

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE JUNE 18, 2019 WORK SESSION**

Supervisor Stumbo 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.

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

AGENDA REVIEW

A. MINUTES OF THE May 21, 2019 WORK SESSION AND REGULAR MEETING

B. STATEMENTS AND CHECKS

- 1. STATEMENTS AND CHECKS FOR JUNE 4, 2019 IN THE AMOUNT OF \$565,667.62**
- 2. STATEMENTS AND CHECKS FOR JUNE 18, 2019 IN THE AMOUNT OF \$659,334.45**
- 3. CHOICE HEALTH CARE DEDUCTIBLE ACH EFT FOR MAY 2019 IN THE AMOUNT OF \$50,462.70**
- 4. CHOICE HEALTH CARE ADMIN FEE FOR APRIL 2019 IN THE AMOUNT OF \$1,105.50**

C. MAY 2019 TREASURER'S REPORT

ATTORNEY REPORT

A. GENERAL LEGAL UPDATE

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OLD BUSINESS

- 1. 2ND 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 (FIRST READING HELD AT THE MAY 7, 2019 REGULAR MEETING)**

Supervisor Stumbo asked Megan Masson-Minock, Carlisle, Wortman & Associates, to explain this ordinance. Ms. Masson-Minock stated this ordinance would be added to the zoning ordinance as an amendment. Ms. Masson-Minock said the action tonight would be to approve the zoning ordinance amendments as presented. Supervisor Stumbo stated the Ecorse Road map showed the designated new zoning districts. Ms. Masson-Minock said the zoning map would change and the text would change.

NEW BUSINESS

- 1. 1ST READING OF RESOLUTION 2019-27, PROPOSED ORDINANCE 2019-488, AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF YPSILANTI, CHAPTER 30, ARTICLE II ENTITLED FIRE PREVENTION CODE BY THE ADOPTION OF THE 2018 EDITION OF THE INTERNATIONAL FIRE PREVENTION CODE**

Chief Copeland stated that when trying to move forward regarding development ready status and they realized there was conflict in some of the building development projects in terms of code enforcement as it relates to the building, electrical, and mechanical codes and what effect it has on fire alarm systems. He said the Fire Department was reviewing plans based on the 2012 International Fire Code. He said this Resolution would bring the fire services up to the 2018 IFC (International Fire Code). He said this would expedite reviews of construction plans for new development in Ypsilanti Township.

Trustee Jarrell Roe asked how often there was a new International Fire Code. Chief Copeland said it was every three years so the next one would be in 2021.

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**2. 1st READING OF RESOLUTION 2019-26, PROPOSED ORDINANCE 2019-487,
AMENDING THE ZONING ORDINANCE TO ADD ARTICLE XI-A ECORSE RD.
FORM BASED DISTRICT TO ENACT FORM BASED ZONING AND UPDATED
USES AND TO REZONE ECORSE RD. TO BE CONSISTENT WITH THE ARTICLE
XI-A ZONING ORDINANCE LANGUAGE**

Megan Masson-Minock, Carlisle, Wortman and Associates explained the proposed changes on Ecorse Road through a power point presentation to the Board. She said that some of the lots were very shallow which would make it difficult to have ample parking. Ms. Masson-Minock stated that some of the vacant property on Ecorse between Glenwood and Harris Road would work well for town homes but it was not currently zoned for that so they included that change so they would be allowed. She said auto sales and auto repair would not be allowed in this area because those were not uses that would make this area walkable. She said those types of businesses that are currently there could stay.

Trustee Jarrell Roe asked why the ordinance would not allow drive thru in this area. Ms. Masson-Minock stated that having a drive thru does not create a walkable environment. She said they could have a drive thru but it would have to be in the back and with the lots being shallow, it would not be possible.

Trustee Ross-Williams said in a bank scenario if they did have a drive thru it would be in the back like it is at Chase Bank on Ellsworth by Meijers.

Ms. Masson-Minock said she was not familiar with that area.

Trustee Ross-Williams said the tellers were in the back. Trustee Ross-Williams asked how many auto businesses already exist on Ecorse Road.

Ms. Masson-Minock stated she did not know.

Trustee Ross-Williams said it was probably more than what was needed in regards to residents getting their car repaired. Trustee Ross-Williams said it would be

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totally appropriate in order to not allow any proposed zoning for additional auto repair.

Supervisor Stumbo asked about the gas stations and car washes. Ms. Masson-Minock stated they stayed as special uses because they heard from residents that those were key businesses that provide basic needed items in their stores. Supervisor Stumbo asked why should we allow any more than what we already have. Ms. Masson-Minock said the ordinance could be revised not to allow any more gas stations. Ms. Masson-Minock said with auto repair there was a lot of parking needed and a lot of cars parked waiting to be serviced. She said with a gas station most of their profit does not come from the gas but from the items purchased in their markets. Supervisor Stumbo stated that currently there were three gas stations/convenient stores and asked how many more were allowed. Ms. Masson-Minock stated anything that was blue or red on the map would allow someone to apply for a special land use.

Trustee Wilson asked what the process was for someone applying for a special land use. Ms. Masson-Minock stated they have to the Planning Commission, go through a Public Hearing and they have discretionary standards where the planning commission is within their rights to say no even if they have met every requirement. Trustee Wilson asked if auto sales and auto repairs could remain if they transfer ownership but if the new owner wants to change the business they have to conform to the new zoning requirements. Trustee Wilson stated they could not add a new auto repair if the old one was replaced by a different business. Ms. Masson-Minock stated that Trustee Wilson was correct.

Supervisor Stumbo stated she remembered in the past a gas station wanting to go into an area that was zoned for special use and it was hard to deny the gas station because they met all the criteria. Ms. Masson-Minock stated that the Planning Commission would need to stick with the conditions for a walkable corridor.

Ms. Masson-Minock stated that if the boards' direction was not to include gas stations and car washes on the list of allowed uses the text could be changed not to allow them. Supervisor Stumbo stated they would remove those business uses

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and the board agreed to remove if the Planner agreed for the 2nd reading. Ms. Masson-Minock said that the change would be made.

The Board agreed to the change for the 1st Reading of the Ordinance at the Regular meeting.

3. REQUEST TO APPROVE A BORDER TO BORDER TRAIL AGREEMENT FOR BRIDGE RD. TO SNOW RD. AND THE GROVE RD. TRAIL SEGMENT WITH THE WASHTENAW COUNTY PARKS AND RECREATION COMMISSION

Roy Townsend, Washtenaw County Parks & Recreation and Matt Parks, OHM explained the Border to Border Trail Agreement. Mr. Townsend said this was an agreement between Washtenaw County Parks & Recreation and Ypsilanti Township. Mr. Townsend explained the trail they were going to repair and the trail they would extend. He said that Washtenaw County Parks & Recreation would put funds toward the trail and they hoped to get a DNR Grant also. He said the goal for this summer would be to build the section along Grove Road from Bridge down to Snow Road and next year try and build the section from North Hydro up to Grove Rd. and then along the north side of Grove Road from Snow Rd. to Rawsonville Rd. He said the exciting part for the Washtenaw County Parks & Recreation Commission and the Township would be that we finally get to a border, which would be Wayne County.

Matt Parks stated the key part of this agreement with the County was that it helps fund a lot of the pathway that originally the Township was going to use their own funds to rehabilitate and build the new path along Grove Road. He said this was a good cooperative effort and would save the Township money.

Attorney Winters clarified that the Township would be the owner of the trail and would be responsible for maintaining the trail. He said he wanted to make the board aware that they along with future boards would have obligations with this agreement. He questioned how the trail would be maintained through the Phase II River Grove development. He said he knows there was still a lot of work to be done with the Phase II portion of the trail going through River Grove. He said we

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did not know when the Township acquired the River Grove Property that the trail would go through that property. He would like to make sure that having the trail going through this property would be conducive with developing Phase II of River Grove.

Mr. Parks said that Item #7 on the agenda tonight includes the engineering design for Phase II. He said it gives the Township three options for building out the path on Grove Rd. for Phase II through River Grove. Mr. Parks stated that if the Board authorized Item #7 tonight they would begin working on the overlays immediately and try to get everything wrapped up by the fall so they could go out for bid in the winter.

Attorney Winters asked what the maintenance cost might be for the trail. Mr. Townsend said the maintenance cost for the trails would be whatever the Townships' current standard is for maintenance of the current trail.

Supervisor Stumbo stated that part of this was a current project that was already approved and budgeted. Mr. Townsend agreed that some of the work has already been done, some of it will be done and part of this agreement is that the Township would hire the most qualified contractor for Phase I. Supervisor Stumbo stated it is on the agenda but they have combined the Border to Border trail, the Bridge Road to Snow Rd. on Grove Road and the Iron Belle Trail. Mr. Townsend stated that the Border to Border and the Iron Belle Trail are the same trail in this part of the Township. Mr. Townsend said there would be some Iron Belle funding, approximately \$135,000.00 for the 2019 project on Grove Road. Supervisor Stumbo clarified that the \$497,000.00 is for the current project. Mr. Townsend said for the 2020 project they will have to take bids for the segment of North Hydro Park up to Grove Rd. and the segment from Snow Rd. to Rawsonville on the north side of Grove Road. He said County Parks would bid that out and they would construct that next year. Mr. Townsend stated that Washtenaw County Parks were committed to doing this section in 2020 with WCPR money provided the Township pays for and designs it this year. Mr. Townsend clarified that Phase II would be bid out by Washtenaw County Parks & Recreation.

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Clerk Lovejoy Roe stated the Resolution 2019-28 is an agreement for the entire project, then there was three items, one to accept the bid that is already bid out for Phase I, a contract where Parks and Recreation will oversee the contracts we are accepting tonight, and then the next agenda item is a request to pay OHM to design Phase II.

Supervisor Stumbo stated that \$497,000.00 was for this current project and it does not include construction of Phase II.

Attorney Winters clarified that if the Board approves this tonight they would be approving OHM to design Phase II pathway for North Hydro Park to Grove Road and on to Rawsonville. Mr. Townsend stated the Washtenaw County Parks and Recreation Commission approved the agreement for Phase II last Tuesday. Mr. Townsend stated that the language commitment is in the contract but it doesn't list a dollar figure because they don't know exactly what that amount would be right now.

Clerk Lovejoy Roe stated it is under the portion of the contract, funding and responsibilities, it states the design estimate is \$50,000.00 but the construction cost will be funded by Washtenaw County Parks and Recreation.

Supervisor Stumbo stated that a letter from the Clerks' Office should clarify Phase II funding.

Mr. Townsend stated the Park Commission was excited to extend the Border to Border Trail connecting into Wayne County.

**4. RESOLUTION 2019-28, SUPPORT FOR THE IRON BELLE TRAIL IN THE
CHARTER TOWNSHIP OF YPSILANTI**

**5. REQUEST TO AWARD THE LOW BID FOR THE GROVE ROAD PATHWAY
EXTENSION PROJECT TO BEST ASPHALT IN THE AMOUNT OF \$371,747.50
WITH A 10% CONTINGENCY AMOUNT OF \$36,752.50 FOR A TOTAL
AMOUNT OF \$408,500.00 TO BE BUDGETED IN LINE ITEM #212-970-000-
997-007 CONTINGENT UPON APPROVAL OF THE BUDGET AMENDMENT**

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Matt Parks, OHM stated the low bid came in from a company the Township has worked with in the past, Best Asphalt.

Supervisor Stumbo said that the school has agreed to reimburse the Township approximately \$40,000.00 for some of the project.

6. REQUEST TO APPROVE AGREEMENT WITH OHM FOR CONSTRUCTION SERVICES FOR THE PHASE I GROVE RD. PATHWAY FROM BRIDGE RD. TO SNOW RD. IN THE AMOUNT OF \$33,500.00 TO BE BUDGETED IN LINE ITEM #212-970-000-997-007 CONTINGENT UPON APPROVAL OF THE BUDGET AMENDMENT

Matt Parks, OHM explained this agreement to the Board.

7. REQUEST TO APPROVE AGREEMENT WITH OHM FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE PHASE II GROVE RD. BORDER TO BORDER PATHWAY FROM SNOW RD. TO RAWSONVILLE RD. IN THE AMOUNT OF \$47,900.00 TO BE BUDGETED IN LINE ITEM #212-970-000-997-007 CONTINGENT UPON APPROVAL OF THE BUDGET AMENDMENT

Matt Parks, OHM explained this agreement to the Board. He said this part would be built in 2020 and paid for by WCPR.

Trustee Jarrell Roe asked why they decided to re-bid this project. Mr. Parks said they originally bid this late last year and a lot of time had passed. He said the contractor who was the low bid was no longer available. He said there were changes including the County Parks adding funding to the project. Mr. Parks said they had to make changes and modifications to the plans. He said the opportunity came along to get additional funding and they decided to make a clean slate and re-bid the project, which turned out better.

Clerk Lovejoy Roe stated if the County is going to bid Phase II the township would need to modify task 4 in the OHM agreement to clarify that. Matt Parks agreed to modify the proposal.

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8. REQUEST TO APPROVE AGREEMENT WITH OHM FOR GEOTECHNICAL SERVICES IN RELATION TO THE CIVIC CENTER POND IN THE AMOUNT OF \$6,850.00 BUDGETED IN LINE ITEM #101-956-000-801-000

Elliott Smith, OHM stated the pond in front of the Civic Center is hard to maintain and winterize. He said it is the Townships' desire to rehabilitate the pond by putting a berm kind of peninsula in front of the Civic Center which will make it easier to remove the fountains for the winter. He said this was just a proposal to work with Geotechnical to see what could be done by testing for soils.

Clerk Lovejoy Roe stated she didn't know it was leaking in the building. Michael Sararen, Hydro Operator stated there has been water under the building for years. He said they would check the sump pump to see if its' working but he believes there is a crack in the foundation but agreed it had not been verified.

Trustee Eldridge asked if one of the recommendations could be to eliminate the pond altogether. He said if the pond is causing structural damage to the building or we have to move the water away from the building wouldn't it be better to eliminate the pond.

Treasurer Doe stated the purpose of the borings is to find out how much clay there is in the soils. He said one recommendation was not to put a new liner into the pond. Treasurer Doe said they want to dig 12-15 feet in the center of the pond to see if they hit sand. He said if they hit sand than the pond will leak without a liner. He said if they dig 15 feet and it is still clay then they could dig the center out and there would be better water turnover with deeper agitations, which would hopefully eliminate all the growth that we have in the pond.

9. RESOLUTION 2019-29, ABANDONED TAX DELINQUENT PROPERTY

Treasurer Doe stated this is something that we do every year which shortens the time property is abandoned and we can turn them around quicker to help with neighborhood stabilization.

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10. RESOLUTION 2019-30, PURCHASE TAX FORECLOSED PROPERTY LOCATED AT 641 GREENLAWN IN THE AMOUNT OF \$24,974.00 BUDGETED IN LINE ITEM #101-950-000-969-011 FROM THE 2019 WASHTENAW COUNTY TREASURER LIST OF TAX FORECLOSED PROPERTIES UNDER THE RIGHT OF FIRST REFUSAL

Supervisor Stumbo stated we do this every year.

11. REQUEST TO APPROVE EQUIPMENT LEASE AGREEMENT WITH THE AMERICAN CENTER FOR MOBILITY FOR THE USE OF AN YPSILANTI TOWNSHIP FIRE TRUCK

Chief Copeland introduced Jim Rollison, AMC and Intertech. Chief Copeland said last month he was doing an inspection at the AMC site and was he approached by Jim Rollison of the possibility for ACM/Intertech to use the Townships' Fire Truck and Firefighters in research and development, testing the impact it would have on driverless vehicles. Chief Copeland said he told Mr. Rollison he would talk with the Township Board. He said Mr. Rollison has come tonight with a lease agreement for the Board. Chief stated Mr. Rollison, has provided insurance certificates, and has had our Attorney review the agreement. Chief Copeland said tonight he was asking the Board to approve the agreement so they could move forward. Mr. Rollison stated this was for the use of the Townships' Fire Truck and their Firefighters who would drive the truck and see how they would interact with the test equipment and infrastructure. Mr. Rollison said it would help to advance the development of the technology for ACM.

Supervisor Stumbo asked how many hours they would the truck for testing. Mr. Rollison stated it was on an as needed basis. He said as they are moving forward with the technology they were getting more requests for emergency vehicles, police cars, and ambulances.

Attorney Winters stated he reviewed the lease which was a three year agreement but he had recommended the lease be a one year agreement. Attorney Winters requested a one year because the hourly rate for the fire fighters may change and

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also the rate for the fire truck. Mr. Rollison said it could be for a year or make it a three year contract and include an amendment to evaluate it every year.

Trustee Ross-Williams questioned who would be responsible if the equipment was damaged. Mr. Rollison stated that Intertech would be responsible as soon as it enters the gates. Attorney Winters thought there would be a separate insurance policy. Mr. Rollison said they could provide whatever is needed.

Trustee Jarrell Roe questioned how they would pay the overtime they for fire fighters that would make it fair and equitable. Chief Copeland said Karen Wallin, Human Resources gave them the rates for overtime. Clerk Lovejoy Roe stated that each firefighter would be paid their own overtime rate and not an average for the entire department and the actual cost should be reflected in the agreement.

Mr. Rollison stated the Township could give them an invoice with what each firefighter should be paid each time they work for ACM and pay them their actual rate. He said they would set up in advance for the use of the fire truck and fire fighters so there would be plenty of time to notify the firefighters when they were needed and how much overtime each one would make.

Clerk Lovejoy Roe stated they could make the changes in the agreement regarding the Insurance and the Firefighters overtime hourly rate.

The Work Session adjourned at 6:48p.m.

Respectfully Submitted,

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti