

**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE APRIL 20, 2010 REGULAR MEETING**

The meeting was called to order by Supervisor Brenda L. Stumbo at approximately 7:00 p.m. in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township. The Pledge of Allegiance was recited and a moment of silent prayer was observed.

Members Present: Supervisor Brenda L. Stumbo, Clerk Karen Lovejoy Roe, Treasurer Larry Doe, Trustees Jean Hall Currie, Stan Eldridge, Dee Sizemore and Mike Martin

Members Absent: None

Legal Counsel: Wm. Douglas Winters and Dennis McLain

**PUBLIC COMMENTS**

Robert Hambright, Township Resident stated for over a year, he had been renting a building on Michigan Avenue for use by their private club. He stated they were notified by the Office of Community Standards that they were in the wrong zoning and they were requesting a special use permit.

Joe Lawson, Planning and Development Coordinator explained the private club was in a light industrial district and it was not a permitted use in that district. He said the club was informed that they would need to relocate and he had offered to help find a new suitable location. Mr. Lawson said they had requested a variance but State law did not allow use variances.

Larry Buckner, Township Resident stated they were trying to establish something for the teenagers because they had no place to go.

Supervisor Stumbo said although she supported the club, the challenge was having it in the right zoning. She stated all clubs were treated the same and encouraged them to look for a new location with the correct zoning.

Jason Braske, Township Resident stated the problem with the zoning on Michigan Avenue was the 50 ft. setback and asked if there were other similar establishments in the area.

Mr. Lawson provided the American Legion as an example because they were a private club that had property on Michigan Avenue that met the setback requirements.

**MINUTES OF THE MARCH 29, 2010 SPECIAL MEETING**

**A motion was made by Treasurer Doe, supported by Trustee Currie to approve the minutes of the March 29, 2010 Special Meeting. The motion carried unanimously.**

**SUPERVISOR REPORT**

Supervisor Stumbo stated the Assessing Department was in the process of canvassing all the residential property to insure the pictures matched the sketch plan. She explained that pictures were taken several years ago but they were not compared to the sketch plans on file. Supervisor Stumbo stated if the Township failed the State's 14-point review, the State would complete the audit at a cost of \$300,000 to \$500,000 to the Township. She also provided an overview of meetings attended by the three full-time officials and Township staff.

**CHARTER TOWNSHIP OF YPSILANTI  
APRIL 20, 2010 REGULAR MEETING MINUTES  
PAGE 2**

**CLERK REPORT**

Clerk Lovejoy Roe stated Lincoln School District had a proposal on the May 4, 2010 ballot and the Clerk's office would be open for absentee voting from 9:00 a.m. to 2:00 p.m. on Saturday, May 1, 2010. She also stated she and her deputy attended a demonstration on the Electronic Poll Book that would be utilized in the August and November elections.

**TREASURER REPORT**

**A. March 2010**

Treasurer Doe gave the report for March 2010. The beginning balance was \$36,918,736.18 and the ending balance was \$33,598,821.18.

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to receive and file the March 2010 Treasurer's report (see attached). The motion carried unanimously.**

**TRUSTEE REPORT**

Trustee Martin provided an update on the Water Conservation Advisory Commission. He said the Commission was exploring the funding and the validity of the aeration project. Trustee Martin also provided an update on the SEMCOG meeting and stated the Paint Creek Watershed Clean-up project would coincide with Ypsilanti Pride Day.

Trustee Eldridge reported that he, Attorney Winters, Treasurer Doe and Mike Radzik, OCS Director met with the City of Ypsilanti on three occasions to discuss alternatives to police servicing. He felt the meetings were productive but were still in the very early stages of discussion.

**ATTORNEY REPORT**

Attorney Winters provided an update on the Aerotropolis meeting. He said he believed Aerotropolis was an opportunity that would allow Southeastern Michigan to compete for major employers that could take advantage of the airports and other skilled labor in the area.

Attorney McLain provided a brief overview of the public nuisances cases at 1353 Rolling Court, 7343 Spyglass, 8636 Shawn Drive and 771 Clubhouse.

**NEW BUSINESS**

**1. PROCLAMATIONS HONORING MULTIPLE CHEMICAL SENSITIVITY AWARENESS WEEK AND CHEMICAL AWARENESS WEEK**

**A motion was made by Clerk Lovejoy Roe, Clerk supported by Trustee Sizemore to approve the Proclamations Honoring Multiple Chemical Sensitivity Awareness Week and Chemical Awareness Week. The motion carried unanimously.**

**2. PUBLIC NUISANCE ABATEMENT REQUESTS**

**A. REQUEST AUTHORIZATION TO INITIATE LEGAL ACTION IF NECESSARY, IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCE FOR THE PROPERTY LOCATED AT 1314 RUE WILLETTE BLVD**

- B. REQUEST AUTHORIZATION TO INITIATE LEGAL ACTION IF NECESSARY, IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCE FOR THE PROPERTY LOCATED AT 534 OAKLAWN STREET**
- C. REQUEST AUTHORIZATION TO INITIATE LEGAL ACTION IF NECESSARY, IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCE FOR THE PROPERTY LOCATED AT 1854 CADILLAC STREET**
- D. REQUEST AUTHORIZATION TO INITIATE LEGAL ACTION IF NECESSARY, IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCE FOR THE PROPERTY LOCATED AT 1450 BLOSSOM STREET**
- E. REQUEST AUTHORIZATION TO INITIATE LEGAL ACTION IF NECESSARY, IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCE REGARDING THE OPERATION OF ILLEGAL JUNK YARD LOCATED ON DAYTONA AVENUE, PROPERTY # K-11-21-404-006**

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to authorize legal action if necessary, in Washtenaw County Circuit Court to abate public nuisance for the properties located at 1314 Rue Willette Blvd, 534 Oaklawn Street, 1854 Cadillac Street, 1450 Blossom Street and the illegal junk yard located on Daytona Avenue Property # K-11-21-404-006. The motion carried unanimously.**

Mike Radzik, Office of Community Standards provided an overview as well as, displayed photos on the monitors of the deplorable condition of each of the properties.

George Madison Jr., Township Resident stated he owned the Daytona Street property which was listed as Cooley, LLC. He told the Board that Judge Collins had visited the site and told him if he put up a fence, he would be fine.

Attorney Winters stated the Township had no records from Judge Collins or any indication of what he had done. He said he did not know how any court could grandfather or allow a junk yard in an area zoned residential. Attorney Winters told Mr. Madison to forward any documentation he had to Mr. Radzik, for the Township's review.

- 3. REQUEST TO ALLOW THE THREE FULL-TIME OFFICIALS, UPON THE RECOMMENDATION OF THE OFFICE OF COMMUNITY STANDARDS, TO AUTHORIZE LEGAL ACTION IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCES WHICH PRESENT AN IMMEDIATE HEALTH, SAFETY OR WELFARE DANGER**

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Sizemore to allow the three full-time officials, upon the recommendation of the Office of Community Standards, to authorize legal action in Washtenaw County Circuit Court to abate public nuisances which present an immediate health, safety or welfare danger.**

Supervisor Stumbo explained this item was placed on the agenda to allow the Township to work more swiftly in cases where there is an immediate danger and formal approval of the Board would occur at the next meeting. She said the number one issue raised at the Community Forum meeting was foreclosed homes, blight and the amount of time it took the Township to respond.

Trustee Martin felt in order for the Board to do their due diligence, the full Board should maintain control, but once the decision was made the Board should acquiesce to number four (next agenda item) and allow the officials to begin the process as soon as possible. He said that would be his recommendation. Trustee Martin requested a roll call vote.

**The motion carried as follows:**

<b>Doe: Yes</b>	<b>Roe: Yes</b>	<b>Stumbo: Yes</b>	<b>Sizemore: Yes</b>
<b>Currie: No</b>	<b>Eldridge: No</b>	<b>Martin: No</b>	

**4. REQUEST TO ALLOW THE THREE FULL-TIME OFFICIALS TO AUTHORIZE PROCEEDING WITH RFPS ON DEMOLITION OF PROPERTIES THAT QUALIFY FOR NEIGHBORHOOD STABILIZATION PROJECT (NSP) FUNDS WHICH MUST FOLLOW SPECIFIC HUD AND COUNTY BIDDING PROCESS**

**A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to allow the three full-time officials to authorize proceeding with RFPS on demolition of properties that qualify for Neighborhood Stabilization Project (NSP) funds. The motion carried unanimously.**

**5. HURON RIVER WATERSHED COUNCIL BIORESERVE PROJECT**

**A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve the request of the Huron River Watershed Council BioReserve project.**

**The motion carried unanimously.**

**6. WHITTAKER ROAD BIKE PATH EASEMENT AGREEMENT**

**A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to allow Trustee Sizemore to abstain from voting. The motion carried as follows:**

<b>Doe: Yes</b>	<b>Roe: Yes</b>	<b>Stumbo: Yes</b>
<b>Currie: Yes</b>	<b>Eldridge: Yes</b>	<b>Martin: Yes</b>

**A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve the Whittaker Road Bike Path Easement Agreements.**

Trustee Martin stated he didn't believe it made sense to agree to two easements when all three could not be obtained.

Supervisor Stumbo explained authorization would allow the Township to continue seeking the third agreement. She said there were several areas in the Township where a homeowner had not signed an easement agreement and the path stopped at their property line and continued on the other side.

Trustee Martin said he would like the bike path to be done simultaneously and he requested a roll call vote.

**The motion failed as follows:**

<b>Doe: Yes</b>	<b>Roe: Yes</b>	<b>Stumbo: Yes</b>	<b>Sizemore: Abstain</b>
<b>Currie: No</b>	<b>Eldridge: No</b>	<b>Martin: No</b>	

**7. SEARCH AND RESCUE EMERGENCY RESPONSE VEHICLE INTERLOCAL AGREEMENT**

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to approve the Search and Rescue Emergency Response Vehicle Interlocal Agreement and to authorize signing of the agreement (see attached). The motion carried unanimously**

**8. 1<sup>st</sup> READING RESOLUTION NO. 2010-05, ORDINANCE NO. 2010-404 –  
MEDICAL MARIJUANA DISPENSARIES**

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Currie to approve the 1<sup>st</sup> reading Resolution No. 2010-05, Ordinance No. 2010-404-Medical Marijuana Dispensaries.**

Angela King, Township Attorney provided an overview of the proposed ordinance. She explained the ordinance was exclusively directed toward marijuana dispensaries. The ordinance proposed dispensaries could not be located within 1,000 feet of churches, schools, daycares, libraries and residential areas. Attorney King stated the Planning Commission recommended the dispensaries be located in B-3 zoning.

Joe Lawson, Planning and Development Coordinator said his recommendation would be to locate the dispensaries in either an I-1 or I-2 District, similar to Pinter's Greenhouse. Discussion followed.

Supervisor Stumbo stated it was important to address it from a zoning standpoint and properly zoning dispensaries would help avert problems down the road. She asked if the Board wanted to accept the recommendation of the Planning Commission.

Trustee Martin stated that he felt there should be friendly amendment to incorporate Mr. Lawson's recommendation.

Supervisor Stumbo stated that she felt the issue should be tabled to get more information and to talk with the Planning Commission.

**A motion was made by Trustee Eldridge, supported by Trustee Currie to table the reading Resolution No. 2010-05, Ordinance No. 2010-404-Medical Marijuana Dispensaries. The motion carried as follows:**

<b>Martin: Yes</b>	<b>Eldridge: Yes</b>	<b>Currie: Yes</b>	<b>Sizemore: Yes</b>
<b>Stumbo: Yes</b>	<b>Roe: Yes</b>	<b>Doe: Yes</b>	

**9. REQUEST FROM S.E. MICHIGAN LAND HOLDING (LOMBARDO HOMES) FOR A THIRD AMENDMENT TO THE RECORDED MASTER DEED ASSOCIATED WITH CREEKSIDE VILLAGE SOUTH SITE CONDOMINIUMS**

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to approve the request from S.E. Michigan Land Holding (Lombardo Homes) for a third amendment to the recorded master deed associated with Creekside Village South Site Condominiums contingent upon entering into a development agreement.**

Greg Windingland, Lombardo Homes stated that making the approval contingent upon a development agreement would delay them further and potentially hurt sales. He asked the Board to consider that they were trying to bring new homes to the community and all the benefits that would bring.

Supervisor Stumbo apologized and said she recognized his position and stated that the agreement should have been signed by the previous owners.

Douglas Winters, Township Attorney said he believed Lombardo was proceeding in good faith and had made a commitment that would allow the attorneys would work on drafting the development agreement.

Supervisor Stumbo stated the Township had dealt with many developers and it was much easier if an agreement was nailed down. She explained the agreement would include streetlights, trees and maintenance of parks and open

space. Supervisor Stumbo asked Attorney Winters if approval could be tied to building permits. She suggested that a building permit not be issued until the development agreement was signed.

Mr. Windingland asked if the board would consider allowing him to pull five building permits. He stressed it would still allow him to continue with sales and provide the advantage of 3% financing but at the same time, it would give them the sense of urgency to compete the agreement.

Supervisor Stumbo stated the 2009 Winter taxes had not been paid on Creekside Village South and she asked that payment be added to the motion. Discussion followed.

Clerk Lovejoy Roe withdrew her original motion and this was accepted by Trustee Eldridge.

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to approve the request of S.E. Michigan Land Holding (Lombardo Homes) for a third amendment to the recorded master deed associated with Creekside Village South Site Condominiums contingent upon a development agreement entered into and the taxes being paid, but allowing them to move forward to pull five building permits until a development agreement was in place. The motion carried unanimously.**

Mr. Windingland agreed with the conditions set forth in the motion.

**10. RESOLUTION NO. 2010-6 – AUTHORIZING DIVISION OF PLATTED LOTS IN CREEKSIDE VILLAGE EAST**

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Currie to approve Resolution No. 2010-06 – Authorizing Division of Platted Lots in Creekside Village East (see attached).**

**A friendly amendment was made by Clerk Lovejoy Roe to make approval contingent upon receiving funds for streetlights but allowing them to move forward to pull five building permits until a development agreement was in place. The friendly amendment was accepted. The motion carried unanimously.**

Clerk Lovejoy Roe explained that once the funds for the streetlights were received the land combinations could move forward and they would be allowed to pull five building permits until a development agreement was in place.

Mr. Lawson explained the streetlights estimate was four years old and there may be additional costs.

Mr. Windeland stated Lombardo Homes would agree to pay the current cost for the streetlights.

**11. BUDGET AMENDEMENT #4**

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Sizemore to approve Budget Amendment #4 (see attached). The motion carried unanimously**

**12. DTE AGREEMENT FOR DESIGN OF HOLMES ROAD PHASE 3 LIGHTING PLAN AND INSTALLATION, AT AN ESTIMATED COST OF \$95,209.00, TO BE BUDGETED IN 2011 BUDGET.**

**CHARTER TOWNSHIP OF YPSILANTI  
APRIL 20, 2010 REGULAR MEETING MINUTES  
PAGE 7**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Sizemore to approve the DTE Agreement for design of Holmes Road Phase 3 Lighting Plan and installation, at an estimated cost of \$95,209.00, to be budgeted in 2011 budget (see attached). The motion carried unanimously.

**13. AMENDMENT #1 AND #2 TO SERVICE CONTRACT BETWEEN  
WASHTENAW COUNTY AND THE CHARTER TOWNSHIP OF  
YPSILANTI FOR NEIGHBORHOOD STABILIZATION PROJECT FUNDS**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Sizemore to authorize Amendment #1 and #2 to service contract between Washtenaw County and the Charter Township of Ypsilanti for Neighborhood Stabilization Project funds and to authorize signing of the agreements (see attached). The motion carried unanimously.

**14. SET PUBLIC HEARING DATE:**

- A. TUESDAY, MAY 18, 2010 AT APPROXIMATELY 7:00 P.M. – FORD  
MOTOR COMPANY, RAWSONVILLE PLANT LOCATED AT 10300  
TEXTILE ROAD IN YPSILANTI TOWNSHIP, FOR A 328  
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE**

A motion was made by Trustee Eldridge, supported by Treasurer Doe to set the public hearing date for Tuesday, May 18, 2010 at approximately 7:00 p.m. – Ford Motor Company, Rawsonville Plant located at 10300 Textile Road in Ypsilanti Township, for a 328 New Personal Property Exemption Certificate. The motion carried unanimously.

**OTHER BUSINESS**

The Board agreed to add this item under Other Business.

**1. ACCEPT RESIGNATION OF TOM BAGWELL FROM YPSILANTI  
TOWNSHIP PARK COMMISSION**

A motion was made by Trustee Currie, supported by Trustee Eldridge to accept the resignation of Tom Bagwell from the Park Commission, effective immediately. The motion carried unanimously.

**STATEMENT AND CHECKS**

- A. April 6, 2010  
B. April 20, 2010**

A motion was made by Treasurer Doe, supported by Trustee Eldridge to approve Statements and Checks for April 6, 2010 in the amount of \$1,008,023.48 and April 20, 2010 in the amount of \$755,386.10. The motion carried unanimously.

**ADJOURNMENT**

A motion was made by Treasurer Doe, supported by Trustee Eldridge to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at approximately 9.25 p.m.

Respectfully submitted,

Brenda L. Stumbo, Supervisor  
Charter Township of Ypsilanti

Karen Lovejoy Roe, Clerk  
Charter Township of Ypsilanti