

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE MAY 27, 2010 SPECIAL MEETING**

The meeting was called to order by Supervisor Brenda L. Stumbo at approximately 1:30 p.m. in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township.

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

Members Absent: Trustee Mike Martin

Legal Counsel: Wm. Douglas Winters

1. REQUEST AUTHORIZATION TO INITIATE LEGAL ACTION IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCE FOR PROJECT KNOWN AS "LIBERTY SQUARE"

A motion was made by Treasurer Doe, supported by Trustee Sizemore to authorize legal action in Washtenaw County Circuit Court to abate public nuisance for project known as "Liberty Square". The motion carried unanimously.

Ron Fulton, Building Director provided an overview of the deplorable conditions of the 63 units that had received violations notices. He said they had been classified as blighted and were cited.

Attorney Winters explained a lot of time had been invested in the issues at Liberty Square and the challenges were well known. He stated that due to tax foreclosures, the Washtenaw County Treasurer was currently the largest owner. He said he wished there was a better solution to the problem but all other avenues had been exhausted and demolition was the last resort. Attorney Winters stressed the decision was not made lightly and the Board would welcome the opportunity to reach a different resolution.

Supervisor Stumbo state the Liberty Square Association had until May 29, 2010 to abatement the notices of violation. She stated the notices had been issued on April 23, 2010 and no corrective action had yet been taken.

Mr. Fulton explained he had been approached by some owners that would like to repair their own individual unit. He further explained the 63 condemned properties were interspersed throughout the development making it virtually impossible to repair one independent unit. The units shared roof space with condemned units, many of which contained mold.

Bruce Gatword, owner stated he had addressed Mr. Fulton's concerns but the only problem was the roof shingles. He said he had no mold and did not share attic space. He questioned why he should be affected if he was 100% in compliance.

Mr. Fulton stated that in many cases the firewalls were compromised and because they were not tightly sealed, mold could spread to adjacent units. He said fire could also easily spread from one unit to another because of the compromised firewalls.

Joe Koenig, Liberty Square Board of Directors stated he had invested his life savings in the Liberty Square community. He proceeded to say an inspection needed to be completed to determined how many and which units were in violation. Mr. Koenig said the association had spent \$200,000 replacing roofs. He said the whole complex would have been done but about 12 homeowners had not paid their association fees and approximately 28 properties had been forfeited to the association. He further stated these were the properties the Township had problems with for many years and progress had been made to get

**CHARTER TOWNSHIP OF YPSILANTI
MAY 27, 2010 SPECIAL MEETING MINUTES
PAGE 2**

these owners out of the complex. Mr. Koenig said he had an issue with what had occurred prior to 2003 and the condition of Liberty Square was not due to what had transpired over the last seven years. The Ordinance Department and Building Department prior to 2003 did nothing, turned their head and looked the other way. He said their Board had spent over \$400,000 in the community, part of which was legal fees. One of the major property owners had filed bankruptcy and their attorney had spoken to the County about paying the maintenance fees for the units they own. The County Treasurer has refused and they were heading toward litigation. As of June 1st, the County owed over \$40,000 which would have gone toward repairs. Mr. Koenig said their attorney had sent a letter saying they wanted to cooperate but unfortunately the timetable may not be fast enough. He said if the complex was condemned, the owners would not be able to pay their maintenance fees and there would not be money to do the needed repairs.

Attorney Winter stated it was his intention to be nice but it was difficult to hear Mr. Koenig say the Township had turned its head, looked the other way and ignored the issues. He stressed that Liberty Square had been on top of the Township's radar screen for twenty years and during that time, there had been a tremendous amount of man hours put into the complex. The money owed by the County only came about after a change in the by-laws in the twelfth hour, when the foreclosure was about to occur. He said the striping of the interior of the units took place before the county took possession. Attorney Winters said if it truly was a good faith effort to do right by the people that live there, it would remain even after the Board authorized litigation. He stated he took very strong exception that the Township had turned a deaf ear or turned away from Liberty Square. Liberty Square turned away from the Township. Attorney Winters stressed that Ypsilanti Township did not isolate any part of the community for selective enforcement. The problem lied with the management, the leadership, the ownership and the association. The Township did not have any choice but to move forward with legal action but there still remained room for a resolution, with the County being a major partner. Attorney Winters made it clear there was no hidden agenda but for the health, safety and welfare of the Township community as a whole.

Adam Aliyu, 2151 Margery said he appreciated everything the Township had done. He had lived in Liberty Square for 22 years and looked forward to having someone take care of the problems. He wondered where they would go if the Board moved forward.

Trustee Eldridge questioned who the legal action would be against. Attorney Winters stated legal action would be against the association (23 units) LLC owners, individuals owners and Grove Park Homes (17 units). He said moving forward would put the Township at the table with the authority to determine the best course action. He felt this may be an opportunity for a resolution that would finally get things moving.

2. REQUEST AUTHORIZATION TO INITIATE LEGAL ACTION IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCE FOR THE PROPERTY LOCATED AT 2997 WASHTENAW AVENUE, COMMONLY REFERRED TO AS "ZEER SECURITY"

A motion was made by Trustee Currie, supported by Trustee Sizemore to authorize legal action in Washtenaw County Circuit Court to abate public nuisance for the property located at 2997 Washtenaw, commonly referred to as "Zeer Security". The motion carried unanimously.

Attorney Winters provided a brief overview of the deplorable condition of the commercial property located at the corner of Golfside and Washtenaw. He said the Washtenaw Corridor was the main artery between Ann Arbor and Ypsilanti Township.

3. YPSILANTI TOWNSHIP / LINCOLN CONSOLIDATED SCHOOLS COLLABORATION CONTRACT

**CHARTER TOWNSHIP OF YPSILANTI
MAY 27, 2010 SPECIAL MEETING MINUTES
PAGE 3**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Currie to approve the agreement to assign the Lincoln Consolidated School District Contractual Deputy to Ypsilanti Township for the period of June 13, 2010 through September 4, 2010 and to authorize signing of the agreement. The motion carried unanimously.

Mike Radzik, Office of Community Standards Director stated his memo clarified the questions raised at the previous meeting.

Trustee Eldridge was concerned about accountability and wanted to know if the Board would be able to obtain information on what was being done with the dollars being spent.

Lieutenant Anuskiewicz assured the Board that all information would be readily available.

Meeting was adjourned at approximately 2:13 p.m.

Respectfully submitted,

Brenda L. Stumbo, Supervisor
Charter Township of Ypsilanti

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti