

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE MAY 7, 2019 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 Stumbo Clerk Lovejoy Roe, and Treasurer Doe
Trustees: Stan Eldridge, Heather Jarrell Roe,
Jimmie Wilson, Jr. and Monica Ross-Williams

Members Absent: none

Legal Counsel: Wm. Douglas Winters

1. AGENDA REVIEW.....SUPERVISOR STUMBO

**A. MINUTES OF THE APRIL 16, 2019 WORK SESSION, CLOSED SESSION
AND REGULAR MEETING.**

Supervisor Stumbo and Trustee Monica Ross-Williams requested additions to the Work Session Minutes and Clerk Lovejoy Roe agreed.

B. STATEMENTS AND CHECKS

**1. STATEMENTS AND CHECKS FOR MAY 7, 2019 IN THE
AMOUNT OF \$764,608.57**

NEW BUSINESS

**1. 1st READING OF RESOLUTION 2019-06, PROPOSED ORDINANCE 2019-486,
AN ORDINANCE AMENDING ARTICLE XXVII OF THE ZONING ORDINANCE
TO ADD THE CONDITIONAL REZONING TEXT AMENDMENTS**

Megan Masson-Minock, Carlisle, Wortman & Associates explained why they needed to change the zoning ordinance. She said that when they were recommending the conditional rezoning for the tennis facility they realized the

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zoning ordinance did not specifically have an approval process for conditional rezoning. She said this was the reason that amendments were on the agenda. Ms. Masson-Minock said that conditional rezoning allows the property owner to voluntarily offer conditions for the rezoning of their property. She said only the property owner could dictate the terms of the agreement. Ms. Masson-Minock stated that if the property owner wishes to limit the terms of the agreement the municipality could restrict it to certain things. She said this had been a good tool for municipalities. Ms. Masson-Minock stated that what was proposed was an additional Section-2705 and that would set forth the authority to conditional rezoning and it would establish the conditions for the rezoning including entering into a legal agreement.

Supervisor Stumbo reiterated the process for conditional rezoning and asked Ms. Masson-Minock for examples. Ms. Masson-Minock gave different scenarios for conditional rezoning.

Ms. Masson-Minock stated the Township Board could reject any conditional rezoning that does not match the Townships' Master Plan.

OLD BUSINESS

**1. 2ND READING OF RESOLUTION 2019-20, PROPOSED ORDINANCE 2019-484
PROHIBITION OF RECREATIONAL MARIJUANA ESTABLISHMENT (1ST
READING HELD AT THE APRIL 2, 2019 REGULAR MEETING)**

Supervisor Stumbo stated the 2nd Reading includes a proposed revision of adding a sunset date of June 30, 2020. She said this would give the township adequate time to get an ordinance in place regarding recreational marijuana establishments in Ypsilanti Township.

Trustee Jarrell Roe thanked Attorney Winters and Attorney King for their input into this Resolution. She said she feels this revision allows residents who are concerned about recreational marijuana to understand what the State of Michigan regulations are once they are developed.

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Attorney Winters said the 2018 Michigan Regulation and Taxation of Marijuana Act deals with six separate categories of commercial activities. He said only one category deals with retail dispensary. Attorney Winters said the categories range from recreational marijuana growers and sellers for up to 2,000 marijuana plants, marijuana safety compliance facilities, processors, micro businesses, retailers, and recreational marijuana transporters. He said at the time the ballot initiative was approved the State of Michigan was required to have a set of emergency rules that would govern these six categories. He said those rules would go into effect in June or July. He said these rules would be the initial guidelines for applicants to seek to be a Licensee in one of the six categories. He said the emergency rules will expire in six months but would be renewed for an additional six months for a maximum of one year. Attorney Winters stated that after one year the State would be required to have the final set of rules that would be adopted by LARA. He said the State would begin to license growers, processors, micro businesses and transporters before they license retailers. He said the State would not let the retailers for recreational use sell marijuana that was grown for medical use. He said that since we know the timeline from the State now, we may be one of the first municipalities that would have a legitimate timeline to review the rules once they are published, determine which of the six categories should be present in Ypsilanti Township, and which zoning district they would fit into. Attorney Winters stated this process would show that the Township proceeded in a good faith manner regarding the 2018 Michigan Regulation and Taxation of Marijuana Act.

Supervisor Stumbo stated that there was a need for more education regarding the Act. She said people have misinformation regarding what was on the ballot. She said they received signatures from a neighborhood watch group supporting opting out of recreational marijuana businesses in Ypsilanti Township. Supervisor Stumbo said there were strong feelings from residents on both sides of opening businesses or not. She said it was important for residents to get correct information regarding this law.

Mike Radzik, OCS Director stated they have found where home growers have used Liquid Carbon Dioxide injected into the soil for plants to grow bigger and faster. Mr. Radzik said that it is colorless and odorless but when leaking it can

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cause a person to pass out. He said that for \$300.00 each we could purchase detectors for each of our housing inspectors to make it safer for them. He said the inspectors reported that one in ten houses they inspect has a grow operation in it. Supervisor Stumbo stated she wanted our employees to be safe.

Trustee Jarrell Roe stated she agreed with Supervisor Stumbo regarding educating and clarifying what the ballot initiative really meant. She said the situations that we are discussing now about people doing illegal things, such as liquid carbon dioxide infused in the soil of marijuana plants will be stopped by enforcement of our ordinances. She stated she thought it was important not to lead with fear. Trustee Jarrell Roe stated the Township needed to assure residents that we as a Township have always and will continue to always care about the safety of our community. She said just because something is legal does not mean its' okay to do illegal things with it. Trustee Jarrell Roe said just because alcohol is legal it is not okay to give it or sell it to minors. She said some people are always going to do bad things. She said we needed to approach it in a factual manner and not from a place of fear. She said we should come from a place where we are taking the reigns on ensuring safety and continue to have zero tolerance in allowing people to violate our community standards.

Supervisor Stumbo stated that she would like LARA to be aware of some of the problems municipalities have had with medical marijuana grow operations. She said that the smell was a problem at a large grow operation in Livonia and that they were given a fine but the way they fixed the operation did not eliminate the smell. She said these were issues that she wonders if LARA would know about.

Trustee Jarrell Roe stated that in Grand Rapids they were giving preference to businesses applying for licenses if that business was involved in some kind of community involvement in Grand Rapids. She said she would look into it and share it with the Board.

Trustee Ross Williams stated she would like a working group that includes residents on both sides of the issue.

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Supervisor Stumbo stated there are people who are involved in this industry that we do not know about. She said if it was an employee, board member, planning commissioner, etc. involved in this industry we should be aware of it and know if they are financially benefiting from the legalization.

Trustee Jarrell Roe said she had looked at the statistics regarding the passing of the marijuana proposal. She said in the precinct, that the petitions were received from, supporting opting out of all the marijuana businesses, had a 74% yes vote on the proposal.

Supervisor Stumbo stated that people did not vote on having the facilities in their community. She said they voted yes because it said it allows communities to regulate it. She said people have told her they voted yes because they didn't want citizens to be arrested and put in prison for marijuana.

Clerk Lovejoy Roe suggested that we could host an event where Attorney Winters could have a speaker from the state to discuss with residents what is involved in the 2018 Michigan Regulation and Taxation of Recreational Marijuana Act. She said she does not think the community realizes there were 6 different categories of business covered in the Marijuana Act. She said there was information that may help explain it. Clerk Lovejoy Roe stated the Act does not allow any of the six categories to be in residential areas or near schools.

NEW BUSINESS

**2. REQUEST OF LIGHTSPEED COMMUNICATIONS, LLC TO ASSIGN AND
TRANSFER THEIR METRO ACT PERMIT TO METRO FIBERNET, LLC**

Clerk Lovejoy Roe stated this was a transfer from Lightspeed to Metro Fibernet, LLC.

Supervisor Stumbo stated that they had a problem on Grove Road where fiber companies disturbed an area and did not restore it. She said there was another area on the west side. Supervisor Stumbo stated she didn't know if it was

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Lightspeed but said we have to make sure when they come into an area they restore it to its original state.

Clerk Lovejoy Roe stated the Road Commission would not release bonds until the road right-of-way was restored in these cases.

3. REQUEST TO APPROVE SECOND AGREEMENT WITH THE WASHTENAW COUNTY ROAD COMMISSION FOR LOCAL ROAD IMPROVEMENTS IN THE AMOUNT OF \$304,356.93 TO BE BUDGETED IN LINE ITEM #101-466-000-818-022 CONTINGENT UPON APPROVAL OF THE BUDGET AMENDMENT

Supervisor Stumbo stated the Road Commission recommended crack sealing to our roads so they would last longer. She said the contract was for crack sealing throughout the township and the milling and repairing of Edison, which was necessary before installing speed bumps.

4. REQUEST OF MIKE RADZIK, OCS DIRECTOR FOR AUTHORIZATION TO SEEK LEGAL ACTION IF NECESSARY TO ABATE PUBLIC NUISANCE FOR PROPERTY LOCATED AT 1594 ANDREA ST. AND 1499 GROVE RD. IN THE AMOUNT OF \$20,000.00 BUDGETED IN LINE ITEM #101-950-000-801-023

Mike Radzik, OCS Director explained that 1594 Andrea has been vacant for several months and the owner is deceased. He said they had inspected the home and condemned the structure. He said they have been unable to locate any probate records where any interested family has opened the probate case on the property. Mr. Radzik stated the property at 1499 Grove Rd. has been vacant for some time but they made contact with the listed owner. He said the owner stated she had been working with the County Treasurers' office and has not been able to make the repairs. Mr. Radzik said they asked her to register the property and she has not. He said they got an administrative warrant to inspect the property which was rat infested. He said the Certificate of Occupancy was suspended.

5. REQUEST OF MIKE RADZIK, OCS DIRECTOR FOR AUTHORIZATION TO SEEK LEGAL ACTION TO ABATE PUBLIC NUISANCE DRUG HOUSES BY PADLOCKING LOCATED AT 5900 BRIDGE RD. #408 AND 418 VILLA DR. IN

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THE AMOUNT OF \$20,000.00 BUDGETED IN LINE ITEM #101-950-000-801-023

Michael Radzik, OCS Director stated the request was to padlock drug houses. He said they were related because it was the same criminal investigation. He said 5900 Bridge Rd. was an apartment that was used only to manufacture and sell drugs. Mr. Radzik said that at the same time law enforcement was at 5900 Bridge they were also at 418 Villa Drive. He said both addresses met the criteria to padlock the property up to one year.

6. REQUEST TO ADOPT A RECOMMENDED NATIVE PLANT SPECIES LIST

Supervisor Stumbo said this request was for Ypsilanti Township to remain a designated Bee community.

7. RESOLUTION 2019-21, TEMPORARY ROAD CLOSURE REQUEST FOR OBERUN 5K ON JUNE 21, 2019

Clerk Lovejoy Roe stated the proceeds from this run would go to the Border to Border program.

8. RESOLUTION 2019-22, TEMPORARY ROAD CLOSURE REQUEST FOR "RUN SCREAM RUN" 5k, 10k, AND KID'S MILE RUN ON OCTOBER 12, 2019

Supervisor Stumbo stated the proceeds from this run would go to a local charity but it did not specify which charity.

Board members requested finding out what charity the proceeds would go to.

9. REQUEST TO APPROVE AMENDMENT TO THE WASHTENAW COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY ENVIRONMENTAL ASSESSMENT GRANT AGREEMENT DATED FEBRUARY 19, 2019 CR #51312 FOR 1150 MIDWAY

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Attorney Winters explained this was a follow up to the Phase I that was paid for by the Washtenaw County Brownfield in regards to 1150 Midway. He said this was the location for the proposed Skate Park. He said they asked AKT Peerless to perform a sub-surface investigation around the concrete pad where the Skate Park was to be located to check for fuel contaminates in the soil.

10. BUDGET AMENDMENT #8

Supervisor Stumbo explained what the Budget Amendment included.

AUTHORIZATION AND BIDS

- 1. REQUEST OF MIKE SARANEN, HYDRO OPERATIONS FOR APPROVAL TO WAIVE THE FINANCIAL POLICY AND PURCHASE A NEW RAM 1500 PICK UP FROM VANDYKE DODGE RAM IN THE AMOUNT OF \$20,754.00 TO BE BUDGETED IN LINE ITEM #595-595-000-985-000 CONTINGENT UPON APPROVAL OF THE BUDGET AMENDMENT**

ATTORNEY REPORT

A. GENERAL LEGAL UPDATE

Attorney Winters stated that neighborhood stabilization was still a goal for Ypsilanti Township. He said there were a number of different avenues that the township takes to keep up with stabilizing our neighborhoods. He said he could not emphasize enough the importance of the Office of Community Standards when it comes to identifying and inspecting the vacant properties and blighted homes in the Township. He said that a blighted home in our community has a major impact when it comes to prospective residents who are looking to relocate in the Township. He said we have seen over the last few weeks some of the worst signs of blight and drug houses in our community. Mr. Winters stated that we were still fighting the drug homes and these last two were in multi-family dwellings. He said people who rent in these areas expect a safe community for

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them and their family and should not be subjected to property owners who would lease apartments to ghost tenants. Mr. Winters said a ghost tenant would be one that only uses the residence to make and sell drugs, which was the case at 5900 Bridge. He said the Township welcomes landlords as long as they follow the guidelines and building codes of the Township. He said the Township works with Habitat and we have seen firsthand when you rehabilitate a home in the community, the home values go up and the neighborhood stabilizes.

Attorney Winters explained how we got involved with Clark East Towers, which had many problems a few years ago with criminal behavior, and the Township was on the verge of revoking their pilot exemption ordinance. He said credit goes to the people who stepped up and re-invested into Clark East Towers and it made a tremendous turn around in that complex. He said that happened because the Township was committed to having affordable senior housing.

Attorney Winters said we are working on constructing the best Skate Park that there is. He said we have received some of the bids that are from national design teams across the country. Mr. Winters said he did not know if it had been decided which team to hire but he understood that all the bids were from design teams that were extremely qualified and very excited to work with us.

Attorney Winters stated that we were still working on the Re-Imagine Washtenaw sidewalk easements. He said we were still waiting on Camelot Apartments but they now have revised their easement in a manner that we believe we can move forward with as long as its' executed timely.

2. OTHER DISCUSSION.....BOARD MEMBERS

Trustee Jarrell Roe wanted to say Happy Teachers Week to all our Educators in our community and Happy Nurses Week to all our Nurses in our community.

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Trustee Ross-Williams stated that West Willow Park was featured in the SEMCOG video for the Parks and Recreation Regional Master plan for the Safe Paths to School Grants. She said they did a nice aerial view of West Willow Park. She also stated there was a homebuyer's seminar this past weekend and over 40 people participated in it. She said they gave out information regarding purchasing homes in our area as well as Washtenaw County. Ms. Ross-Williams said Pete Murdock had passed away and she was praying for his family. Work Session ended at approximately 6:46 PM.

Respectfully Submitted,

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti