervisor Stumbo says she doesn't have and that Trustee Wilson had asked about. Clerk Lovejoy Roe asked for clarification because she didn't understand what information they didn't have.

Supervisor Stumbo stated the file was not complete and her biggest concern was regarding the parking situation which Treasurer Doe brought up at the last meeting, which was, when parking in the back you have to go either through a car wash stall or an exit door. She said if it could be an entrance door she thought that would solve the issue. She said they didn't get the opportunity to discuss it last time.

Treasurer Doe stated he had talked to one of the owner's last week and voiced his concern that with the parking in the back, saying 62% of the patrons had to walk through the car wash and he was concerned about the safety aspect, especially in the winter.

Patrick Echlin and Jeff Frasure, stated they both were Township residents. Mr. Echlin stated they had gone back to look into the situation and there was plenty of room to use that door as is for an exit and entrance.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF FEBRUARY 5, 2019 WORK SESSION
PAGE 11**

Supervisor Stumbo asked if they were willing to use that exit door as an entrance. Jeff Frasure stated they were absolutely willing.

Trustee Ross-Williams offered a point of information, on the blueprint site it says, "exit door," but upon further inspection and other voices it was determined to say "existing door."

Clerk Lovejoy Roe stated she drove to the site to look and stated the car wash bay was separate from where you walk in and there was close to a 12 to 13 foot clearance.

Trustee Ross-Williams stated we had established the back door could be used as an entrance and exit, but it appeared it was a steel door and she assumed it would that have to be changed.

Patrick Echlin agreed they could change it.

Mr. Frasure said there was a plan of updated things that they would change as needed.

Trustee Ross-Williams said the car wash was actually on a slope and just because the capacity was under the minimum that didn't mean we should not be open to handicap accessibility.

Mr. Echlin stated at that point they would expand to include another bathroom and they would make sure everything was ADA compliant. He stated if they would compare his other business at 734 Brewing it had all been done at that site and they would do the same for this location.

Mr. Frasure stated they had actually had a conversation regarding that slope.

Supervisor Stumbo clarified they had bought it because it was certified by the Health Department, correct.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF FEBRUARY 5, 2019 WORK SESSION
PAGE 12**

Mr. Echlin reported whenever he picked the location for 734 Brewery he had done everything wrong, from a financial standpoint. He explained they picked a building that had to be a change of use, which meant that everything had to be brought up to modern code, new HVAC, new electrical, new plumbing, new everything. Mr. Echlin stated that came pretty close to ending the company before it really started. He said when he set out to find a new location, he looked for vacant sites, within the Township that had been food places and therefore would not require a change of use, which would in turn be more financially feasible.

Supervisor Stumbo asked if they would be serving food.

Mr. Echlin reported that as far as the Health Department or DEQ was concerned, mead and wine fell within their prevue of food and no other food was planned.

Supervisor Stumbo asked if they would be packaging the mead and Mr. Echlin said it would be put into bottles and kegs. Some would be dispensed like beer and some just poured from the bottle.

Supervisor Stumbo stated there was no seating on the site plan.

Mr. Echlin, explained since it was meant to be a tasting room there was a counter at which to stand and they would have chairs at some point, but not now. He said as they grew, Phase II would be to add a second bathroom, which would open them up to 50 occupants, depending on square footage and parking.

Supervisor Stumbo asked if this site was related to 734 Brewing and Mr. Echlin stated it was only in the fact that he was an owner in both establishments and there would be different recipes for each location, mostly honey and some cider and regular wine for 1497 Ecorse Rd.

Supervisor Stumbo asked what the process was to make mead and Mr. Echlin stated usually you just put the ingredients, honey, juice, fruit and then yeast with the right amount of water and let it sit for a few months and then you drink it.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF FEBRUARY 5, 2019 WORK SESSION
PAGE 13**

Treasurer Doe said it was his understanding that if you had chairs in the roughly 150 square foot capacity that occupancy was reduced. Mr. Echlin stated that according to the architect, the limiting of occupancy was due to only having one bathroom. He said that was why a wall was going to have to be built.

Discussion followed regarding chairs and occupancy.

Mr. Echlin asked if it was normal to ask for a notarized statement because they would keep their agreement. He stated he had never seen that in the many building plans he had done.

Supervisor Stumbo said she really didn't know but she felt that was a way to guarantee they did not exceed their capacity especially for parking.

Mr. Echlin stated it felt like it was extra but he was willing to do it. Supervisor Stumbo said she would find out the reason and Mr. Echlin stated he was very interested in an answer. Mr. Echlin stated he felt it was a given that he did not want to break the law. She felt like it was a way to help him and asked Mike Radzik if he knew what the reasoning was for asking for the statement.

Mr. Frasure said he wondered what they had done to deserve what he felt like was mistrust.

Mike Radzik explained he had spoken with Dave Bellers, the Building Official who requested a Notarized Statement of Compliance. Mr. Bellers had stated, according to the Building Code the tasting room area, just by area alone, could accommodate more than 15 people, in fact up to 30 people, and if an artificial low was created by the applicant in order to avoid ADA Compliance, this Statement would mean the proprietor guaranteed they would not exceed the capacity of 15 people.

Supervisor Stumbo asked if this was understandable and Mr. Echlin agreed.

Treasurer Doe stated that even if a bathroom was added the capacity would be 22.

Supervisor Stumbo stated it was time to start the Regular Board Meeting.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF FEBRUARY 5, 2019 WORK SESSION
PAGE 14**

4. OTHER DISCUSSION.....BOARD MEMBERS

The Work Session adjourned 7:03 p.m.

Respectfully Submitted,

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti