

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE MAY 21, 2019 WORK SESSION MEETING**

Clerk Lovejoy Roe called the meeting to order at approximately 5:01 p.m. in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township.

Clerk Lovejoy Roe stated Supervisor Stumbo has had a death in her family and will not be at the meeting tonight. She asked to remember her and her family in your prayers.

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

Members Absent: Supervisor Stumbo

Legal Counsel: Wm. Douglas Winters

Clerk Lovejoy Roe stated that there were representatives here for particular agenda items and asked to allow their items to be taken up first. She said the first was Washtenaw County Parks and Recreation and after that presentation, we would hear from YCUA.

NEW BUSINESS

**7. REQUEST TO APPROVE SKATE PARK AGREEMENT BETWEEN YPSILANTI
TOWNSHIP AND WASHTENAW COUNTY BY THE WASHTENAW COUNTY
PARKS AND RECREATION PARKS COMMISSION**

Megan Bonfiglio, Washtenaw County Parks and Recreation and Trevor Staples, Tony Hawk Foundation presented an overview regarding the skate park.

Mr. Staples explained the benefits of offering a skate park in Ypsilanti Township. He said it's a competitive sport and relatively inexpensive. He said he has been involved in skateboarding for many years and was the lead advocate for the Ann Arbor Skate Park. He said skateboarding makes its debut as an Olympic sport at the 2020 Olympics. Mr. Staples stated after the Olympics, the interest in skateboarding would increase drastically. He said he is still skateboarding at 51 years

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old and for many skateboarders it is a lifestyle that you will be involved in for most of your life.

Megan Bonfiglio stated we all know the benefits of recreation. She said we are facing a childhood obesity epidemic. Ms. Bonfiglio said skateboarding and action sports are something that would benefit communities. She said there has been a push for more casual recreation. She said organized sports are more expensive. She said they estimate there are approximately 15 million skateboarders in North America.

Trevor Staples said Mauricio Mejia; a high school student in Ypsilanti Township contacted the Parks Commission asking about the possibility for a skate park in Ypsilanti Township. He said the Tony Hawk Foundation offers technical support and some funding. Mr. Staples stated the larger matching grants were from the Ralph C. Wilson Jr. Foundation and Washtenaw County Parks and Recreation.

Megan Bonfiglio said they looked for a suitable location and found Ypsilanti Township Community Center property to have everything they were looking for. She said when they sent bids out to prospective skate park builders they received seven proposals. She said their advisory committee included input from the skate community, and they selected which proposal they wanted to move forward with. She said the build team had great understanding of the project, good creativity and approach to this project, had a robust community engagement process, experience and expertise in skate park design. Ms. Bonfiglio stated it was very important in their office for the design team to have experience with environmental design. She said they would like to highlight the skate park as a storm water and green infrastructure park. She said they recommended New Line Skate Parks, which is a Canadian company that has offices in the United States. She said they were committed in working with the community and will meet in person at least four times engaging with the community and us. She said they would take the ideas and come up with a design, tweaking it until they have final approval. Ms. Bonfiglio stated New Line Skate Parks will do the design and they will construct the Skate Park. She said that Washtenaw County Parks would oversee all the construction work as the Construction Manager and once

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completed they will turn the skate park over to Ypsilanti Township. She said New Line would also design a maintenance schedule for Ypsilanti Township.

Trevor Staples said that he would be helping the township with programming for the park once it is up and running. He said the Ralph C. Wilson Jr. Foundation is interested in helping fund programming after skate parks are built.

Mr. Staples stated on June 21, 2019 they are having International Go Skateboarding Day Weekend. He said he would like to highlight Ypsilanti Township with a ceremonial groundbreaking celebration at the site for the Ypsilanti Township Skate Park. He said they will have a weekend of events but would like to begin in Ypsilanti Township.

**1. RESOLUTION 2019-23, APPROVAL OF THE SRF CONTRACT WITH
AUTHORIZING NOTICE FOR THE YCUA WASTEWATER TREATMENT PLANT
IMPROVEMENTS SRF BOND SALE**

Tom Colis, Attorney with Miller Canfield, stated the Resolution authorizes approval of the contract between YCUA, Ypsilanti City and Ypsilanti Township. He said this contract would provide the financing and the construction by YCUA for the improvements at the YCUA Wastewater Treatment Plant. He said it provides for a share of the cost, between Ypsilanti City and Ypsilanti Township based on usage. He said while the contract states shared cost, the contract municipalities would cover more than 60% of the cost of the improvements through the contract communities rates and charges. Mr. Colis stated that although the contract states the Township would fund a portion of these improvements it would only be necessary if the rates and charges fall short of the cost. He said they do not anticipate that happening. He said this Resolution includes authorizing a notice in the newspaper regarding this Bond Sale.

Scott Westover, YCUA Engineer Manager, explained the improvements that would be made at the Wastewater Treatment Plant.

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WORK SESSION AGENDA

1. RECREATIONAL MARIJUANA ACT NEXT STEPS DISCUSSION

.....BOARD MEMBERS

Clerk Lovejoy Roe stated the Township adopted the opt out Resolution at the last board meeting regarding Recreational Marijuana Act. Clerk Lovejoy Roe said the discussion tonight would be whether the Board supports Attorney Winters and Dick Carlisle, Planning Consultant, working together investigating which of the six marijuana businesses allowed under the Recreational Marijuana Act should be located in Ypsilanti Township. She said with Dick Carlisle's expertise in zoning he would be able to help with the correct locations for these businesses if the board decides to allow them.

Trustee Ross-Williams stated she would like Attorney Winters and Mr. Carlisle to look into safety issues regarding employees in marijuana facilities. She said she would like them to speak with residents in business districts to get their opinion on whether they would want these businesses near their neighborhoods. Trustee Ross-Williams would like them to include in their investigations what the average wage employees make in marijuana facilities.

Trustee Wilson, Jr. stated he was glad we were moving forward with this agenda item.

Trustee Jarrell Roe stated she would like to suggest community engagement and a possible survey sent to our residents.

Attorney Winters stated the LARA rules should be coming out in 30-45 days and reminded the Board of the sunset provision being June 30, 2020. He said he would like to know what community benefits these businesses would provide to their employees. He said the township had a living wage ordinance but that it has not been used or updated for some time. He said Ypsilanti Township was the first community to pass the Living Wage Ordinance but it fell by the way side and we have not kept up with it. He said Amazon pays a minimum wage of \$15.00 per

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hour and that would be an example of what we should expect from these businesses if they were to come into the Township.

Clerk Lovejoy Roe stated she agreed that employees at these businesses should be paid a fair wage with benefits.

Trustee Ross-Williams stated she would like owners of these businesses to have some direct connection to Ypsilanti Township. She said she would like residents to be considered first if becoming an employer or employee.

PUBLIC HEARING

- A. 7:00PM – RESOLUTION 2019-25, CREATION OF SECURITY CAMERA SPECIAL ASSESSMENT DISTRICT #074 FOR THE CLIFFS CONDOS (PUBLIC HEARING SET AT THE APRIL 16, 2019 REGULAR MEETING)**

Clerk Lovejoy Roe explained the Public Hearing tonight was for one camera at the Cliffs Condos. She said it is in proper form. Clerk Lovejoy Roe said she has received several emails in support of the camera and one opposed.

CONSENT AGENDA

- A. MINUTES OF THE MAY 7, 2019 WORK SESSION AND REGULAR MEETING**
- B. STATEMENTS AND CHECKS**
 - 1. STATEMENTS AND CHECKS FOR MAY 21, 2019 IN THE AMOUNT OF \$825,638.38**
 - 2. CHOICE HEALTH CARE DEDUCTIBLE ACH EFT FOR APRIL 2019 IN THE AMOUNT OF \$60,984.67**
 - 3. CHOICE HEALTH CARE ADMIN FEE FOR MARCH 2019 IN THE AMOUNT OF \$1,106.00**

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C. APRIL 2019 TREASURER'S REPORT

ATTORNEY REPORT

A. GENERAL LEGAL UPDATE

Attorney Winters stated he had sent a graph regarding neighborhood stabilization to the Board. He said it is interesting to see all the avenues we use in working toward stabilizing neighborhoods in Ypsilanti Township.

Attorney Winters stated there has been a temporary slow-down regarding Forbes Cleaners. He said the funding was an issue and was needed to complete the entire mediation and clean up. He said he received an email today from Mary Miller stating the contractors are planning to install the vapor mitigation system in three houses located at 928, 936, and 944 Davis St. He said Ms. Miller is estimating the additional investigation would not be completed until December 2019.

Attorney Winters stated the demolition of Thurston and Kettering Schools had been completed.

Attorney Winters stated the County should be signing the contract with OHM to begin the work on the Re-Imagine Washtenaw sidewalk project.

Trustee Jarrell Roe stated she was disappointed that the Washtenaw County Treasurer who is not following the law by sending us the list of the tax foreclosed houses in Ypsilanti Township by March 31, 2019. She said because of this we did not have the right of first refusal for purchasing these houses, as we have been able to do for the past several years, which has helped with neighborhood stabilization. Trustee Jarrell Roe stated it was not acceptable that the Township of Ypsilanti continues to be treated differently than other townships in Washtenaw County.

Clerk Lovejoy Roe stated she has never seen anything so difficult to complete than the Re-Imagine Washtenaw project. She said we were improving peoples' property and we were providing the funds to do it and we still had difficulty

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getting these businesses to get on board with the project. She said this project was for constructing sidewalks in front of their property, at no charge to the property owner, so people could utilize the sidewalk and get to the businesses, residences, and bus stops safely. She said the project would not have moved forward if it were not for the work of Nathan Vaughn and Attorney Winters.

NEW BUSINESS

- 1. RESOLUTION 2019-23, APPROVAL OF THE SRF CONTRACT WITH AUTHORIZING NOTICE FOR THE YCUA WASTEWATER TREATMENT PLANT IMPROVEMENTS SRF BOND SALE**

Clerk Lovejoy Roe explained the improvements for the Wastewater Treatment Plant and said this issue was addressed by YCUA earlier.

- 2. REQUEST TO APPROVE THE MASTER DEED, BYLAWS AND ELEVATIONS FOR THE MAJESTIC LAKES ESTATES CONDOMINIUM PHASE OF THE MAJESTIC LAKES PLANNED DEVELOPMENT**
- 3. REQUEST TO APPROVE THE MASTER DEED, BYLAWS AND ELEVATIONS FOR THE MAJESTIC PONDS CONDOMINIUM PHASE OF THE MAJESTIC LAKES PLANNED DEVELOPMENT**
- 4. REQUEST TO APPROVE THE SECOND AMENDMENT TO MASTER DEED AND ASSOCIATED EXHIBITS OF THE VILLAGE AT MAJESTIC LAKES CONDOMINIUM PHASE OF THE MAJESTIC LAKES PLANNED DEVELOPMENT**

Mike Radzik, OCS Director stated agenda items #2 and #3 were the same. He said the request was for approval of the original Master Deed and By-laws. He said he spoke with Mark Roepuck, Lombardo Homes and Attorney Winters and they decided to modify the Master Deed. He said he would send a written copy of the

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modification to Clerk Lovejoy Roe. He said the change had to do with the HOA wording regarding the leasing restrictions and needed to be included in the approvals tonight.

Mike Radzik, OCS Director stated agenda item #4 was an amendment to the Master Deed and it adds Phase II. He said he would like the new language as recommended for agenda items #2 and #3 to be added to agenda item #4 regarding the leasing restrictions.

5. REQUEST TO APPROVE AMENDED AGREEMENT WITH WASHTENAW COUNTY FOR SUBAWARD OF FEDERAL FINANCIAL ASSISTANCE FOR THE PROPOSED BUS STOP SHELTER AT SCHOONER COVE AND S. HURON RIVER DR.

Clerk Lovejoy Roe explained the agreement regarding the Bus Stop Shelter.

6. REQUEST TO APPROVE AN AMENDED AGREEMENT WITH OHM FOR ADDITIONAL WORK TO THE PATHWAY FOR THE SCHOONER COVE BUS STOP IN THE AMOUNT OF \$6,110.00 TO BE BUDGETED IN LINE ITEM #101-970-000-974-100 CONTINGENT UPON APPROVAL OF THE BUDGET AMENDMENT

7. REQUEST TO APPROVE SKATE PARK AGREEMENT BETWEEN YPSILANTI TOWNSHIP AND WASHTENAW COUNTY BY THE WASHTENAW COUNTY PARKS AND RECREATION PARKS COMMISSION

Attorney Winters stated the property that will be used for the Skate Park was property that was purchased by the Board in 1980. He said although the Board at that time did not think this property would be used for a Skate Park but they did believe that it would be incorporated into the Townships' Recreation Plan. Attorney Winters stated this was witness to the fact that what the Board does today would have an impact on future generations, as it was 40 years ago that this property was purchased for the future of Ypsilanti Township.

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- 8. REQUEST TO APPROVE CHANGE ORDER #1 IN THE AMOUNT OF \$715.00 AND THE PROPOSAL TO CONDUCT A SUBSURFACE INVESTIGATION AT 1150 MIDWAY IN THE AMOUNT OF \$5,570.00 WITH AKT PEERLESS IN A TOTAL AMOUNT OF \$6,825.00 TO BE BUDGETED IN LINE ITEM #212-212-000-801-300 CONTINGENT UPON APPROVAL OF THE BUDGET AMENDMENT**

Clerk Lovejoy Roe stated this change order also involves the Skate Park property.

- 9. REQUEST OF MIKE RADZIK, OCS DIRECTOR FOR AUTHORIZATION TO SEEK LEGAL ACTION IF NECESSARY TO ABATE PUBLIC NUISANCE FOR PROPERTY LOCATED AT 2358 RAVINEWOOD AVE., 5940 ELLIS RD., AND 2830 E. MICHIGAN AVE. IN THE AMOUNT OF \$30,000.00 BUDGETED IN LINE ITEM #101-950-000-801-023**

- 10. REQUEST TO APPROVE AGREEMENT WITH THE WASHTENAW COUNTY ROAD COMMISSION FOR LOCAL ROAD DUST CONTROL IN THE AMOUNT OF \$5,847.93 BUDGETED IN LINE ITEM #212-212-000-818-006**

Clerk Lovejoy Roe stated we do this every year and it is in the budget.

- 11. RESOLUTION 2019-24, AMENDED 2019 DESIGNATION OF DEPOSITORIES**

Treasurer Doe stated that Key Bank has taken property tax payments in the past but they have decided not to continue. He said they were trying to find another institution on the west side of the township so residents did not have to come to the Civic Center to make tax payments. He said most banks do not want to take the payment any longer. Treasurer Doe stated the Washtenaw Credit Union agreed to take the tax payments so we needed to add them to the designation of depositories resolution.

- 12. BUDGET AMENDMENT #9**

Clerk Lovejoy Roe explained what was in Budget Amendment #9.

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AUTHORIZATION AND BIDS

- 1. REQUEST OF MIKE RADZIK, OCS DIRECTOR TO AWARD THE LOW BID FOR THE GENERATOR REPLACEMENT AT THE LAW ENFORCEMENT CENTER TO CUMMINS INC. IN THE AMOUNT OF \$83,767.00 TO BE BUDGETED IN LINE ITEM #266-301-000-971-001 CONTINGENT UPON APPROVAL OF THE BUDGET AMENDMENT**

Mike Radzik, OCS Director explained the purchase and the installation for the Generator at the Law Enforcement Center.

Trustee Eldridge questioned the cost for OHM Professional Services. He asked if they could provide a break down for the \$38,700.00. He said the cost seems very high for overseeing the installation of a generator. He said it also seems like we are duplicating a service. Mike Radzik stated he would share the contract with Trustee Eldridge.

Treasurer Doe asked Mr. Radzik if the Sheriff would help with the cost of this project. Mr. Radzik said he had not contacted anyone from the Sheriffs' Office but he planned on contacting them when he finds the appropriate department to reach out to. Treasurer Doe asked what might be an approximate cost for the installation. Elliott Smith, OHM stated an approximate cost would be about \$150,000.00. Treasurer Doe confirmed it would cost about \$150,000.00 to install an \$87,000.00 generator.

Trustee Jarrell Roe stated that we just spent a lot of money to re-open the Holmes Road Law Enforcement facility. She said she knew it was about our safety but stated this should be a joint effort with the Sheriffs' department.

Mr. Radzik stated he understood what was being asked but in our contract with the Sheriff's Department, it states that if we want their officers to report to work in our jurisdiction we are required to provide a suitable facility for them. He said he knows that they do other training there and does agree that it would be fair for them to help fund this.

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Trustee Ross-Williams questioned the cost for installation. Elliott Smith, OHM said the cost included hook up of the generator, transfer switch, plumbing, the slab the generator sits on, foundation for the slab, and the warranty. He said for a generator that would be the standard cost for installation.

Treasurer Doe still questioned the cost for installation being \$150,000.00

Mr. Radzik stated that the generator would go on an 8-inch thick concrete slab. He said our building officials insisted on installing footings because of the size and weight. Mr. Radzik said this was a very large piece of machinery. He said when he spoke with Stan Tec about the project they told him to plan on it costing approximately \$250,000.00 to \$300,000.00. He said the OHM estimate was a little less and their hourly rates were better than Stan Tec. Mr. Radzik said that in the end we could leave the existing generator there and hope for the best. He said the old generator is 75 Kilowatts and about 40 years old. He said the engineers stated we needed a minimum of 300 Kilowatts to run the generator for an extended period.

Treasurer Doe stated he was not arguing the need for the generator but was questioning the cost for installing it.

Clerk Lovejoy Roe stated she recalled years ago they had looked into a generator for the Civic Center and decided against it, since it would cost over \$200,000.00 at that time.

Mr. Radzik stated that some of the cost was for the sound package. He said the natural gas generator was quieter but it was about double the cost for the diesel generator. He said they went with the diesel for that reason but also if there was a natural disaster it may be hard to get natural gas but diesel fuel could be delivered. He said they needed the sound package to meet the zoning code in Ypsilanti Township.

Trustee Jarrell Roe asked what the exact cost was for the sound package and whether we needed to worry about a zoning code violation during a natural disaster. Mr. Radzik stated he would get the exact cost for Trustee Jarrell Roe.

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- 2. REQUEST OF MIKE RADZIK, OCS DIRECTOR TO APPROVE A PROFESSIONAL SERVICES CONTRACT WITH OHM ADVISORS FOR PROCUREMENT, DELIVERY AND INSTALLATION OF THE REPLACEMENT GENERATOR AT THE LAW ENFORCEMENT CENTER IN THE AMOUNT OF \$38,700.00 TO BE BUDGETED IN LINE ITEM #260-301-000-971-001 CONTINGENT UPON APPROVAL OF THE BUDGET AMENDMENT**

- 3. REQUEST FOR AUTHORIZATION TO WAIVE THE FINANCIAL POLICY AND SEEK THREE QUOTES FOR REPAIR OF THE ROOF ON THE CIVIC CENTER MAINTENANCE GARAGE AND AUTHORIZE THE THREE FULL TIME OFFICIALS TO SELECT THE VENDOR AND ENTER INTO A CONTRACT FOR THE PROJECT**

Clerk Lovejoy Roe stated the roof is leaking right now and that is why the request to waive the financial policy was being made, so they could get the quotes sooner and get the roof repaired.

Treasurer Doe estimated the cost to be about \$20,000.00

The Work Session adjourned at 6:33 p.m.

Respectfully Submitted,

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti