

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE JUNE 21, 2011 REGULAR MEETING**

The meeting was called to order, by Supervisor Brenda L. Stumbo, at approximately 6:00 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 Stan Eldridge, Jean Hall Currie, Mike Martin and Scott Martin

Members Absent: None

Legal Counsel: Wm. Douglas Winters

EXECUTIVE SESSION

A. REQUEST OF CHIEF ERIC COPELAND FOR THE CHARTER TOWNSHIP OF YPSILANTI BOARD OF TRUSTEES TO GO INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE SETTLEMENT PROPOSAL BY THE YPSILANTI TOWNSHIP FIREFIGHTERS, LOCAL 1830.

A motion was made by Trustee Eldridge, supported by Trustee Currie to adjourn the meeting to go into Executive Session for the purpose of discussing settlement proposed by the Ypsilanti Township Firefighters, Local 1830. The motion carried as follows:

M. Martin:	Yes	Eldridge:	Yes	Currie:	Yes	S. Martin:	Yes
Stumbo:	Yes	Lovejoy Roe	Yes	Doe:	Yes		

The meeting was adjourned at approximately 6:05 p.m. for the Board to go into Executive Session and the Board returned to the meeting at approximately 6:45 p.m.

PUBLIC HEARING

A. Request of Bosal Industries Michigan, located at 1476 Seaver Way in Ypsilanti Township, for the creation of an Industrial Development District, Resolution No. 2011-10. (Public Hearing set at the May 17, 2011 Regular Meeting)

The public hearing was opened at approximately 6:50 p.m.

Dr. Edward Meleski, Bosal Facilities Engineering Manager distributed a handout to the Board Members and introduced Bruce Wagar, Bosal Plant Manager.

Mr. Wagar provided a brief overview of Bosal Industries and the type of products manufactured at the Ypsilanti Plant.

The public hearing was closed at approximately 6:55 p.m.

Clerk Lovejoy Roe read Resolution No. 2011-10 into the record.

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve Resolution No. 2011-10, Creation of Industrial Development District (IDD) #11-276 (see attached). The motion carried unanimously.

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PUBLIC COMMENTS

Matt MacDonell, Washtenaw County Road Commission provided an update on the completion of Dean Drive.

Tonya Hilgendorf, Jeri Humbarger, Lisa Burchmire, all from the Huron Valley Humane Society expressed their support for the adoption of the Dog Breeder Permit Requirement and their appreciation to the Township in their efforts to improve animal welfare and to help protect the safety of the residents.

Bob Campbell, Township Resident expressed his support for the dog breeder ordinance. He said he had experienced first-hand, the problems with backyard breeders.

Joann Canale, Superior Township Resident and dog breeder said she was concerned that such a sweeping ordinance would be considered. Ms. Canale felt it was more of an enforcement problem than a breeding problem. She asked the Board to consider meeting with some of the dog organizations so there would not be unintended consequences.

Trustee Mike Martin stressed that the Township was not opposed to independent breeders. He said this was an attempt to set the framework around what the obligations and responsibilities were for the breeders. Trustee Martin stated they would be meeting with the AKC.

Kris Reppert, Township Resident said there were a lot of responsible breeders and she was concerned that an ordinance was being passed because of irresponsible people.

Lee Toosen, City Resident stated that dogs were not bad and that it was a learned behavior. He said owners should be punished for the action of their dogs. Mr. Toosen said he hoped that Burning Bush Church was given the latitude to move forward with their project.

Michelle Mayley stated that dog breeding was a business and the proposed ordinance would give reputable breeders the stamp of approval. She said she supported the ordinance.

Monica Ross-Williams, Township Resident stated that West Willow had a serious situation with pit bulls and vicious dogs and she also supported the ordinance.

CONSENT AGENDA

- A. MAY17, 2011 REGULAR MEETING**
- B. MAY 2011 TREASURER REPORT**
- C. STATEMENTS AND CHECKS FOR JUNE 7, 2011 AND JUNE 21, 2011**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Scott Martin to approve the Consent Agenda. The motion carried unanimously.

SUPERVISOR REPORT

- A. Request to formally endorse the 328 Tax Abatement for Kalitta Charters as approved by the Aerotropolis Development Corporation**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to formally endorse the 328 Tax Abatement for Kalitta Charters, as approved by the Aerotropolis Development Corporation. The motion carried unanimously.

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Supervisor Stumbo stated this was the first company in the Aerotropolis to be approved. She provided a brief overview of the Aerotropolis Development Corporation.

Doug Winters, Township Attorney stated the tax abatement would create fifty (50) new, very technical, high paying jobs. He stressed the area was ripe for development.

Supervisor Stumbo stated that due to the size of the agenda, she would not give her regular report.

CLERK REPORT

Clerk Lovejoy Roe stated that she too, would not give her regular report but wanted to let the Board Members know that we were in the process of having the boardroom sound system repaired.

Treasurer Report

Treasurer Doe stated the drop box had been installed and would be used to deposit tax payments, absentee ballots, building permits and traffic tickets fines.

ATTORNEY REPORT

A. GENERAL LEGAL UPDATE

Attorney Winter provided a brief update on the Liberty Square lawsuit, Ypsi Mobile Village and the Grove Road Dairy Mart.

OLD BUSINESS

- 1. 2nd READING RESOLUTION NO. 2011-8, PROPOSED ORDINANCE NO. 2011-414 CONFIRMING ESTABLISHMENT OF PLANNING COMMISSION WITH ZONING AUTHORITY (1st Reading was held at the May 17, 2011 Regular Meeting)**

Clerk Lovejoy Roe read the resolution into the record.

A motion was made by Clerk Lovejoy Roe, supported by Trustee Currie to approve Resolution No. 2011-8, Ordinance No. 2011-414, Confirming Establishment of Planning Commission with Zoning Authority (see attached). The motion carried as follows:

M. Martin:	Yes	Eldridge:	Yes	Currie:	Yes	S. Martin:	Yes
Stumbo:	Yes	Lovejoy Roe:	Yes	Doe:	Yes		

- 2. 1st READING RESOLUTION NO. 2011-11, PROPOSED ORDINANCE NO. 2011-416 REQUEST OF PROPERTY OWNER, ROBERT SPENCER OF GRAND TETON PROPERTIES TO REZONE 5401 WHITTAKER ROAD FROM OS-1, OFFICE SERVICE DISTRICT TO TC3, TOWN CENTER 3 (Tabled at May 17, 2011 Regular Meeting)**

A motion was made by Treasurer Doe, supported by Trustee Eldridge to remove the agenda item from the table. The motion carried as follows:

M. Martin:	Yes	Eldridge:	Yes	Currie:	Yes	S. Martin:	Yes
Stumbo:	Yes	Lovejoy Roe:	Yes	Doe:	Yes		

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Clerk Lovejoy Roe read the resolution into the record.

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve the 1st Reading Resolution No. 2011-11, Proposed Ordinance No. 2011-416, Rezoning 5401 Whittaker Road from OS-1, Office Service District to TC3, Town Center 3 (see attached). The motion carried as follows:

**M. Martin: Yes Eldridge: Yes Currie: Yes S. Martin: Yes
Stumbo: Yes Lovejoy Roe: Yes Doe: Yes**

NEW BUSINESS

1. BUDGET AMENDMENT #6

A motion was made by Clerk Lovejoy Roe, supported by Trustee Currie to approve Budget Amendment #6 (see attached). The motion carried unanimously.

2. REQUEST OF TRUSTEE HALL CURRIE TO BE PROVIDED HOME FAX SERVICE FOR TOWNSHIP RELATED BUSINESS AND TO BE REIMBURSED FOR COSTS INCURRED SINCE JANUARY 1, 2009

A motion was made by Trustee Currie to approve providing home fax service for Township related business and to be reimbursed for costs incurred since January 1, 2009. The motion failed due to lack of support.

3. REQUEST OF JACK SLAVEN TO PURCHASE ONE (1) YEAR, SIX (6) MONTHS OF GENERIC SERVICE CREDITS FROM MICHIGAN EMPLOYMENT RETIREMENT SYSTEM (MERS)

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve request of Jack Slaven to purchase one (1) year, six (6) months of Generic Service Credits from Michigan Employment Retirement System (MERS). The motion carried unanimously.

4. REQUEST OF D'WAYNE TURNER, TINA EWANCIW AND MICHAEL WILSON FOR A NEW CLASS C LICENSE FOR SPIRITS RESTAURANT & LOUNGE LOCATED AT 2111 RAWSONVILLE ROAD.

Treasurer Doe reported the Liquor Committee met with the applicants and the Liquor Committee recommended approval.

Michael Turner, applicant provided a brief overview of the plans for the restaurant.

A motion was made by Clerk Lovejoy Roe, supported by Trustee Mike Martin to approve a New Class C License for D'Wayne Turner, Tina Ewanciw and Michael Wilson for Spirits Restaurant & Lounge located at 2111 Rawsonville Road.

A friendly amendment was made by Treasurer Doe to make approval contingent upon payment of the delinquent personal property taxes. The friendly amendment was accepted.

The motion carried unanimously.

5. REQUEST STAR TOURING & RIDING, CHAPTER 317 TO UTILIZE CIVIC CENTER PARKING LOT AS A STAGING AREA FOR CHARITY BENEFIT RIDE ON SUNDAY, AUGUST 21, 2011.

A motion was made by Trustee Currie, supported by Trustee Scott Martin to approve utilizing the Civic Center parking lot as a staging area by Star Touring & Riding, Chapter 317 for Charity Benefit Ride on Sunday, August 21, 2011. The motion carried unanimously.

6. RESOLUTION NO. 2011-9, CHANGE IN PLATTED LOT BOUNDARY LINE IN FAIRVIEW HEIGHTS SUBDIVISION.

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve Resolution No. 2011-9, Change in Platted Lot Boundary in Fairview Heights Subdivision (see attached). The motion carried unanimously.

7. 1st READING ORDINANCE NO. 2011-418, SEWAGE DISPOSAL SERVICE RATE INCREASE.

Clerk Lovejoy Roe read the proposed ordinance into the record.

Larry Thomas, YCUA Director provided a brief explanation for the rate increase.

A motion was made Clerk Lovejoy Roe, supported by Trustee Scott Martin to approve 1st Reading of Proposed Ordinance No. 2011-418, Sewage Disposal Service Rate Increase (see attached) (see attached). The motion carried as follows:

M. Martin:	Yes	Eldridge:	Yes	Currie:	Yes	S. Martin:	Yes
Stumbo:	Yes	Lovejoy Roe:	Yes	Doe:	Yes		

8. RESOLUTION NO. 2011-14 YCUA SNOW ROAD PUMP STATION STATE REVOLVING FUND (SRF) BOND SALE, NOT TO EXCEED \$3,500,000

Clerk Lovejoy Roe read the resolution into the record.

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve Resolution No. 2011-14, YCUA Snow Road Pump Station State Revolving Fund (SRF) Bond Sale, not to exceed \$3,500,000 (see attached). The motion carried unanimously.

9. 1st READING RESOLUTION NO. 2011-13, AMENDING PD STAGE II & DEVELOPMENT AGREEMENT ASSOCIATED WITH 770 JAMES L. HART PARKWAY

Clerk Lovejoy Roe read the proposed resolution into the record.

A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to approve 1st Reading of Resolution No. 2011-13 (see attached). The motion carried as follows:

M. Martin:	Yes	Eldridge:	Yes	Currie:	Yes	S. Martin:	Yes
Stumbo:	Yes	Lovejoy Roe:	Yes	Doe:	Yes		

10. ACCEPT THE RESIGNATION OF THEODORE J. VASICEK FROM THE YPSILANTI TOWNSHIP PARK COMMISSION, EFFECTIVE IMMEDIATELY.

A motion was made Treasurer Doe, supported by Trustee Scott Martin to accept the resignation of Theodore J. Vasicek from the Ypsilanti Township Park Commission, effective immediately.

A friendly amendment was made by Clerk Lovejoy Roe to fill the vacancy from the group of candidates used in the previous vacancies. The friendly amendment was accepted.

The motion carried unanimously.

**11. REQUEST OF KAREN WALLIN, HUMAN RESOURCE TO CONFIRM
BRIAN MCCLEERY AS ASSISTANT ASSESSOR**

A motion was made by Trustee Eldridge, supported by Clerk Lovejoy Roe to confirm appointment of Brian McCleery as Assistant Assessor. The motion carried unanimously.

**12. URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AND
HOME INVESTMENT PARTNERSHIP PROGRAMS COOPERATIVE
AGREEMENT**

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve the Urban County Community Development Block Grant and Home Investment Partnership Programs Cooperative Agreement and to authorize signing of the agreement. The motion carried unanimously.

**13. 2011-12 HURON RIVER WATERSHED COUNCIL CONTRACT FOR
MIDDLE HURON PARTNERSHIP AND STORM WATER ADVISORY
GROUP TO PROVIDE PHASE II STORM WATER PERMITTING
SERVICES IN THE AMOUNT OF \$15,313.00, WITH \$10,000 BUDGETED
IN LINE ITEM #101.780.000.801 FOR 2011 AND \$5,313 TO BE
BUDGETED IN 2012 AND TO AUTHORIZE SIGNING OF THE
AGREEMENT**

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve the 2011-12 Huron River Watershed Council Contract for Middle Huron Partnership and Stormwater Advisory Group to provide Phase II Stormwater permitting services in the amount of \$15,313.00, with \$10,000 budgeted in line item #101.780.000.801 for 2011 and \$5,313 to be budgeted in 2012 and to authorize signing of the contract. The motion carried unanimously.

**14. RESOLUTION NO. 2011-15 APPROVING THE MICHIGAN DEPARTMENT
OF NATURAL RESOURCES TRUST FUND GRANT AGREEMENT**

Clerk Lovejoy Roe read the resolution into the record.

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve Resolution No. 2011-15, approving the Michigan Department of Natural Resources Trust Fund Grant Agreement and to authorize signing of the agreement (see attached).

Art Serafinski, Recreation Director explained that the Township had been awarded a Trust Fund Grant in the amount of \$500,000 for the Lakeside Park Development. He provided a brief overview of the planned park improvements.

The motion carried unanimously.

**15. REQUEST OF ART SERAFINSKI, RECREATION DIRECTOR TO
ACCEPT BECKETT AND RAEDER PROPOSAL FOR LAKESIDE PARK
DEVELOPMENT AND TO ENTER INTO AN AGREEMENT PENDING
ATTORNEY REVIEW**

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to accept the Beckett and Raeder Proposal for Lakeside Park Development and to enter into an agreement, contingent upon attorney review.

Mr. Serafinski briefly explained that Beckett and Raeder had been involved in the Lakeside Park Development from the beginning. He said they had helped write the grant and the grant was rated No. 3 in the State of Michigan out of 140

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applicants. Mr. Serafinski assured the Board that the Township would have the full approval process.

Sandy Andresen, Park Commission Chair stated that Mr. Serafinski's explanation addressed all the concerns of the Commission.

The motion carried unanimously.

**16. 1st READING RESOLUTION NO. 2011-12, ORDINANCE NO. 2011-417,
DOG BREEDER PERMIT REQUIREMENT**

Clerk Lovejoy Roe read the resolution into the record.

A motion was made by Clerk Lovejoy Roe, supported by Trustee Currie to approve 1st reading of Resolution No. 2011-12, Proposed Ordinance No. 2011-417, Dog Breeder Permit Requirement (see attached).

Supervisor Stumbo clarified that Trustee Martin and the committee were in agreement to meet with AKC breeders, as well as any resident with concerns about the ordinance.

Jenny Paillon, Huron Valley Humane Society (HVHS) thanked the Board for the support of the ordinance. She added that the HVHS supported reputable breeders.

Mary Vandewalker, Township Resident said that community involvement would insure the success of the ordinance. She wanted to see responsible ownership and additional enforcement.

Supervisor Stumbo explained the ordinance was for all breeds and not just aggressive dogs. She said the ordinance would help protect the animals and hold owners accountable.

The motion carried as follows:

M. Martin:	Yes	Eldridge:	Yes	Currie:	Yes	S. Martin:	Yes
Stumbo:	Yes	Lovejoy Roe:	Yes	Doe:	Yes		

OTHER DISCUSSION

Supervisor Stumbo as a future agenda item, she would like to have RFP's for a broker for the Seaver Farm property brought to the Board.

DISCUSSION ONLY ITEMS

A. Reinstatement of Work Sessions

Supervisor Stumbo stated the memo explained that reinstatement of the work sessions would allow for a more thorough discussion. She said the work sessions were also posted and open to the public.

Trustee Eldridge stated that he and Trustee Mike Martin had recommended the elimination of the work sessions and he still preferred having no work session.

Arloa Kaiser, Township Resident stated she was in favor of the work sessions because she felt there was more discussion.

Treasurer Doe said he would like to have the work sessions because he felt the meetings ran much smoother when there was a work session. He said it would be a decision of the Board.

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Supervisor Stumbo said she knew Trustee Currie preferred having a work session. She stated it would be placed on the next agenda for formal approval.

B. Planning Coordinator/Director Positions

Clerk Lovejoy Roe stated Mr. Radzik was seeking direction from the Board and she supported bringing the request back to the Board on the next agenda.

Mr. Radzik provided a brief overview of the request. He said he was not proposing the elimination of the current Teamster position but it would not be immediately filled.

The board agreed to have the item placed on the next agenda for consideration.

C. Discuss Possible Urban Chicken Ordinance

Clerk Lovejoy Roe said several offices had received inquiries.

Trustee Scott Martin said there were residents in his neighborhood that currently had chickens.

Ms. Kaiser felt approving a chicken ordinance would create more problems.

Supervisor Stumbo suggested surveying the neighborhood watch group to see if there was community support for the ordinance.

The Board agreed with the Supervisor's suggestion.

AUTHORIZATIONS AND BIDS

A. REQUEST OF KAREN WALLIN, HUMAN RESOURCE TO SEEK PROPOSALS FOR PROFESSIONAL SERVICES – HEALTH CARE AGENT

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve seeking proposals for Professional Services – Health Care Agent.

Karen Wallin, Human Resource stated a healthcare committee consisting of representatives of all the employee groups was formed to research opportunities to save money. She said the committee had recommended retaining a healthcare agent to assist with the wide-range of options available to the Township. Ms. Wallin said the committee would review the proposals and make a recommendation to the Board.

The motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at approximately 9:08 p.m.

Respectfully submitted,

Brenda L. Stumbo, Supervisor
Charter Township of Ypsilanti

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

RESOLUTION 2011-10

A Resolution Establishing an Industrial Development District #11-276 to Include All Parcels Attached Hereto as Exhibit A

Whereas, pursuant to Act No. 198 of the Public Acts of 1974, as amended, the Charter Township of Ypsilanti Board of Trustees has the authority to establish Industrial Development Districts within the Charter Township of Ypsilanti; and

Whereas, on April 21, 2011, Bruce Wagar, on behalf of Bosal Industries Michigan, located at 1476 Seaver Way, petitioned the Charter Township of Ypsilanti Board of Trustees to establish an Industrial Development District on property located in the Charter Township of Ypsilanti hereinafter described on **Exhibit A**, a copy of which is attached hereto and incorporated by reference; and

Whereas, no construction, acquisition, alteration, or installation of a proposed facility not commenced at the time of filing of the request to establish this district; and

Whereas, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Ypsilanti Courier and/or public posting of the hearing on the establishment of the proposed district; and

Whereas, on June 21, 2011 a public hearing was held at which all of the owners of real property within the proposed Industrial Development District and all residents and taxpayers of the Charter Township of Ypsilanti were afforded an opportunity to be heard thereon; and

Whereas, the Charter Township of Ypsilanti Board of Trustees deems it to be in the public interest of the Charter Township of Ypsilanti to establish the Industrial Development District as proposed.

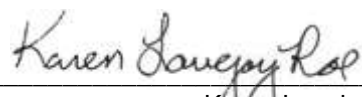
Now Therefore, Be it resolved, by the Charter Township of Ypsilanti Board of Trustees of the Charter Township of Ypsilanti that the

following described parcels of land situated in the Charter Township of Ypsilanti, Washtenaw County, State of Michigan, to wit:

See Exhibit A, attached hereto and incorporated by reference

be and here is established as an Industrial Development District pursuant to the provision of Act No. 198 of the Public Acts of 1974 to be known as Industrial Development District No. 11-276.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify the above resolution is a true and exact copy of Resolution No. 2011-10 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on June 21, 2011.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

EXHIBIT A

OWNERS & PROPERTY DESCRIPTIONS PROPOSED IDD DISTRICT # 11-276

K-11-38-280-012

Bosal Industries-Georgia, Inc.
1476 Seaver Drive
Ypsilanti, MI 48197

COM AT THE SW COR OF SEC 17, T3S, R7E, YPSILANTI TWP, WASHTENAW COUTNY, MICHIGAN; TH N 00-13W 927.70 FT ALG THE W/L OF SEC 17; TH N 72-39-10E 1551.80 FT ALG THE N/L OF SAID FRENCH CLAIM 681; TH S 16-06-00E 635.33 FT; TH N 72-54-10E 2216.60 FT; TH S 13-46-00W 23.97 FT FOR A POB; TH N 72-40-20E 1519.99 FT; TH S 07-06-42E 49.43 FT; TH 222.38 FT ALG THE ARC OF A 957.00 FT RADIUS CIRCULAR CURVE TO THE RIGHT W/ A CENTRAL ANGLE OF 13-18-51; HAVING A CHORD WHICH BEARS S 00-27-27E 221.88 FT; TH S 06-11-59W 218.90 FT; TH 119.82 FT ALG THE ARC OF A 543 FOOT RADIUS CIRCULAR CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 12-38-34, HAVING A CHORD WHICH BEARS S 00-07-18E 119.57 FT; TH S 06-26-35E 335.20 FT; TH 36.59 FT ALG THE ARC OF A 50 FT RADIUS CIRCULAR CURVE TOT HE RIGHT, WITH A CENTRAL ANGLE OF 41-55-37 HAVING A CHORD WHICH BEARS S 14-31-13W 35.78 FT; TH 50.67 FT ALG THE ARC OF A 75.00 FT RADIUS NON-TANGENTIAL CIRCULAR CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 38-42-42, HAVING A CHORD WHICH BEARS S 16--07-40W 49.71 FEET; TH N 76-12-32W 187.24 FT; TH S 78-09-48W 141.58 FT; TH S 63-37-11W 60.62 FT; TH S 32-40-47 W 81.70 FT; TH S 21-56-06W 65.58 FEET; TH S 72-21-51 W 1108.25 FT; TH N 27-13-05W 244.32 FT TH 141.74 FT ALG THE ARC OF A 790.64 FT RADIUS NON-TANGENTIAL CIRCULAR CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 10-16-18, HAVING A CHORD WHICH BEARS N 09-56-23W 141.55 FT; TH N 12-37-55E 431.58 FT; TH N 29-33-06E 88.76 FT; TH N 13-46-00E 198.23 FT TO THE POB, BEING PART OF THE SW 1/4 OF SEC 17 AND THE NW 1/4 OF SEC 20 CONT 36.09 ACRES OF LAND +/-

K-11-02-275-010

K-11-38-280-013

Charter Township of Ypsilanti
7200 S. Huron River Drive
Ypsilanti, MI 48197

COM AT THE SW CORNER OF SEC 17, T3S, R7E, YPSILANTI TOWNSHIP, WASHTENAW COUNTY, MICHIGAN; TH N 01-00-13W 131.11 FT ALG THE W/L OF SEC 17 FOR A POB; TH CONTINUING N 01-00-13W 796.59 FT; TH N 72-39-10E 1551.80 FT ALG THE N/L OF SAID FRENCH CLAIM 681; TH S 16-06-00E 635.33 FEET; TH N 72-54-10E 2216.60 FT; TH S 13-46-00W 222.20 FEET; TH S 29-33-06W 88.76 FT; TH S 12-37-55W 431.58 FT; TH 141.74 FT ALG THE ARC OF A 790.64 FT RADIUS NON-TANGENTIAL CIRCULAR CURVE TO THE RIGHT, WITH A CENTRAL ANGLE OF 10-16-18, HAVING A CHORD WHICH BEARS S 09-56-23E 141.55 FEET; TH S 27-13-05E 244.32FT; TH S 72-21-51W 750.83 FT; TH S 03-36-59 E 1082.23 FT; TH S 72-21-51W 516.39 FT (RECORDED AS 516.16 FEET); TH N 03-37-52W (RECORDED AS N 03-37-37W) 1410.09 FT (RECORDED AS 1410.24 FEET); TH S 86-00-47W 2484.55 FT TO THE POB, BEING PART OF THE SW 1/4 OF SEC 17 AND THE NW 1/4 OF SECTION 20, CONTAINING 89.51 ACRES OF LAND +/-

RESOLUTION 2011-8

CHARTER TOWNSHIP OF YPSILANTI PLANNING COMMISSION CONFIRMATION

WHEREAS, the Michigan Legislature, in recent years, has adopted a new Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq, a new Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3105, et seq. whose provisions in part provide for the establishment of Planning Commissions in those municipalities, including Townships, that did not at that time have existing Planning Commissions and to provide that those municipalities, including townships, that did have an established Planning Commission, reconfirm by ordinance the existence and conform the powers of such Planning Commissions to the new Michigan Planning Enabling Act; and

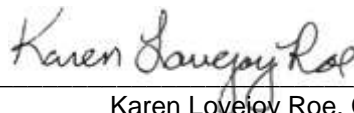
WHEREAS, MCL 125.3881 requires municipalities, including Townships, to have adopted such an ordinance as described above by July 1, 2011; and

WHEREAS, proposed Ordinance 2011-414 confirms the establishment under the Michigan Planning and Enabling Act of the Charter Township of Ypsilanti Planning Commission; provides for the powers, duties, and limitations of that Planning Commission; and repeals any ordinances or resolutions in conflict with this ordinance; and

WHEREAS, the passage of the proposed Ordinance 2011-414 is necessary to preserve the integrity of the Charter Township of Ypsilanti's Planning Commission with respect to its actions taken from July 1, 2011 forward while at the same time the proposed Ordinance 2011-414 approves, ratifies and reconfirms all actions taken by the preceding Planning Commission.

NOW, THEREFORE, BE IT THEREFORE RESOLVED, that the **Charter Township of Ypsilanti Board of Trustees** hereby adopts by reference Ordinance No. 2011-414 as attached in its entirety which Ordinance confirms the establishment under the Michigan Planning and Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq. of the Charter Township of Ypsilanti Planning Commission; provides for the composition of that Planning Commission; provides for the powers, duties and limitations of that Planning Commission and repeals any ordinance or parts of ordinances or resolutions in conflict with this Ordinance

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify the above resolution is a true and exact copy of Resolution No. 2011-8 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on June 21, 2011.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

Ordinance No. 2011 - 414
Charter Township of Ypsilanti
WASHTENAW COUNTY, MICHIGAN
Ordinance to Confirm the Establishment of a
Planning Commission with Zoning Authority *(Annotated)*

AN ORDINANCE TO CONFIRM THE ESTABLISHMENT UNDER THE MICHIGAN PLANNING ENABLING ACT, PUBLIC ACT 33 OF 2008, MCL 125.3801, ET SEQ., OF THE CHARTER TOWNSHIP OF YPSILANTI PLANNING COMMISSION; PROVIDE FOR THE COMPOSITION OF THAT PLANNING COMMISSION; PROVIDE FOR THE POWERS, DUTIES AND LIMITATIONS OF THAT PLANNING COMMISSION; AND REPEAL ANY ORDINANCE OR PARTS OF ORDINANCES OR RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE.

THE CHARTER TOWNSHIP OF YPSILANTI, WASTHENAW COUNTY, MICHIGAN, HEREBY ORDAINS:

SECTION I - SCOPE, PURPOSE AND INTENT

This ordinance is adopted pursuant to the authority granted the Charter Township of Ypsilanti Board (hereinafter Township Board) under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, et seq., to establish a planning commission with the powers, duties and limitations provided by those Acts and subject to the terms and conditions of this ordinance and any future amendments to this ordinance.

The purpose of this ordinance is to provide that the Township Board shall hereby confirm the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., of the Charter Township of Ypsilanti Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq., to establish the appointments, terms, and membership of the Planning Commission; to identify the officers and the minimum number of meetings per year of the Planning Commission; and to prescribe the authority, powers and duties of the Planning Commission.

SECTION II - ESTABLISHMENT

The Township Board hereby confirms the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., of the Ypsilanti Township Planning Commission (hereinafter Planning Commission) formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq., The Planning Commission shall have 7 members. Members of the Planning Commission as of the effective date of this Ordinance shall, except for an ex officio member whose remaining term on the Planning Commission shall be limited to his or her term on the Township Board, continue to serve for the remainder of their existing terms so long as they continue to meet all of the eligibility requirements for Planning Commission membership set forth within the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq.

SECTION III - APPOINTMENTS AND TERMS

Subject to approval by a majority vote of the elected and serving members of the Township Board, the Township Supervisor shall appoint all members of the Planning Commission, including one member of the Township Board who shall serve as an ex officio member with full voting rights. The Planning Commission members, other than the ex officio member, shall serve for terms of three (3) years each. The ex officio member's term shall expire with his or her term on the Township Board. A Planning Commission member shall hold office until his or her successor is appointed. A vacancy shall be filled by appointment to the

unexpired term in the same manner as the original appointment. Other than the ex officio member, no other elected officer or employee of the Township is eligible to be a member of the Planning Commission.

Planning Commission members shall be qualified electors of the Township, except that one Planning Commission member may be an individual who is not a qualified elector of the Township. The membership of the Planning Commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the Township, in accordance with the major interests as they exist in the Township, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire geography of the Township to the extent practicable.

SECTION IV - REMOVAL

The Township Board may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing.

SECTION V - CONFLICT OF INTEREST

The Planning Commission shall in its Bylaws provide rules regarding what constitutes a conflict of interest.

SECTION VI - COMPENSATION

The Planning Commission members may be compensated for their services as provided by Township Board resolution. The Planning Commission may adopt bylaws relative to compensation and expenses of its members for travel when engaged in the performance of activities authorized by the township board, including, but not limited to, attendance at conferences, workshops, educational and training programs and meetings.

SECTION VII - OFFICERS AND COMMITTEES

The Planning Commission shall elect a chairperson and a secretary from its members, and may create and fill other offices as it considers advisable. An ex officio member of the Planning Commission is not eligible to serve as chairperson. The term of each office shall be 1 year, with opportunity for reelection as specified in the Planning Commission Bylaws.

The Planning Commission may also appoint advisory committees whose members are not members of the Planning Commission.

SECTION VII - BYLAWS, MEETINGS AND RECORDS

The Planning Commission shall adopt Bylaws for the transaction of business.

The Planning Commission shall hold at least four (4) regular meetings each year, and shall by resolution determine the time and place of the meetings.

Unless otherwise provided in the Planning Commission's Bylaws, a special meeting of the Planning Commission may be called by the chairperson or by two (2) other members, upon written request to the secretary. Unless the Bylaws otherwise provide, the secretary shall send written notice of a special meeting to Planning Commission members at least forty-eight (48) hours before the meeting.

The business that the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Public Act 267 of 1976, MCL §15.261, et seq.

The Planning Commission shall keep a public record of its resolutions, transactions, findings, and determinations. A writing prepared, owned, used, in

the possession of, or retained by the Planning Commission in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act, Public Act 442 of 1976, MCL §15.231, et seq.

SECTION IX - ANNUAL REPORT

The Planning Commission shall make an annual written report to the township board concerning its operations and the status of the planning activities, including recommendations regarding actions by the Township Board related to planning and development.

SECTION X - AUTHORITY TO MAKE MASTER PLAN

Under the authority of the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL §125.3801, et seq., and other applicable planning statutes, the Planning Commission shall make a Master Plan as a guide for development within the Township's planning jurisdiction. The procedure for adoption or amendment of a Master Plan shall be as prescribed in Article III of the Act, MCL §125.3831 through §125.3851.

Final authority to approve a Master Plan or any amendments thereto shall rest with the Township Board after recommendation of the Planning Commission in accordance with the Act. The Township Board shall pass a resolution in accordance with MCL §125.3843(3) asserting its right to approve or reject a master plan.

Unless rescinded by the Township, any plan adopted or amended under the Township Planning Act, Public Act 168 of 1959, MCL §125.321, et seq., need not be readopted under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL §125.3801, et seq.

SECTION XI - ZONING POWERS

The Township Board hereby confirms the transfer of all powers, duties, and responsibilities provided for Zoning Boards or Zoning Commissions by the former Township Zoning Act, Public Act 184 of 1943, MCL 125.271, et seq.; the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, et seq.; or other applicable zoning statutes to the Charter Township of Ypsilanti Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq.

Any existing Zoning Ordinance shall remain in full force and effect except as otherwise amended or repealed by the Township Board.

SECTION XII - SUBDIVISION AND LAND DIVISION RECOMMENDATIONS

The Planning Commission may recommend to the Township Board provisions of an ordinance or rules governing the subdivision of land. Before recommending such an ordinance or rule, the Planning Commission shall hold a public hearing on the proposed ordinance or rule. The Planning Commission shall give notice of the time and place of the public hearing not less than fifteen (15) days before the hearing by publication in a newspaper of general circulation within the Township.

The Planning Commission shall review and make recommendation on a proposed plat before action thereon by the Township Board under the Land Division Act, Public Act 288 of 1967, MCL §560.101, et seq. The Planning Commission shall recommend approval, approval with conditions, or disapproval of a plat within sixty-three (63) days after the plat is submitted to the Planning Commission unless the plat proprietor waives this requirement and consents to an extension of the sixty-three (63) day period. Before making its recommendation, the Planning Commission shall hold a public hearing on the proposed plat. A plat submitted to the Planning Commission shall contain the name and address of the proprietor or other person to whom notice of a hearing

shall be sent. Not less than fifteen (15) days before the date of the hearing, notice of the date, time and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the Township. Similar notice shall be mailed to the owners of land immediately adjoining the proposed platted land.

SECTION XIII – SEVERABILITY

The provisions of this ordinance are hereby declared to be severable, and if any part is declared invalid for any reason by a court of competent jurisdiction, it shall not affect the remainder of the ordinance, which shall continue in full force and effect.

SECTION XIV - REPEAL

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed. The Resolution or Ordinance establishing the Charter Township of Ypsilanti Planning Commission under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq., is/are, hereby repealed and replaced by this Ordinance.

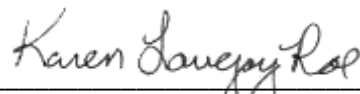
SECTION XV - APPROVAL, RATIFICATION, AND RECONFIRMATION.

All official actions taken by The Charter Township of Ypsilanti Board of Trustees and/or its Planning Commission preceding the Commission created by this Ordinance are hereby approved, ratified, and reconfirmed. Any project, review, or process taking place at the effective date of this Ordinance shall continue with the Planning Commission created by this Ordinance, subject to the requirements of this Ordinance, and shall be deemed a continuation of any such previous project, review or process. This Ordinance shall be in full force and effect from and after its adoption and publication.

SECTION XVI - PUBLICATION AND EFFECTIVE DATE.

The Township Clerk shall cause this Ordinance to be published in the manner required by law. This Ordinance shall be effective as of the date of final publication of the Ordinance.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify adoption of Ordinance No. 2011-414 by the Charter Township of Ypsilanti Board of Trustees assembled at a Regular Meeting held on June 21, 2011 after first being introduced at a Regular Meeting held on May 17, 2011. The motion to approve was made by member Roe and seconded by member Currie. Yes: Currie, Eldridge, Mike Martin, Scott Martin, Stumbo, Roe, Doe. NO: None. ABSTAIN: None.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

PROPOSED ORDINANCE 2011-416

***An Ordinance Amending Ordinance No. 74,
Township Zoning Ordinance, So As To Rezone
5401 Whittaker Road, being Parcel ID K-11-21-200-020,
From Its Current OS-1 Office Service District Zoning Classification
To TC-3 Town Center 3 District Zoning Classification***

The Charter Township of Ypsilanti hereby ordains that

Ordinance

No. 74, adopted May 18, 1994, shall be amended as follows:

Real Property consisting of 1.80 acres of land located at 5401 Whittaker Road, also known as Parcel ID K-11-21-200-020, and more particularly described as follows:

YP#21-8B: COM AT THE SW COR OF SEC 21; TH N 0-17-30 W 3000.50 FT IN THE W LINE OF SEC; TH E 490.30 FT; TH N 2-35-00 E 37 FT; TH N 2-22-00 E 251.36 FT FOR POB; TH S 87-38-00 E 290 FT; TH S 1-57-00 E 88.99 FT; TH S 42-57-00 W 248.03 FT, TH S 48-36-22 W 31.85 FT, TH S 41-23-38 W 27 FT, TH N 48-36-22 W 40.26 FT, TH ALONG ARC OF CURVE, CENTRAL ANGLE OF 6-50-43, RADIUS OF 253.53 FT, WITH A CHORD BEARING N 45-10-48 W 30.27 FT, TH N N 15-16-48 E 33.03 FT, TH ALONG ARC OF CURVE WITH CENTRAL ANGLE OF 38-1-20, RADIUS OF 226.53 FT, WITH A CHORD BEARING N 18-11-59 W 147.58 FT, TH N 0-48-40 E 59.52 FT TO THE POB. BEING PART OF NW 1/4 SEC 21, T3S-R7E, 1.40 AC. (L-3982 P-994 11/30/00)

ALSO SEE QUIT CLAIM DEED L- 4724 P - 595

shall be rezoned from its current OS-1 Office Service District zoning classification to the TC-3 Town Center 3 District zoning classification.

The Zoning Map, as incorporated by reference, in the Charter township of Ypsilanti Zoning Ordinance is hereby amended by the rezoning of the afore-described parcel of property from its OS-1 Office Service District zoning classification to the TC-3 Town Center 3 District zoning classification.

Severability

In the event that any one or more sections, provisions, phrases or words of this ordinance shall be found to be invalid by a

Court of competent jurisdiction, such holding shall not affect the validity nor the enforceability of the remaining sections, provisions, phrases or words of this Ordinance unless expressly so determined by a Court of competent jurisdiction.

Non Exclusivity

The prohibitions and penalties provided for in this Ordinance shall be in addition to, and not exclusive of, other prohibitions and penalties provided for by other law, ordinance, or rule/regulation.

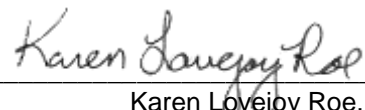
Publication

This Ordinance shall be published in a newspaper of general circulation as required by law.

Effective date

This Ordinance shall become effective upon publication in a newspaper of general circulation as required by law.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify approval of the first reading of Proposed Ordinance No. 2011-416 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on June 21, 2011. The second reading is scheduled to be heard on July 19, 2011.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

CHARTER TOWNSHIP OF YPSILANTI

2011 BUDGET AMENDMENT #6

JUNE 21, 2011

101 - GENERAL OPERATIONS FUND

Total Increase \$47,832.37

Increase the General Fund budget by \$10,351.00 for 2010 special assessment -drains at large costs \$120,351 to by Washtenaw County Treasurer invoiced April 2011.

Revenues:	Prior Year Fund Balance	101-000-000-699.000	\$10,351.00
		Net Revenues	<u>\$10,351.00</u>

Expenditures:	Highway & Street-Drain Costs	101-446-000-818.009	\$10,351.00
		Net Expenditures	<u>\$10,351.00</u>

Increase tax refund expenditure budget due to Michigan Tax Tribunal tax settlement -Ford Motor Co. reductions of value 2008-2009 PPT that require refunds to tax payer. This is funded by an Appropriation of Prior Year Fund Balance from the Reserve for MTT losses based on specific millage rates for the specific fund.

Revenues:	Prior Year Fund Balance	101.000.000.699.000	\$37,481.37
		Net Revenues	<u>\$37,481.37</u>

Expenditures:	Tax Refund Expenditures	101.956.000.956.006	\$37,481.37
		Net Expenditures	<u>\$37,481.37</u>

206 - FIRE FUND

Total Increase \$84,314.84

Increase tax refund expenditure budget due to Michigan Tax Tribunal tax settlement -Ford Motor Co. reductions of value 2008-2009 PPT that require refunds to tax payer. This is funded by an Appropriation of Prior Year Fund Balance from the Reserve for MTT losses based on specific millage rates for the specific fund.

Revenues:	Prior Year Fund Balance	206.000.000.699.000	\$84,314.84
		Net Revenues	<u>\$84,314.84</u>

Expenditures:	Tax Refund Expenditures	206.206.000.956.010	\$73,932.32
	Tax Refund Expenditures-Fire Pension	206.852.000.956.014	\$10,382.52
		Net Expenditures	<u>\$84,314.84</u>

CHARTER TOWNSHIP OF YPSILANTI

2011 BUDGET AMENDMENT #6

JUNE 21, 2011

212 - BIKE, SIDEWALK, RECREATION, ROAD AND GENERAL OPERATIONS FUND (BSR II)	Total Increase	<u><u>\$52,502.86</u></u>
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Increase tax refund expenditure budget due to Michigan Tax Tribunal tax settlement -Ford Motor Co. reductions of value 2008-2009 PPT that require refunds to tax payer. This is funded by an Appropriation of Prior Year Fund Balance from the Reserve for MTT losses based on specific millage rates for the specific fund.

Revenues: Prior Year Fund Balance	212.000.000.699.000	<u>\$26,559.11</u>	
	Net Revenues	<u><u>\$26,559.11</u></u>	
Expenditures: Tax Refund Expenditures	212.212.000.956.010	<u>\$26,559.11</u>	
	Net Expenditures	<u><u>\$26,559.11</u></u>	

Increase expenditure budget line item for tree planting - Willow Run Airport Tree Replacement reserve fund. This will be funded by appropriation from prior year fund balance.

Revenues: Prior Year Fund Balance	212.000.000.699.000	<u>\$3,700.00</u>	
	Net Revenues	<u><u>\$3,700.00</u></u>	
Expenditures: Professional Service Tree/Landscape	212.212.000.801.150	<u>\$3,700.00</u>	
	Net Expenditures	<u><u>\$3,700.00</u></u>	

Increase transfer to Golf Course expenditure budget for repairs on building. (50%+ to come from insurance reimbursement and be deposited into the Golf Fund 584)

Revenues: Prior Year Fund Balance	212.000.000.699.000	<u>\$22,243.75</u>	
	Net Revenues	<u><u>\$22,243.75</u></u>	
Expenditures: Transfer to Golf Course Fund	212.212.000.969.584	<u>\$22,243.75</u>	
	Net Expenditures	<u><u>\$22,243.75</u></u>	

CHARTER TOWNSHIP OF YPSILANTI

2011 BUDGET AMENDMENT #6

JUNE 21, 2011

266 - LAW ENFORCEMENT FUND

Total Increase \$92,414.76

Increase tax refund expenditure budget due to Michigan Tax Tribunal tax settlement -Ford Motor Co. reductions of value 2008-2009 PPT that require refunds to tax payer. This is funded by an Appropriation of Prior Year Fund Balance from the Reserve for MTT losses based on specific millage rates for the specific fund.

Revenues:	Prior Year Fund Balance	266.000.000.699.000	\$92,414.76
			<u>\$92,414.76</u>
			<u><u>\$92,414.76</u></u>
Expenditures:	Tax Refund Expenditure	266.301.000.956.010	\$92,414.76
			<u>\$92,414.76</u>
			<u><u>\$92,414.76</u></u>

584 - GOLF COURSE FUND

Total Increase \$46,613.02

Increase transfer in from BSR II for \$22,243.75; Increase revenue for insurance reimbursement on damaged building for \$24,369.27 and increase expenditure for building maint. Pro shop for \$46,613.02

Revenues:	Other Income - Misc.	584.000.000.694.001	\$24,369.27
	Transfer from BSR II	584.000.000.697.212	\$22,243.75
			<u>\$46,613.02</u>
			<u><u>\$46,613.02</u></u>
Expenditures:	Building Maint - Pro Shop	584.584.000.931.010	\$46,613.02
			<u>\$46,613.02</u>
			<u><u>\$46,613.02</u></u>

RESOLUTION NO. 2011-9

CHARTER TOWNSHIP OF YPSILANTI

AUTHORIZING DIVISION OF A PLATTED LOTS IN FAIRVIEW HEIGHTS SUBDIVISION.

WHEREAS, the owner of Lots 144, 145 and 146 of Fairview Heights Subdivision has made a request to change lot boundaries as previously approved and recorded; and

WHEREAS, Township ordinance no. 2000-243, Article IX, Section 11.01 states that "Upon the filing of a petition, by the owner or owners of all interest therein, with the Township Board, the platted lots, outlot, or parcels of land in existing recorded plats may be partitioned or divided upon resolution of the Township Board into not more than four (4) parts, each of which shall, in regard to width, depth and area, conform to the terms and provisions of the Charter Township of Ypsilanti Zoning Ordinance, as amended; and

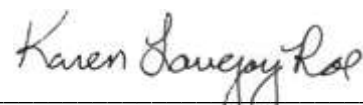
WHEREAS, the Township Planning and Development Coordinator has reviewed the division and confirmed that the resulting parcels meet the minimum requirements for lot size and road frontage as set forth by Section 2000 of the Township Zoning Ordinance.

THEREFORE, BE IT RESOLVED, that the revised property descriptions are approved as follows:

Lot 144 and the East ½ of lot 145 Fairview Heights Subdivision

Lot 146 and the West ½ of lot 145 Fairview Heights Subdivision

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify the above resolution is a true and exact copy of Resolution No. 2011-9 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on June 21, 2011.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

PROPOSED ORDINANCE NO. 2011 – 418

AMENDING ORDINANCE NO. 2008-382

An ordinance to amend Chapter 62, Article IV, Section 62-77 of the Code of Ordinances, Charter Township of Ypsilanti, to increase sewage disposal service rates.

BE IT ORDERED BY THE CHARTER TOWNSHIP OF YPSILANTI, that:

Section 62-77 of Chapter 62, Article IV of the Code of Ordinances be revised as follows:

For all billings rendered prior to September 1, 2011, existing sewage disposal service rates shall prevail. For all billings rendered from September 1, 2011, charges for sewage disposal services shall be as provided for in Schedule A, for each bimonthly (two-month) period:

Schedule A:

Meter Size (inch)	Allowed Usage Cubic Feet	CAPITAL CHARGE		OM&R		TOTAL	
		Contract Community	All Others	Contract Communities	All Others	Contract Community	All Others
5/8-3/4	600	\$1.15	\$1.15	\$15.32	\$18.96	\$16.47	\$20.11
1	1000	\$1.93	\$1.93	\$25.61	\$32.28	\$27.53	\$34.21
1.5	2100	\$4.22	\$4.22	\$52.54	\$66.37	\$56.76	\$70.60
2	4000	\$7.67	\$7.67	\$101.36	\$127.57	\$109.03	\$135.24
3	9000	\$17.27	\$17.27	\$221.20	\$285.45	\$238.47	\$302.73
4	16200	\$31.09	\$31.09	\$421.96	\$514.46	\$453.05	\$545.55
6	36000	\$69.09	\$69.09	\$909.79	\$1144.92	\$978.87	\$1214.00
8	66000	\$126.62	\$126.62	\$1660.47	\$2091.38	\$1787.09	\$2218.01
10	102000	\$192.81	\$192.81	\$2570.27	\$3236.30	\$2763.08	\$3429.11
12	150000	\$287.80	\$287.80	\$3783.33	\$4762.81	\$4071.13	\$5050.61

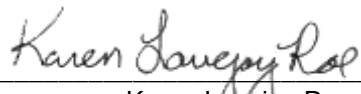
For all usage in excess of allowed usage the rate per 100 cubic feet shall be as follows:

	CAPITAL CHARGE	OM&R	TOTAL
Contract Communities	\$0.193	\$1.658	\$1.851
All Others	\$0.193	\$1.748	\$1.941

* * * * *

This Ordinance shall become effective upon the date of publication.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify approval of the first reading of Proposed Ordinance No. 2011-418 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on June 21, 2011. The second reading is scheduled to be heard on July 19, 2011.



 Karen Lovejoy Roe, Clerk
 Charter Township of Ypsilanti

RESOLUTION 2011-14
APPROVING CONTRACT
AND AUTHORIZING NOTICE
(Snow Road Pump Station)

Charter Township of Ypsilanti
County of Washtenaw, State of Michigan

Minutes of a regular meeting of the Township Board (the "Governing Body") of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan (the "Local Unit"), held on the 21st day of June, 2011, at 6:30 o'clock p.m., Eastern Daylight Time.

PRESENT: Members: Supervisor Brenda Stumbo, Clerk Karen Lovejoy Roe, Treasurer Larry Doe, Trustees Stan Eldridge, Jean Hall Currie, Mike Martin and Scott Martin

ABSENT: Members: None

The following preamble and resolutions were offered by Member Clerk Karen Lovejoy Roe and supported by Member Treasurer Larry Doe:

WHEREAS, it is necessary to acquire and construct certain wastewater system improvements, consisting of the acquisition, construction and installation of improvements to the Snow Road pump station in the Local Unit, including pump replacement and electrical and control system upgrades, together with all necessary appurtenances and attachments thereto, to serve the Local Unit (the "Wastewater Improvements"); and

WHEREAS, a contract (the "Contract") has been prepared between the Local Unit and the Ypsilanti Community Utilities Authority (the "Authority") whereby the Authority will issue its bonds (the "Bonds") on behalf of the Local Unit to provide for the financing of the Local Unit's share of the cost of the acquisition, construction and installation of the Wastewater Improvements; and

WHEREAS, this Governing Body has carefully reviewed the Contract and finds that it provides the best means for accomplishing the acquisition and construction of the Wastewater Improvements and for providing the needed services.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. Approval of Contract; Effectiveness. The Contract is hereby approved and the Supervisor and the Clerk of the Local Unit are hereby authorized and directed to execute and deliver the Contract for and on behalf of the Local Unit; provided, however, that Contract shall not become effective until the expiration of forty-five (45) days after the publication of the attached notice as a display advertisement of at least ¼ page in size in the *Ypsilanti Courier*, a newspaper of general circulation within the Local Unit, which manner of publication is deemed by the Governing Body to be the most effective manner of informing the taxpayers and electors of the Local Unit of the details of the proposed Contract and the rights of referendum thereunder.
2. Publication of Notice. The Clerk is directed to publish the attached notice in the newspaper above designated as soon as possible after the adoption hereof.

3. All resolutions and parts of resolutions in conflict with this resolution be, and the same hereby are repealed.

AYES: Members: Supervisor Brenda Stumbo, Clerk Karen Lovejoy Roe, Treasurer Larry Doe, Trustees Stan Eldridge, Jean Hall Currie, Mike Martin and Scott Martin

NAYS: Members: None

RESOLUTION DECLARED ADOPTED.

Karen Lovejoy Roe
Township Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan, at a regular meeting held on June 21, 2011, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Karen Lovejoy
Township Clerk

NOTICE OF INTENT TO EXECUTE
TAX-SUPPORTED CONTRACT AND OF RIGHT TO
PETITION FOR REFERENDUM THEREON

TO THE TAXPAYERS AND ELECTORS OF
THE CHARTER TOWNSHIP OF YPSILANTI,
WASHTENAW COUNTY, MICHIGAN:

PLEASE TAKE NOTICE, the Charter Township of Ypsilanti (the "Local Unit") has approved by resolution the execution of a contract (the "Contract") with the Ypsilanti Community Utilities Authority (the "Authority") pursuant to Act No. 233, Public Acts of Michigan, 1955, as amended, which Contract provides, among other things, that the Authority will acquire, construct and install certain wastewater improvements, consisting of the acquisition, construction and installation of improvements to the Snow Road pump station in the Local Unit, including pump replacement and electrical and control system upgrades, together with all necessary appurtenances and attachments thereto, to serve the Local Unit and will issue its bonds in the principal amount not to exceed \$3,500,000 to finance the cost of the acquisition and construction of such wastewater improvements for the Local Unit AND THE LOCAL UNIT WILL PAY TO THE AUTHORITY PURSUANT TO THE CONTRACT THE SUMS NECESSARY TO RETIRE THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

LOCAL UNIT'S CONTRACT OBLIGATIONS

It is presently contemplated that the bonds will be in the principal amount of not to exceed \$3,500,000, will mature serially over a period of not to exceed twenty-five (25) years, and will bear interest at the rate or rates to be determined at the time of sale to the Michigan Finance Authority but in no event to exceed two and one-half percent (2.5%) per annum on the balance of the bonds from time to time remaining unpaid. The Contract includes the Local Unit's pledge of its limited tax full faith and credit for the prompt and timely payment of the Local Unit's obligations as expressed in the Contract. THE LOCAL UNIT WILL BE REQUIRED TO LEVY AD VALOREM TAXES WITHIN APPLICABLE CONSTITUTIONAL AND STATUTORY TAX LIMITATIONS ON ALL TAXABLE PROPERTY WITHIN THE LOCAL UNIT TO THE EXTENT NECESSARY TO MAKE THE PAYMENTS REQUIRED TO PAY PRINCIPAL OF AND INTEREST ON THE BONDS IF OTHER FUNDS FOR THAT PURPOSE ARE NOT AVAILABLE. IT IS THE PRESENT INTENT OF THE LOCAL UNIT TO USE THE REVENUES FROM THE TOWNSHIP DIVISION OF THE AUTHORITY'S SYSTEM TO MAKE THE PAYMENTS REQUIRED TO PAY PRINCIPAL OF AND INTEREST ON THE BONDS.

RIGHT OF REFERENDUM

The Contract will become effective and binding upon the Local Unit without vote of the electors as permitted by law unless a petition requesting an election on the question of the Local Unit entering into the Contract, signed by not less than 10% of the registered electors of the Local Unit, is filed with the Township Clerk within forty-five (45) days after publication of this notice. If such petition is filed, the Contract cannot become effective without an approving vote of a majority of electors of the Local Unit qualified to vote and voting on the question. The Contract is on file at the office of the Township Clerk.

This notice is given pursuant to the requirements of Section 8 of Act No. 233, Public Acts of Michigan, 1955, as amended. Further information concerning the details of the Contract and the matters set out in this notice may be secured from the Township Clerk's office.

Karen Lovejoy Roe
Clerk
Charter Township of Ypsilanti

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RESOLUTION 2011-13

Whereas, at its regularly scheduled meeting held **May 24, 2011**, the **Charter Township of Ypsilanti (Township) Planning Commission (Commission)** recommended to the Township Board of Trustees the request of the **Burning Bush Church of God** to amend the **PD Stage II Final Site Plan** dated **April 11, 1998** and to amend the executed **Development Agreement** dated **June 16, 1998** to permit the establishment of a worship facility to be located at 770 James L. Hart Parkway, Parcel K11-17-361-024, with the following conditions:

- The applicant shall submit a Development Agreement acceptable to the Township Board of Trustees and the Township Attorney.
- The Development Agreement shall exclude the use of the property for a day care, preschool or other child care facility as it would be inappropriate to have such a facility in such close proximity to a number of industrial facilities.
- The applicant shall agree to replace all necessary landscaping per the originally approved site plan.

Whereas, the property in question is currently zoned PD Planned Development with the underlying zoning being B-3 General Commercial; and

Whereas, in addition to the recommendations of the Commission, Township staff further recommends that an additional condition to the Township Board's approval of the request should include a provision that **"The applicant shall agree not to construct or utilize any portion of the property for use as a parsonage."**; and

Whereas, the change of use proposed is a "**major change**" in accordance with Section 19-22(3) of the Township Zoning Code resubmittal of a new site plan to the Planning Commission and Township Board is required; and

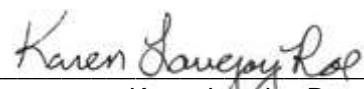
Whereas, the Township Board of Trustees is in agreement with the proposed changes to the affected property and agrees that approval of the current site plan is in the best interest of the Township; and

Whereas, upon approval of the Development Agreement dated **June 16, 1998** are required before a Certificate of Occupancy may be issued

Now Therefore, Be it resolved, the Charter Township of Ypsilanti Board of Trustees adopts the recommendation of the Township's Planning Commission of May 24, 2011 and approves the revised Site Plan submitted by the Burning Bush Church of God amending the **PD Stage II Final Site Plan** dated **April 11, 1998** subject to amendments to the **Development Agreement** dated **June 16, 1998**, satisfactory to the Township Board of Trustees and the Township attorney, permitting the establishment of a worship facility to be located at 770 James L. Hart Parkway, Parcel K11-17-361-024, and subject to the following further conditions:

- The Development Agreement shall exclude the use of the property for a daycare, preschool or other child care facility as it would be inappropriate to have such a facility in such close proximity to a number of industrial facilities.
- The applicant shall agree to replace all necessary landscaping per the originally approved Site Plan.
- The applicant shall agree not to construct or utilize any portion of the property for use as a parsonage.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify approval of the first reading of Proposed Resolution No. 2011-13 by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on June 21, 2011. The second reading is scheduled to be heard on July 19, 2011.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

COOPERATIVE AGREEMENT

"Urban County"

Community Development Block Grant & Home Investment Partnership Programs

THIS AGREEMENT made and entered into this 21st day of June 2011 by and between the Charter Township of Ypsilanti, State of Michigan hereinafter referred to as the "Community", and the County of Washtenaw, a Michigan Constitutional Corporation, State of Michigan, hereinafter referred to as the "County":

WHEREAS, the Housing and Community Development Act of 1974 as amended provides an entitlement of funds for Community Development purposes for urban counties; and

WHEREAS, **Washtenaw** County has been designated as an Urban County provided that it secures Cooperation Agreements with various communities in **Washtenaw** County; and

WHEREAS, this agreement covers both the Community Development Block Grant Entitlement Program and, where applicable, the HOME Investment Partnership program; and

NOW THEREFORE, the Community and County do hereby promise and agree:

THAT the Community may not apply for grants from appropriations under Small Cities or State CDBG programs for fiscal years during the period in which it is participating in the urban county's CDBG program; and

THAT the Community may not participate in a HOME consortium except through the urban county, regardless of whether the urban county receives a HOME formula allocation; and,

THAT the County shall have final responsibility for selecting Community Development Block Grant (and HOME, where applicable) activities and annually filing a Consolidated Plan with HUD;

THAT the County will, on behalf of the Community, execute essential Community Development and Housing Assistance applications, plans, programs and projects eligible under the Housing and Development Act of 1974 as amended; and

THAT the Community and the County will cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing; and

THAT the Community and the County will take all actions necessary to assure compliance with the County's certification required by Section ~104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, and other applicable laws; that the County is prohibited from funding activities in or in support of any community that does not affirmatively further fair housing within its own jurisdiction, or that impedes the County's action to comply with its fair housing certification; and that funding by the County is contingent upon the Community's compliance with the above; and

THAT the Community has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction; and

THAT the qualification period of this agreement as defined in the HUD regulations and guidelines shall be Federal Fiscal Years 2012, 2013 and 2014, and such additional period of time for the purpose of carrying out activities funded by Community Development Block Grants and Home Investment Partnership Program grants from Federal Fiscals years 2012, 2013 and 2014 appropriations and from any program income generated from the expenditure of such funds; further that the period of time of this Agreement shall be automatically renewed in successive three-year qualification periods, unless the County or the Community provides written notice it elects not to participate in a new qualification period. A copy of this notice must be sent to the HUD State Office by the date specified in HUD's urban county qualification notice for the next qualification period; further the County will notify the Community in writing of its right to make such election by the date specified in HUD's urban county qualification notice; and

THAT the Community resolves to remain in **Washtenaw's** Urban County programs for an indefinite period of time or until such time it is in the best interest of this Community to terminate the Cooperation Agreement and such additional period of time for the purpose of carrying out activities funded by Community Development Block Grants and from any program income generated from the expenditure of such funds. Furthermore, that the period of time of this Agreement shall be automatically renewed in successive three-year qualification periods, unless the County or the Community provides written notice it elects not to participate in a new qualification period. A copy of this notice must be sent to the HUD State Office by the date specified in HUD's Urban County Qualification Notice for the next qualification period; further the County will notify the Community in writing of its right to make such election by the date specified in HUD's Urban County Qualification Notice; and

THAT failure by either party to adopt an amendment to this Agreement incorporating all changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice applicable for a subsequent three year urban county qualification period, and to submit the amendment to HUD as provided in the Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period, and to submit the amendment to HUD as provided in the Urban County Qualification Notice, will void the automatic renewal of such qualification period; and

THAT this Agreement remains in effect until the CDBG (and HOME where applicable) funds and income received with respect to activities carried out during the three year qualification period (and any successive qualification periods under this automatic renewal provision) are expended and the funded activities completed, and that the County and Community may not terminate or withdraw from this agreement while this agreement remains in effect; and

THAT the Community shall inform the County of any income generated by the expenditure of CDBG funds received by the Community; and

THAT any such program income generated by the Community must be paid to the County, unless at the County's discretion, the Community may retain the program income as set forth in 24 CPR 570.503; and

THAT any program income the Community is authorized by the County to retain may only be used for eligible activities approved by the County in accordance with all CDBG requirements as may then apply; and

THAT the County has the responsibility for monitoring and reporting to HUD on the use of any such program income, thereby requiring appropriate record keeping and reporting by the Community as may be needed for this purpose; and

THAT in the event of close-out or change in status of the Community, any program income that is on hand or received subsequent to the close-out or change in status shall be paid to the County; and

THAT the Community shall provide timely notification to the County of any modification or change in the use of the real property from that planned at the time of acquisition or improvement including disposition; and

THAT the Community shall reimburse the County in the amount equal to the current fair market value (less any portion of the value attributable to expenditures of non-CDBG funds) of real property acquired or improved with Community Development Block Grant funds that is sold or transferred for the use which does not qualify under the CDBG regulations; and

THAT the Community shall return to the County program income generated from the disposition or transfer of real property prior to or subsequent to the close-out, change of status or termination of the cooperation agreement between the County and the Community; and

THAT the terms and provisions of this Agreement are fully authorized under State and local law, and that the Agreement provides full legal authority for the County to undertake or assist in undertaking essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing; and

THAT pursuant to 24 CFR ~570.501(b), the Community is subject to the same requirements applicable to subrecipients, including the requirement for a written agreement set forth in 24 CFR 570.503.

IN WITNESS WHEREOF, the Community and the County have by resolutions authorized this agreement to be executed by their respective officers thereunto as of the day and year first above written.

COUNTY OF WASHTENAW

Name: Verna J. McDaniel
Title: County Administrator

Signature & date: _____

Attested By:
Name: Lawrence Kestenbaum
Title: County Clerk/ Register

Signature & date: _____

CHARTER TOWNSHIP OF YPSILANTI

Name: Brenda L. Stumbo
Title: Supervisor

Signature & date: Brenda L. Stumbo 6/22/11

Attested By:
Name: Karen Lovejoy Roe
Title: Clerk

Signature & date: Karen Lovejoy Roe 6/22/11

CERTIFICATION BY COUNTY CORPORATION COUNSEL

The undersigned, Corporation Counsel for the County of **Washtenaw**, certifies that the terms and provisions of the foregoing agreement are fully authorized under existing State and local law and that the agreement provides full legal authority for the County to undertake or assist in undertaking essential community development and housing assistance activities, specifically urban renewal and public assisted housing in cooperation with local units of government.

Name: Curtis Hedger
Title: Corporation Counsel

Signature & date: _____

PROFESSIONAL SERVICE CONTRACT
Project: Middle Huron Watershed Initiative

Agreement is made this twenty-fourth of March, 2011 by the Ypsilanti Charter Township (Township), Civic Center, 7200 S. Huron River Dr., Ypsilanti, MI 48197, and the Huron River Watershed Council (Council), 1100 North Main, Suite 210, Ann Arbor, Michigan, 48104.

In consideration of the promises below, the parties mutually agree as follows:

ARTICLE I – SCOPE OF SERVICES

The Council will provide services as described in the Statement of Work (Middle Huron Partnership and Stormwater Advisory Group Work Plan).

ARTICLE II – COMPENSATION

For services provided, the Township will pay the Council fifteen thousand three hundred thirteen dollars and zero cents (\$15,313).

ARTICLE III – REPORTING OF CONSULTANT

Section 1 - The Council is to coordinate activities with the Township and will cooperate and confer with individuals as necessary to ensure satisfactory work.

Section 2 – When applicable, the Council will submit annual reports and a final written report to the Township.

ARTICLE IV – TERM

This contract begins on January 1, 2011 and ends on December 31, 2012.

ARTICLE V – PERSONNEL

The parties agree that the Council is neither an employee nor an agent of the Township for any purposes.

ARTICLE VI – INSURANCE REQUIREMENTS

The Council will maintain at its own expense during the term of this contract, the following insurance:

1. Worker's Compensation Insurance with Michigan statutory limits and Employers Liability Insurance with a minimum limit of \$100,000 each accident for any employee.
2. Comprehensive/Commercial General Liability Insurance with a combined single limit of \$1,000,000 each occurrence for bodily injury and property damage.
3. Council will indemnify the Township and its officers, employees and agents from all liability of any sort that may result from injury or death to any person or loss or damage to any property in the performance of any services funded in whole or in part under this Agreement.

ARTICLE VIII – COMPLIANCE WITH LAWS AND REGULATIONS

The Council will comply with all federal, state, and local regulations, including but not limited to all applicable OSHA/MIOSHA requirements and the American Disabilities Act.

ARTICLE IX- EQUAL EMPLOYMENT OPPORTUNITY

The Council will not discriminate against any employee or applicant for employment because of race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion and political belief (except as it relates to a bona fide occupational qualification reasonably necessary to the normal operation of business).

PROFESSIONAL SERVICE CONTRACT

Project: Middle Huron Watershed Initiative

The Council will take affirmative action to eliminate discrimination based on sex, race, or a handicap in the hiring of applicant and the treatment of employees. Affirmative action will include, but not be limited to: Employment; upgrading, demotion or transfer; recruitment advertisement; layoff or termination; rates of pay or other forms of compensation; selection for training, including apprenticeship.

The Council agrees to post notices containing this policy against discrimination in conspicuous places available to applicants for employment and employees. All solicitations or advertisements for employees, placed by or on the behalf of the Council, will state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion or political belief.

ARTICLE X – ASSIGNS AND SUCCESSORS

This contract is binding on the Township and Council, their successors and assigns. Neither the Township nor the Council will assign or transfer its interest in this contract without the written consent of the other.

ARTICLE XI – TERMINATION OF CONTRACT

Either party may terminate the contract by giving thirty (30) days written notice to the other party. In the event of termination of contract by either party, any Township funds not disbursed at that time will be returned by the Council to the Township.

ARTICLE XII – EQUAL ACCESS

The Council shall provide the services set forth in the Statement of Work without discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, physical handicap, or age.

ARTICLE XIII – OWNERSHIP OF DOCUMENTS AND PUBLICATION

All documents developed as a result of this contract will be freely available to the public.

ARTICLE XIV – PAYROLL TAXES

The Council is responsible for all applicable state and federal social security benefits and unemployment taxes and agrees to indemnify and protect the Township against such liability

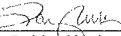
ARTICLE XV – CHANGES IN SCOPE OR SCHEDULE OR SERVICES

Changes mutually agreed upon by the Township and the Council will be incorporated into this contract by written amendments signed by both parties.

Ypsilanti Charter Township

HURON RIVER WATERSHED COUNCIL

By: _____
Brenda Stumbo (date)
Supervisor

By:  Mar. 28, 2011
Laura Rubin, (date)
Executive Director

RESOLUTION NO. 2011-15
TF10-155, Lakeside Park Improvements

Upon motion made by Clerk Lovejoy Roe, seconded by Treasurer Doe, the following Resolution was adopted:

“RESOLVED, that the Charter Township of Ypsilanti, Michigan, does hereby accept the terms of the Trust Fund Grant Agreement as received from the Michigan Department of Natural Resources, and that the Charter Township of Ypsilanti does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide Eight Hundred Fifty Thousand, One Hundred dollars (\$850,100.00) in cash and in-kind services to match the grant authorized by the DEPARTMENT.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

The following aye votes were recorded 7.

The following nay votes were recorded 0.

STATE OF MICHIGAN)
) ss
COUNTY OF WASHTENAW)

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, Michigan, do hereby certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Michigan Department of Natural Resources, which Resolution was adopted by the Charter Township of Ypsilanti Board of Trustees, at the meeting held June 21, 2011.

Signature

Clerk

Title

June 22, 2011

Dated:

RESOLUTION 2011-12

Whereas, backyard breeding of dogs and door-to-door sale of puppies by persons within the Township has increased in recent years; and

Whereas, the regulation of backyard breeders will safeguard and promote dog breeding by responsible pet owners who sell, adopt, barter or transfer puppies in a manner that does not add to the population of abandoned or neglected dogs; and

Whereas, regulation of backyard breeders will prohibit persons convicted of dog fighting, animal cruelty or neglect from breeding dogs; and

Whereas, regulation of backyard breeders will prohibit persons adjudicated as owning a dangerous dog pursuant to Michigan law from breeding dogs; and

Whereas, Ordinance No. 2011-417 provides for the regulation of backyard breeders by requiring permits for dog breeders, establishing the number of litters a dog can whelp within a year, requiring a dog reach the age of at least eight weeks before it is sold, limiting the sale of dogs to persons holding a breeder's permit, unless they are a governmental agency, non-profit organization, pet store, or participating in a permitted dog show, and provides penalties for persons who violate the ordinance provisions.

Now Therefore, Be it resolved that Ordinance No. 2011-417 attached hereto is adopted by reference.

ORDINANCE NO. 2011-417

An Ordinance to Require Dog Breeder Permits

The Charter Township of Ypsilanti ordains that Chapter 14 entitled “**Animals**” of the Township Code of Ordinances be amended as follows:

ADD the following new section:

Dog Breeder Permit Required

1. No person shall cause or allow any dog owned, harbored or kept within the Township of Ypsilanti to breed without first obtaining a breeding permit, as described below. The term breeding permit means a written authorization, issued annually by the Township Treasurer, giving its lawful holder permission to breed a dog.

Dog Breeding Permit Application

2. An application for a dog breeder permit shall be filed with the Township Treasurer by any person who intends to breed a dog. The application shall contain such information as is requested by the Township, including:

- A. The name and address, and date of birth of the applicant.
- B. The address of the location at which the litter will be whelped, if different from the applicant’s address.
- C. A complete description of the dog proposed to be bred including breed or mix of breeds, gender and dog license number.
- D. A statement by the applicant that he/she owns the dog proposed to be bred.

Inspections

3. The Office of Community Standards shall conduct an inspection of the applicant’s proposed breeding/whelping location to determine whether it is in compliance with the International Property Maintenance Code. No permit shall be issued to an applicant unless the proposed breeding/whelping location is in compliance with the International Property Maintenance Code.

Pit Bull Breeders

4. Due to an overpopulation of pit bulls within the Township, as defined in section 14-1, no person shall be issued a dog breeder permit to breed a pit bull.

Fee for Dog Breeder Permit

5. Each application shall be accompanied by a non-refundable application fee to be established by resolution of the Township Board. The Township Board may, from time to time, modify the established fee schedule.

Each breeding permit shall be valid for one year from the date of issuance, and may be renewed annually, before its expiration date. A separate permit must be obtained for each dog which is allowed to breed. A person who has been convicted of dog fighting, animal cruelty or neglect shall not be issued a dog breeder permit. A person who has been adjudicated as owning a dangerous dog pursuant to MCL 287.322 and MCL 287.323 shall not be issued a dog breeder permit.

Dog Breeder Permit Contents

6. All breeding permits shall contain the following terms and conditions:

A. The owner of an unaltered female dog shall not allow the whelping of more than one litter in any household within the permit year. In the event that a permittee is forced to euthanize a litter of dogs, the whelping of one additional litter of dogs is allowed within the same permit year by the permittee;

B. No newborn dog may be sold, adopted, bartered, or otherwise transferred, whether for compensation or otherwise, until it has reached the age of at least eight weeks;

C. Any holder of a dog breeding permit who advertises to the public the availability of any dog for sale, adoption, or transfer, whether for compensation or otherwise, must prominently display the permit number in any such advertisement. Further, the breeding permit holder must provide the permit number to any person who purchases, adopts, or receives any dog from the permit holder and include the permit number on any receipt of sale or transfer document.

D. Any dog permit holder who sells or otherwise transfers a dog whether for compensation or otherwise to a township resident, shall provide to the new animal owner written information regarding the Township's dog license requirements.

Dog Breeder Permit Exemptions

7. The following dogs are exempt from the breeding permit requirements:

A. Dogs documented as having been appropriately trained and actively used by law enforcement agencies for law enforcement and rescue activities.

B. A dog which is bred or used as a guide dog or leader dog for a blind person, a hearing dog for a deaf or audibly impaired person, or a service dog for a physically limited person, is exempt from the breed permit requirements as provided in MCL 287.291

Sale, Adoption Or Other Transfers Of Dogs:

8. No person shall present any dog for sale, adoption, barter, exchange, or adoption, whether for compensation or otherwise, in any public place, without first obtaining a dog breeder permit. The term public place shall include, but not be limited to, streets, highways, sidewalks, parks, shopping centers, tent sales, and areas in front of commercial establishments. This prohibition shall not apply to:

A. Government agencies; non-profit animal rescue organizations exempt from taxation under Internal Revenue Code section 501(c)(3); or humane societies or societies for the prevention of cruelty to animals if such societies are incorporated as nonprofit organizations.

B. Permitted dog shows.

C. Permitted pet stores which sell or otherwise transfer dogs, whether for compensation or otherwise, within the store.

Penalty for Violation

Any person violating a provision of this ordinance is guilty of a misdemeanor punishable by not more than a \$500 fine and/or imprisonment for not more than 90 days.

Severability

Should any section, subdivision, sentence, clause or phrase of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

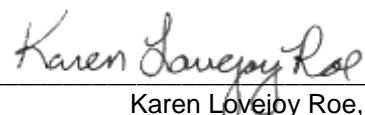
Publication

This Ordinance shall be published in a newspaper of general circulation as required by law.

Effective date

This Ordinance shall become effective upon publication in a newspaper of general circulation as required by law.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify approval of the first reading of Proposed Ordinance No. 2011-418 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on June 21, 2011. The second reading is scheduled to be heard on July 19, 2011.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti