

**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE JULY 21, 2015 REGULAR MEETING**

Supervisor Stumbo, called the meeting to order at approximately 7:05 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 observed.

**Members Present:** Supervisor Brenda L. Stumbo, Clerk Karen Lovejoy Roe, Treasurer Larry Doe, Trustees Stan Eldridge, Mike Martin and Scott Martin

**Members Absent:** Trustee Jean Hall Currie

**Legal Counsel:** Wm. Douglas Winters

**PEDDLER PERMIT APPEAL HEARING**

**A. 7:00 PM – APPEAL HEARING REQUESTED BY JIMMIE L. MACK  
REGARDING HIS PEDDLER PERMIT DENIAL  
(PUBLIC HEARING SET AT JUNE 16, 2015 REGULAR MEETING)**

The public hearing opened at 7:06 p.m.

Jimmie Mack, Jr., Township resident affirmed he had requested an appeal regarding the denial of his application for a Peddler Permit. He stated the letter sent to him denying the application had stated the information he had presented was the same as last year when he was denied, but he now had signage on his vehicle, “Mobile Mart Ice Cream”, which made it easier to identify. He stated his character of ten years ago had also changed.

Mike Radzik, OCS Director stated his department had just become aware Mr. Mack was recently cited in the City of Ypsilanti and has a case pending in 14-A2 District Court for soliciting without a permit and had been cited in Superior Township for the same thing. Mr. Radzik reported Mr. Mack had also been issued a No Trespass Order for two large apartment complexes last week in Superior Township.

The public hearing closed at 7:10 p.m.

Supervisor Stumbo voiced her concern over Mr. Mack’s business model and felt little had changed since the denial last year.

**A motion was made by Treasurer Doe, supported by Trustee Scott Martin to uphold the denial of a Peddler Permit for Jimmie L. Mack, Jr. by the Clerk’s Office and the Office of Community Standards. The motion carried unanimously.**

**PUBLIC COMMENTS**

Mike Warren, 6952 Sequoia stated he was at the meeting in regard to the Township Ordinance regarding weeds. He reported Supervisor Stumbo, Clerk Lovejoy Roe and Trustee Scott Martin were aware of a problem in his neighborhood concerning a neighbor who was not maintaining their grass and weeds, but Mr. Warren stated he was now being told something different from Bill Elling.

Mike Radzik stated he was familiar with this issue after being briefed by his staff regarding a complaint that a homeowner on Sequoia was not maintaining certain areas along property lines and around flower beds. He stated Bill Elling did not

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designate this as a natural area. Mr. Radzik stated he had a conversation with Attorney Angela King regarding these isolated areas not being maintained. Mike Radzik stated, based on a legal opinion, that as long as the entire parcel is on average under 7 inches that it was in compliance with the Code, so unless the ordinance language was amended or a different legal interpretation was given, we are constrained by the language of the Ordinance.

Martha Warren, 6259 Sequoia stated this area was maintained until the current owners moved in. She reported it looked like a foreclosed home and people had actually stopped and asked if that were the case.

Supervisor Stumbo and Clerk Lovejoy Roe agreed the Ordinance needed to be amended because this was not the only instance where there had been confusion.

Trustee Scott Martin agreed that an amendment was needed because it seemed like every neighborhood was affected.

Mike Radzik stated the Ordinance had 2 sections, one addressed vegetation of any kind that needed to be cut down and the other section addressed noxious weeds and was very specific, listing the scientific/botanical names of the weeds. He said the OCS Department would appreciate improvements in the Ordinance language in order to do have the ability to be a better job in enforcing the Ordinance.

Supervisor Stumbo requested Attorney Winters to have Attorney King bring an amendment regarding noxious weeds back to the next meeting.

Mike Warren stated he thought the Ordinance had just been changed in March of this year. Mr. Radzik informed him that had only changed the way fees were collected and as long as the bulk of the property was being mowed, that unfortunately met the current qualifications of this Ordinance. Mr. Warren reported that over a third of the property was not being mowed and Mr. Radzik agreed to look at the pictures Mr. Warren had brought to the meeting.

Dominic Prude, Majestic Lake Resident had a few comments for Manny Kianicky. He reported the community was in need of legitimate "No Trespass" signs, an area of the bridge had been burned, debris was in the water from the bridge and building materials, the play area had an open manhole nearby and one property needed the weeds cut.

Manny Kianicky stated he was aware of the manhole covers being taken in the past, but he was not aware, until now that it was missing again and said he would take a look. He reported the bridge had been fixed three different times. He said the signs had been posted but had disappeared again. Mr. Kianicky reported they had tried to barricade access to the stub streets three weeks ago in order to eliminate some of the trespassing issues and people just jumped the curb and drove around. He felt this would stop once the site was developed. Mr. Kianicky reported they Blue Majestic had renewed a Trespass Order with the Sheriff's Department so now the Sheriff had the power to arrest anyone that was trespassing. Mr. Kianicky said he was unaware of the debris in the water and would have that checked out.

Discussion followed regarding the wooded area at the back of the Development. Mr. Kianicky stated the wooded area was a conservation area that had been dedicated to the State and there was a walking trail through the area that was available to the public. Mr. Prude was under the impression that since Majestic Lakes had to insure the lakes they surely had possession of the wooded area as well. The Board explained he would need to contact the Department of Natural Resources to determine who had jurisdiction and the Township would do the same.

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Treasurer Doe provided an example of the lake across from his home that in the past has had numerous people fishing there, it had recently been bought by a private owner and "No Trespassing" signs had been posted that had stopped people from entering the property.

Mr. Kianicky stated they would look at getting something a little more substantial installed.

Dave Abraham, 6645 Buck Crossing directed his comments regarding upkeep of the undeveloped areas to Manny Kianicky, S. R. Jacobson. He stated the quality of the work done was not that good and questioned the security of his investment.

Jerry Clayton, Washtenaw County Sheriff spoke to the issue of security cameras in the Appleridge neighborhood. He stated the security cameras had proven to be a really good way to augment the staffing for the Sheriff's Department. He reported on a survey his department had conducted in Appleridge and 70% of the community had supported the cameras and 62% agreed the cameras helped to keep the community safe.

Supervisor Stumbo asked Sheriff Clayton to speak to the issue of events that had occurred in the eastern region of the County and City of Ypsilanti. He stated the community should know that the Sheriff's Department had an active strategy for addressing the issue and would make a public statement at a press conference that the criminal behavior would not be tolerated.

**CONSENT AGENDA**

**A. MINUTES OF THE JUNE 16, 2015 WORK SESSION AND REGULAR MEETING**

**B. STATEMENTS AND CHECKS**

- 1. STATEMENTS AND CHECKS FOR JULY 7, 2015 IN THE AMOUNT OF \$2,918,317.84**
- 2. STATEMENTS AND CHECKS FOR JULY 21, 2015 IN THE AMOUNT OF \$1,585,843.61**
- 3. CHOICE HEALTH CARE DEDUCTIBLE ACH EFT FOR JUNE, IN THE AMOUNT OF \$46,067.91**
- 4. CHOICE HEALTH CARE ADMIN FEE FOR MAY IN THE AMOUNT OF \$1,177.50**

**C. JUNE 2015 TREASURER REPORT (see attached)**

**A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve the Consent Agenda. The motion carried unanimously.**

**SUPERVISOR REPORT**

Supervisor Stumbo stated the July 29, 2015 date for the opening of the Law Enforcement Center had been changed to sometime in August or September, after construction had been completed. She reported the traffic on Whittaker was backed up due to the construction of the two roundabouts on Textile.

**CLERK REPORT**

Clerk Lovejoy Roe stated the Clerk's report was in the packet.

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**TREASURER REPORT**

Treasurer Doe stated there was no report for this evening.

**TRUSTEE REPORT**

No report

**ATTORNEY REPORT**

**A. GENERAL LEGAL UPDATE**

Attorney Winters highlighted the property closing for the he had attended with Supervisor Stumbo and Clerk Lovejoy Roe on July 17, 2015, for the conveyance to Habitat for Humanity from the Charter Township of Ypsilanti , the foreclosed homes purchased under the Right of First Refusal in 2014.

Attorney Winters stated this partnership between Habitat for Humanity and Ypsilanti Township has created a great opportunity for first time home buyers and had a significant impact toward neighborhood stabilization.

Attorney Winters gave an update on the second Padlock case which would be going to court next week. He stated this was another effective tool being used to help in neighborhood stabilization.

**OLD BUSINESS**

- 1. 1<sup>ST</sup> READING OF RESOLUTION 2015-16, PROPOSED ORDINANCE 2015-448, TO AMEND PLANNED DEVELOPMENT #14 REZONING TO PLANNED DEVELOPMENT #20 STAGE 1 PRELIMINARY SITE PLAN AND REZONING AT THE REQUEST OF BLUE MAJESTIC, LLC**  
(TABLED AT THE MAY 19, 2015 REGULAR MEETING)

**A motion was made by Treasurer Doe, supported by Trustee Scott Martin to remove from table.**

**The motion carried as follows:**

<b>Eldridge:</b>	<b>Yes</b>	<b>S. Martin:</b>	<b>Yes</b>	<b>Stumbo:</b>	<b>Yes</b>	<b>Roe:</b>	<b>Yes</b>
<b>Doe:</b>	<b>Yes</b>	<b>M. Martin:</b>	<b>Yes</b>				

Discussion followed between Clerk Lovejoy Roe and Manny Kianicky from S. R. Jacobson regarding the status of the Washtenaw County Road Commission's position on the inter connection of the roads between the apartments and the single-family homes . Mr. Kianicky stated the Road Commission had made a resolution to make the northern portion of the property (the Redwood portion) into private roads.

Clerk Lovejoy Roe stated the residents that had attended the meeting felt it was really important to work with the Road Commission to add some kind of gated entrance into Redwood.

Clerk Lovejoy Roe read the Resolution into the record with the following changes in red :

1. The applicant shall agree to install security cameras at all entrances and exits of the subject property **and in the back and hidden areas of the development.**

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7. The applicant shall agree to maintain the required and approved single-family/multi-family residential ratio (60/40) by the prohibition of renting the detached single-family units within the development and will include language in the development agreement regarding prohibition of rentals and restrictions that would allow single family rentals only under very specific circumstances, which would be included in the planned development agreement, that would prohibit the homes from being rented at subsidized rates or pursuant to programs offered by any governmental agency for subsidized housing. **Single family home rentals under specific circumstances will only be allowed for three years.**

10. The developer shall work with the Office of Community Standards to **increase the architectural standards on all homes on 50ft. lots on the planned development site plan subject to township board approval at PD Stage II.**

Add:

12. **The Developer will move units at the entrance of Nautica Pointe on Tuttlehill Rd. back to provide more open space and landscaping at the boulevard entrance.**

13. **The Developer agrees to work with the Washtenaw County Road Commission and Ypsilanti Township to separate the roads in Nautica Pointe Apartments from the single family homes.**

**A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve the 1st Reading of Resolution No. 2015-16, Proposed Ordinance No. 2015-448, an Ordinance to Amend Planned Development #14 Rezoning to Planned Development #20 Stage 1 Preliminary Site Plan and Rezoning at the request of Blue Majestic, LLC (see attached).**

Trustee Mike Martin clarified the agreement guarantees no government subsidies will be accepted. He also asked if this was not passed if it would revert back to the 2002 Planned Development, which would not guarantee the denial of subsidies. Supervisor Stumbo and Attorney Winters agreed that was correct.

David Abraham asked if residents would be allowed to screen footage from the surveillance cameras that were to be placed in the back area. Mr. Abraham also asked what fencing materials would be used. Joe Lawson explained there would be heavy landscaping between the two developments but no barrier. He also asked if there would be stable pricing in regard to the homes being built in 2016 since this obviously affected the investment he had already made in his own home.

Manny Kianicky, S. R. Jacobson stated the Estates, which were the 60 to 70ft. lots would be priced in the \$250,000 - \$325,000 range and the 50ft. lots would be in the \$225,000 - \$250,000 range. He stated he did not expect any negative impact to current home values that were built by Allan Edwin.

Supervisor Stumbo stated, for the record, when that section of 50ft. lots was developed it had to come back before the Planning Commission and the Township Board for approval.

Dave Abraham voiced his disappointment that there would be multi-family development allowed and said it was not in the plans when he had purchased his home from Allan Edwin.

Supervisor Stumbo explained this action reduced the number of multiple-family homes and increased the number of single-family homes, as well as restricting subsidized housing to protect the community and its future.

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Dominick Prude questioned if the security cameras would be put on the trail of the open area. Discussion followed on where they could be installed.

Clerk Lovejoy Roe verified the Ordinance states the Final Development Agreement will actually be approved along with the 2<sup>nd</sup> Reading as two separate agenda items.

**The motion carried as follows:**

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

**NEW BUSINESS**

**1. BUDGET AMENDMENT #9**

Clerk Lovejoy Roe provided a brief overview of Budget Amendment #9.

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Scott Martin to approve Budget Amendment #9 (see attached). The motion carried unanimously.**

**2. RESOLUTION 2015-21, PURCHASE TAX FORECLOSED PROPERTIES LOCATED AT 1476 BLOSSOM, 1410 BLOSSOM, 1334 FALL RIVER, 1156 PARKWOOD, 5977 S. MOHAWK, 1191 LAUREL CT AND 1241 REDLEAF LANE FROM THE WASHTENAW COUNTY TREASURER LIST UNDER THE RIGHT OF FIRST REFUSAL IN THE AMOUNT OF \$78,630.00 BUDGETED IN LINE ITEM #101-950-000-969-011**

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Scott Martin to approve Resolution 2015-21 to purchase Tax Foreclosed Properties located at 1476 Blossom, 1410 Blossom, 1334 Fall River, 1156 Parkwood, 5977 S. Mohawk, 1191 Laurel Ct. and 1241 Redleaf Lane from the Washtenaw County Treasurer List Under the Right of First Refusal in the amount of \$78,630.00 budgeted in line item #101-950-000-969-011 (see attached).**

Supervisor Stumbo stated the Board had previously authorized this action at the May 19, 2015 Board Meeting and this was just to solidify the action.

**The motion carried unanimously.**

**3. RESOLUTION 2015-22, PURCHASE TAX FORECLOSED PROPERTIES LOCATED AT K-11-24-107-006 3174 MORRIS AVENUE AND K-11-24-100-004 MORRIS AVENUE FROM THE WASHTENAW COUNTY TREASURER LIST UNDER THE RIGHT OF FIRST REFUSAL IN THE AMOUNT OF \$2,936.00 BUDGETED IN LINE ITEM #101-950-000-969-011**

Clerk Lovejoy Roe read the Resolution into the record.

**A motion was made by Treasurer Doe, supported by Clerk Lovejoy Roe to approved Resolution 2015-22, purchase Tax Foreclosed Properties located at K-11-24-107-006 3174 Morris Avenue and K-11-24-100-004 Morris Avenue (Liberty Square) from the Washtenaw County Treasurer List Under the Right of First Refusal in the amount of \$2,936.00 budgeted in line item #101-950-000-969-011 and authorize paying additional costs for virtual tours, clean out and evictions in the amount of \$2,506.00(see attached). The motion carried unanimously.**

**4. RESOLUTION 2015-23, ABANDONED TAX DELINQUENT PROPERTY**

**A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to allow Larry Doe to approve Resolution 2015-23, Abandoned Tax Delinquent Property (see attached). The motion carried unanimously.**

**5. 1<sup>st</sup> READING POLICY RESOLUTION 2015-24, TO IMPOSE RESTRICTIONS AND CONDITIONS ON ALL COLLECTION BOXES IN THE TOWNSHIP BY WAY OF AN ADMINISTRATIVE REVIEW AND AMENDMENT TO THE SITE PLAN**

Clerk Lovejoy Roe read a Memo from Joe Lawson with the Summary and Overview of the Policy Resolution into the record.

**A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve the 1<sup>st</sup> Reading Policy Resolution 2015-24, to impose restrictions and conditions on all collection boxes in the Township by way of an Administrative Review and Amendment to the Site Plan (see attached).**

**The motion carried as follows:**

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

**6. RESOLUTION 2015-25, DESIGNATION OF NEWSPAPER CIRCULATION**

Clerk Lovejoy Roe read the Resolution into the record.

**A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve Resolution 2015-25, Designation of Newspaper Circulation (see attached). The motion carried unanimously.**

**7. REQUEST TO APPROVE NEW AUTOMOTIVE SALVAGE/SCRAP YARD BUSINESS LICENSE FOR FPT YPSILANTI, BUSINESS PREVIOUSLY KNOWN AS ABCAT, LOCATED AT 2220 E. MICHIGAN AVENUE**

**A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve New Automotive Salvage/Scrap Yard Business License for FPT Ypsilanti, business previously known as ABCAT, located at 2220 E. Michigan Avenue.**

Mike Radzik, OCS Director provided a brief overview of the new business that has made tremendous improvements to the old site. He stated the new business was less intensive since they did not dismantle or process like ABCAT, rather FPT Ypsilanti only recycled and stored automobiles for short periods of time before they are taken off site.

**The motion carried unanimously.**

- 8. REQUEST OF MIKE RADZIK, OCS DIRECTOR FOR AUTHORIZATION TO SEEK LEGAL ACTION IF NECESSARY TO ABATE PUBLIC NUISANCE FOR PROPERTIES LOCATED AT 800 GATES AVENUE, 671 W. CLARK RD., 7064 ST. ANDREWS DRIVE, 527 EMERICK STREET AND 1762 EMERSON AVENUE IN THE AMOUNT OF \$25,000.00 BUDGETED IN LINE ITEM #101-950-000-801-023**

**A motion was made by Trustee Scott Martin, supported by Clerk Lovejoy Roe for authorization to seek legal action, if necessary, to abate public nuisance for properties located at 800 Gates Avenue, 671 W. Clark Rd., 7064 St. Andrews Drive, 527 Emerick Street, and 1762 Emerson Avenue in the amount of \$25,000.00 budgeted in line item #101-950-000-801-023.**

Mike Radzik provided a brief overview of each property. He stated 1762 Emerson was administratively approved under the Padlock Statute after learning it was an illegal marijuana grow operation and a Show Cause Hearing was scheduled later this month.

**The motion carried unanimously.**

- 9. REQUEST AUTHORIZATION TO SIGN PURCHASE AGREEMENT WITH DTE FOR CONVERSION OF 24 (TWENTY-FOUR) 100 WATT HIGH PRESSURE SODIUM COBRA HEADS TO 65 WATT LED LOCATED IN THE APPLERIDGE NEIGHBORHOOD IN THE AMOUNT OF \$6,192.00 BUDGETED IN LINE ITEM #101-956-000-926-050**

**A motion was made by Clerk Lovjeoy Roe, supported by Treasurer Doe to authorize to sign Purchase Agreement with DTE for conversion of 24 (Twenty-Four) 100 Watt High Pressure Sodium Cobra Heads to 65 Watt LED located in the Appleridge Neighborhood in the amount of \$6,192.00 budgeted in line item #101-956-000-926-050 (see attached). The motion carried unanimously.**

- 10. REQUEST TO POSTPONE THE PUBLIC HEARING FOR CREATION OF A SPECIAL ASSESSMENT DISTRICT FOR OAKLAWN/HAWTHORNE NEIGHBORHOOD CAMERAS SCHEDULED FOR AUGUST 18, 2015 AT APPROXIMATELY 7:00PM UNTIL A FUTURE DATE YET TO BE DETERMINED**

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Mike Martin to postpone the Public Hearing for Creation of A Special Assessment District for Oaklawn/Hawthorne Neighborhood Cameras scheduled for August 18, 2015 at approximately 7:00pm until a future date yet to be determined. The motion carried unanimously.**

#### **OTHER BUSINESS**

None



**AUTHORIZATION AND BIDS**

- 1. REQUEST TO AWARD LOW BID FOR PURCHASE OF YPSILANTI TOWNSHIP VACANT PROPERTY LOCATED AT 5871 S. MOHAWK AVENUE K-11-22-480-050 WITH DEED RESTRICTIONS REQUIRING HOMEOWNER OCCUPIED SINGLE FAMILY HOME ONLY TO PROHIBIT GOVERNMENT SUBSIDY FOR RENTALS IN THE AMOUNT OF \$500.00 AND ALL TITLE WORK/CLOSING COSTS TO JOSEPH KISSELLA, JR.**

Joseph Kissella, Jr., 10365 Bemis Road stated he owned the property at 5853 Mohawk, next door to the vacant property at 5871 Mohawk. He said he had never rented it to Section 8, rather his brother-in-law lived there and paid the monthly payment and taxes and planned to take over the loan whenever he was able. He stated he did not intend to build on the vacant lot, he just wanted to clean it up, landscape it and possibly put up a fence if it was allowed.

Supervisor Stumbo and Treasurer Doe discussed having a Deed Restriction that would not allow the property to be built on and Mr. Kissella was agreeable with that.

**A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to award low bid for purchase of Ypsilanti Township Vacant Property located at 5871 S. Mohawk Avenue K-11-22-480-050 with Deed Restrictions requiring homeowner occupied Single Family Home only to prohibit Government Subsidy for rentals in the amount of \$500.00 and all Title Work/Closing Costs to Joseph Kissella, Jr.**

**A motion was made by Trustee Scott Martin, supported by Trustee Eldridge to table this agenda item and bring back to the next meeting with a Purchase Agreement.**

**The motion carried as follows:**

<b>Eldridge: Yes</b>	<b>S. Martin: Yes</b>	<b>Stumbo: Yes</b>	<b>Roe: Yes</b>
<b>Doe: Yes</b>	<b>M. Martin: Yes</b>		

**ADJOURNMENT**

**A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to adjourn. The motion carried unanimously.**

The meeting adjourned at approximately 8:55 p.m.

Respectfully submitted,

Brenda L. Stumbo, Supervisor  
Charter Township of Ypsilanti

Karen Lovejoy Roe, Clerk  
Charter Township of Ypsilanti

**OFFICE OF THE TREASURER  
LARRY J. DOE**



**MONTHLY TREASURER'S REPORT  
JUNE 1, 2015 THROUGH JUNE 30, 2015**

<b>Account Name</b>	<b>Beginning Balance</b>	<b>Cash Receipts</b>	<b>Cash Disbursements</b>	<b>Ending Balance</b>
101 - General Fund	2,903,321.34	2,361,609.89	1,110,530.24	4,154,400.99
101 - Payroll	279,154.58	792,849.90	805,097.43	266,907.05
101 - Willow Run Escrow	142,187.01	23.37	0.00	142,210.38
206 - Fire Department	354,521.53	3,547,256.90	1,609,202.31	2,292,576.12
208 - Parks Fund	7,179.02	0.11	756.88	6,422.25
212 - Roads/Bike Path/Rec/General Fund	481,447.12	609,977.90	270,382.00	821,043.02
225 - Environmental Clean-up	444,399.11	7.35	0.00	444,406.46
226 - Environmental Services	1,392,729.23	1,876,575.72	221,203.18	3,048,101.77
230 - Recreation	155,453.01	282,429.99	120,718.94	317,164.06
236 - 14-B District Court	256,941.66	101,163.60	178,725.60	179,379.66
244 - Economic Development	67,189.42	1.11	0.00	67,190.53
248 - Rental Inspections	141,707.49	51,889.75	13,246.14	180,351.10
249 - Building Department Fund	470,734.82	43,313.19	36,319.51	477,728.50
250 - LDFA Tax	74,998.67	1.24	0.00	74,999.91
252 - Hydro Station Fund	561,266.36	67,169.13	12,707.80	615,727.69
266 - Law Enforcement Fund	1,032,552.53	4,556,309.40	676,318.88	4,912,543.05
280 - State Grants	18,386.46	0.30	0.00	18,386.76
301 - General Obligation	5,167.39	0.09	0.00	5,167.48
397 - Series "B" Cap. Cost of Funds	39,130.06	0.65	0.00	39,130.71
398 - LDFA 2006 Bonds	39,927.52	0.66	0.00	39,928.18
498 - Capital Improvement 2006 Bond Fund	336,894.99	55.38	0.00	336,950.37
584 - Green Oaks Golf Course	197,182.44	101,874.16	57,888.12	241,168.48
590 - Compost Site	864,152.09	45,158.40	22,470.67	886,839.82
595 - Motor Pool	319,237.57	5.18	9,511.65	309,731.10
701 - General Tax Collection	95,906.76	7,561.49	24,587.60	78,880.65
703 - Current Tax Collections	11,397,848.73	935.65	11,344,713.87	54,070.51
707 - Bonds & Escrow/GreenTop	869,353.57	29,491.20	3,871.35	894,973.42
708 - Fire Withholding Bonds	66,232.05	149,906.94	0.00	216,138.99
893 - Nuisance Abatement Fund	50,046.15	27,053.52	2,687.76	74,411.91
ABN AMRO Series "B" Debt Red. Cap.Int.	18,060.04	0.00	0.00	18,060.04
<b>GRAND TOTAL</b>	<b>23,083,308.72</b>	<b>14,652,622.17</b>	<b>16,520,939.93</b>	<b>21,214,990.96</b>

# CHARTER TOWNSHIP OF YPSILANTI

## RESOLUTION NO. 2015-16

**WHEREAS**, at its regularly scheduled meeting held April 28, 2015 the Charter Township of Ypsilanti Planning Commission (“Commission”) recommended that the Charter Township of Ypsilanti Board of Trustees (Board) deny the application submitted by Blue Majestic, LLC. to amend the Planned Development (PD) Stage I Site Plan and Rezoning as associated with the Majestic Lakes Residential Development, formerly known as Lakewood Farms; and

**WHEREAS**, in recommending denial to the Township Board, the Commission found that the proposed amendment, which contained one hundred forty-two (142) rental housing units, would not be harmonious or compatible with the surrounding uses in the area; and

**WHEREAS**, the Township Board has reviewed and compared proposed amended PD Stage I Site Plan and Rezoning with the current PD-14 zoning and has considered the requests of the residents for fewer multi-family units and more single family units and has determined the proposed amended PD Planned Development Stage I Site Plan and Rezoning is more harmonious and compatible with the surrounding uses in the area than the current PD-14; and

**WHEREAS**, on April 23, 2002 the Townships Planning Commission recommended approval to the Township Board to re-zone the property from RM-2 (multiple family) and R-3 (single family) to PD (planned development) along with the original developers application for PD Stage 1 Preliminary Site Plan Approval, which recommendations were forwarded to the Township Board for approval; and

**WHEREAS**, on May 21, 2002 the Township Board reviewed and approved the original developers PD Stage 1 Preliminary Site Plan and Rezoning; and

**WHEREAS**, the current PD Stage II Final Site Plan and PD-14 rezoning allows for a total of 415 units consisting of 116 single family units and 299 multiple family units and the proposed amended PD Stage I Preliminary Site Plan and Rezoning decreased the number of total units from 415 to 392 and increases the number of single family units from 116 to 234 (increase of 118) and

decreases the number of multiple family units from 299 to 158 (decrease of 141);  
and

**WHEREAS**, the Township Board has determined the new amended PD Stage 1 Site Plan and Rezoning provides a benefit to the community as a whole and should be approved with conditions noted below.

**WHEREAS**, the Township Board invited a broad area of Township residents to an informational meeting on the proposed rezoning held on Thursday, June 4, 2015.

**NOW THEREFORE,**

**BE IT RESOLVED** that the Charter Township of Ypsilanti Board of Trustees hereby approves the application of Blue Majestic, LLC. to amend the Planned Development (PD) Stage I Site Plan and Rezoning as associated with the Majestic Lakes Residential Development formerly known as Lakewood Farms to be known as PD Planned Development #20 (PD-20) upon the applicant agreeing to the following conditions:

1. The applicant shall agree to install security cameras at all entrances and exits of the subject property **and in the back and hidden areas of the development.**
2. The applicant shall agree to assist in the creation of a special assessment district in order to provide funding for the operation and maintenance of the security camera system.
3. The applicant shall install a fence, landscaping, and signage along the neighboring Lake Joyce in order to hinder any further trespassing.
4. The applicant shall agree to make access to existing non-motorized trails open and convenient without hindrance between buildings to enable convenient non-motorized connections with Textile Road and encourage healthy, walkable lifestyles.
5. Each subsequent developer and/or builder shall be required to enter into a development agreement with the Township to insure compliance with the approved final plan.
6. All conditions, obligations and requirements noted within the Development Agreement executed on April 8, 2013 between the Charter Township of Ypsilanti and Blue Majestic, LLC. shall remain in full force and effect including the creation of a streetlight assessment district internally and also for Tuttlehill and Textile Roads.

7. The applicant shall agree to maintain the required and approved single-family/multi-family residential ratio (60/40) by the prohibition of renting the detached single-family units within the development and will include language in the development agreement regarding prohibition of rentals and restrictions that would allow single family rentals only under very specific circumstances, which would be included in the planned development agreement, that would prohibit the homes from being rented at subsidized rates or pursuant to programs offered by any governmental agency for subsidized housing. **Single family home rentals under specific circumstances will only be allowed for three years.**
8. The applicant shall agree not to accept any form of government subsidy in lieu of rent for the apartment and/or condominium portion of the development. All rent shall be sustained at the market rate and the development agreement should include specifics regarding this condition.
9. Any and all additional issues that may arise during the preparation of the final engineering and final site plan shall be resolved prior to PD Stage II final site plan consideration and shall be included in the final development agreement.
10. The developer shall work with the Office of Community Standards to ~~reduce the proposed number of 50ft. lots and increase the number of 60ft. lots for single family~~ **increase the architectural standards on all homes on 50ft lots on the planned development site plan subject to township board approval at PD Stage II.**
11. The Developer will contain language in the development agreement to assure Nautica Pointe will establish and implement an ongoing maintenance program to ensure the proposed multi housing units will at all times be in compliance with the Township's Property Maintenance Code.
12. **The Developer will move units at the entrance of Nautica Pointe on Tuttlehill Rd. back to provide more open space and landscaping at the boulevard entrance.**
13. **The Developer agrees to work with the Washtenaw County Road Commission and Ypsilanti Township to separate the roads in Nautica Pointe Apartments from the single family homes.**

***NOW THEREFORE, BE IT FINALLY RESOLVED*** that Charter Township of Ypsilanti Board of Trustees hereby adopts by reference Ordinance 2015-448 attached hereto which Ordinance rezones the specifically described properties from their current PD-14 Planned Development classification to PD-20 Planned Development zoning classification.

# CHARTER TOWNSHIP OF YPSILANTI

## ORDINANCE NO. 2015-448

*An Ordinance to Amend Ordinance No. 74,  
adopted May 18, 1994 so as to rezone real property  
located South of Textile Road and East of Tuttle Hill Road  
as in the attached description from its current PD-14 Planned Development zoning classification  
to the PD-20 Planned Development zoning classification*

The Charter Township of Ypsilanti hereby ordains that Ordinance No. 74 adopted May 18, 1994 shall be amended as follows:

Real property situated South of Textile Road and East of Tuttle Hill Road, and more particularly described as follows:

See attached Legal Description, labeled “Attachment A” shall be rezoned from its current PD-14 Planned Development zoning classification to the PD-20 Planned Development 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 real property from its current PD-14 Planned Development zoning classification to the PD-20 Planned Development zoning classification.

### **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 and repeal of conflicting Ordinances**

All Ordinance or parts of Ordinances in conflict herewith are hereby repealed.

This Ordinance shall take effect after 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. 2014-448 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on July 21, 2015. The second reading is scheduled to be heard on August 18, 2015.

  
\_\_\_\_\_  
Karen Lovejoy Roe, Clerk  
Charter Township of Ypsilanti

**EXHIBIT A**

**PROPERTY**

DESCRIPTION OF A 254.51 ACRE PARCEL OF LAND IN THE WEST ½ OF SECTION 26,  
T3S, R6E, YPSILANTI TOWNSHIP, WASHTENAW COUNTY, MICHIGAN

Commencing at the West ¼ corner of Section 26, T3S, R7E, Ypsilanti Township, Washtenaw County, Michigan; thence N89°51'07"E 50.00 feet along the East-West ¼ line of said Section 26 for a PLACE BEGINNING; thence N00°40'17"W 492.09 feet along the Easterly Right of Way line of Tuttle Hill Road (variable width); thence S89°39'35"E 528.04 feet; thence N00°40'17"W 495.14 feet; thence S89°52'12"E 736.71 feet; thence N00°50'53"W 1681.82 feet along the West line of the East ½ of the Northwest ¼ of said Section 26; thence S89°56'52"E 1309.51 feet along the North line of said Section 26 and the centerline of Textile Rod (66.00 feet wide) to the North ¼ corner of said Section 26 (as monumented); thence S89°55'00"E 1110.09 feet along said North line and said centerline of Textile Road; thence S01°27'01"W 572.66 feet (recorded as 578.82 feet); thence S88°20'52"E 227.71 feet; thence S00°55'58"E 2064.38 feet along the East line of the West ½ of the Northeast ¼ of said Section 26; thence S89°30'11"W 1209.33 feet along the East-West ¼ line of said Section 26 to the Center of said Section 26 (as monumented); thence S00°34'23"W 1329.00 feet to the Northeast Corner of the Frank H. Clark Subdivision (as monumented) as recorded in Liber 10, Page 11, Washtenaw County Records, Washtenaw County, Michigan; thence S01°15'20"E 0.86 feet along the West line of said Frank H. Clark Subdivision (as monumented) S89°45'51"W 2606.78 feet along the South line of the North ½ of the Southwest ¼ of said Section 26; thence N00°39'24"W 959.17 feet along the West line of said Section 26 and the centerline of said Tuttle Road; thence N89°51'07"E 581.40 feet; thence N00°39'24"W 374.63 feet; thence S89°51'07"W 531.40 feet along said East-West ¼ line to the Place of Beginning, contain 254.79 acres of land, more or less. Excepting therefrom a 0.28 acre parcel of land being described as follows: Commencing at the North ¼ corner of Section 26, T3S, R7E, Ypsilanti Township, Washtenaw County, Michigan; thence S89°55'00"E 1110.09 feet along the North line of said Section 26 and the centerline of Textile Road (66 feet wide); thence S01°27'01"W 33.01 feet; thence N89°55'00"W 120.00 feet along the Southerly Right of Way line of said Textile Road for a PLACE OF BEGINNING; thence S00°55'59"E 175.00 feet; thence N89°55'00"W 70.00 feet; thence N00°55'59"W 175.00 feet; thence S89°55'00"E 70.00 feet along the said South line of Textile Road to the Place of Beginning, containing 0.28 acres of land, more or less; The remaining parcel containing 254.51 acres of land, more or less, being part of Section 26, T3S, R7E, Ypsilanti Township, Washtenaw County, Michigan. Being subject to the rights of the public over the Northerly 33.00 feet thereof as occupied by Textile Road, also being subject to the rights of the public over the Westerly 33.00 feet thereof as occupied by Tuttle Hill Road, also being subject to easements and restrictions of record, if any.

**CHARTER TOWNSHIP OF YPSILANTI  
2015 BUDGET AMENDMENT #9**

July 21, 2015

**101 - GENERAL OPERATIONS FUND**

**Total Increase** \$44,404.00

Increase budget for new Information Technology (IT) Help Desk position approved by the board 6-16-15. There will be 6 months of wages, FICA, and pension. Then after 90 days probation period there will be 3 months of benefits. This is funded by a line transfer from Salary Temporary to Salary Permanent and by an Appropriation of Prior Year Fund Balance.

<b>Revenues:</b>	<b>Prior Year Fund Balance</b>	<b>101-000-000-699.000</b>	<b>\$13,912.00</b>
		<b>Net Revenues</b>	<b>\$13,912.00</b>
<b>Expenditures:</b>	<b>Salary - Permanent Wages</b>	<b>101-266-000-706.000</b>	<b>\$18,240.00</b>
	<b>Salary - Temporary</b>	<b>101-266-000-707.000</b>	<b>(\$17,017.00)</b>
	<b>FICA/Medicare</b>	<b>101-266-000-715.000</b>	<b>\$1,280.00</b>
	<b>Health Insurance</b>	<b>101-266-000-719.000</b>	<b>\$4,435.00</b>
	<b>Sick &amp; Accident</b>	<b>101-266-000-719.001</b>	<b>\$77.00</b>
	<b>Dental</b>	<b>101-266-000-719.015</b>	<b>\$355.00</b>
	<b>Vision</b>	<b>101-266-000-719.016</b>	<b>\$59.00</b>
	<b>Health Care Deductible</b>	<b>101-266-000-719.020</b>	<b>\$5,775.00</b>
	<b>Admin fee - Health Care Deductible</b>	<b>101-266-000-719.021</b>	<b>\$23.00</b>
	<b>Life Insurance</b>	<b>101-266-000-720.000</b>	<b>\$37.00</b>
	<b>Pension - MERS</b>	<b>101-266-000-876.000</b>	<b>\$648.00</b>
		<b>Net Expenditures</b>	<b>\$13,912.00</b>

Increase budget for new Human Resources Quality Assurance Specialist. There will be 5 months wages, FICA, and pension. Then after 90 days probation period there will be 2 months of benefits. This is funded by an Appropriation of Prior Year Fund Balance.

<b>Revenues:</b>	<b>Prior Year Fund Balance</b>	<b>101-000-000-699.000</b>	<b>\$30,492.00</b>
		<b>Net Revenues</b>	<b>\$30,492.00</b>
<b>Expenditures:</b>	<b>Salary - Permanent Wages</b>	<b>101-371-000-706.000</b>	<b>\$19,231.00</b>
	<b>FICA/Medicare</b>	<b>101-2371000-715.000</b>	<b>\$1,472.00</b>
	<b>Health Insurance</b>	<b>101-371-000-719.000</b>	<b>\$2,956.00</b>
	<b>Sick &amp; Accident</b>	<b>101-371-000-719.001</b>	<b>\$52.00</b>
	<b>Dental</b>	<b>101-371-000-719.015</b>	<b>\$236.00</b>
	<b>Vision</b>	<b>101-371-000-719.016</b>	<b>\$39.00</b>
	<b>Health Care Deductible</b>	<b>101-371-000-719.020</b>	<b>\$5,775.00</b>
	<b>Admin fee - Health Care Deductible</b>	<b>101-371-000-719.021</b>	<b>\$23.00</b>
	<b>Life Insurance</b>	<b>101-371-000-720.000</b>	<b>\$25.00</b>
	<b>Pension - MERS</b>	<b>101-371-000-876.000</b>	<b>\$683.00</b>
		<b>Net Expenditures</b>	<b>\$30,492.00</b>

**206 - FIRE FUND**

**Total Increase** \$0.00

Request line item transfer between departments in Fire Fund of \$15,0000 for repair expenses to rebuild the motor on Ladder 14-1. This will be funded by a decrease in Capital Outlay Fire Apparatus 206-970-000-979.000 and an increase in Auto & Truck Maintenance Station #1 206-206-000-863.001. Line item transfers do not cause an increase or decrease in Fund Balance.

<b>Revenues:</b>	<b>N/A</b>	<b>Net Revenues</b>	<b>\$0.00</b>
<b>Expenditures:</b>	<b>Auto &amp; Truck Maintenance #1</b>	<b>206-206-000-863.000</b>	<b>\$15,000.00</b>
	<b>Capital Outlay - Fire Apparatus</b>	<b>206-970-000-979.000</b>	<b>(\$15,000.00)</b>
		<b>Net Expenditures</b>	<b>\$0.00</b>



**CHARTER TOWNSHIP OF YPSILANTI  
2015 BUDGET AMENDMENT #9**

**July 21, 2015**

<b>212 - BIKE, SIDEWALK, RECREATION, ROAD AND GENERAL OPERATIONS FUND (BSRII)</b>	<b>Total Increase</b>	<b><u>\$164,395.00</u></b>
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Increase Lakeside Park Boathouse project completion scheduled for July 2015. This will be funded by final Grant contribution from Michigan DNR, Washtenaw County Parks & Recreation, and Eastern Michigan University.

Revenues:	State Grant	212-000-000-569.023	\$14,395.00
	Contributions	212-000-000-675.000	\$150,000.00
		Net Revenues	<u>\$164,395.00</u>
Expenditures:	Lakeside Park Grant Project	212-970-000-974.037	\$164,395.00
		Net Expenditures	<u>\$164,395.00</u>

<b>248 - HOUSING &amp; BUSINESS INSPECTION FUND</b>	<b>Total Increase</b>	<b><u>\$3,911.00</u></b>
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Increase line item for Worker's Compensation, calculations for 2015 were too low because of additional staff. This will be funded by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	248-000-000-699.000	\$1,411.00
		Net Revenues	<u>\$1,411.00</u>
Expenditures:	Worker's Compensation Insurance	248-248-000-917.000	\$1,411.00
		Net Expenditures	<u>\$1,411.00</u>

Increase gas and oil due to new full time employee and vehicle usage. This will be funded by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	248-000-000-699.000	\$2,500.00
		Net Revenues	<u>\$2,500.00</u>
Expenditures:	Gas & Oil	248-248-000-867.000	\$2,500.00
		Net Expenditures	<u>\$2,500.00</u>

Motion to Amend the 2015 Budget (#9):

Move to increase the General Fund budget by \$44,404 to \$10,013,010 and approve the department line item changes as outlined.

Move to increase the Bike, Sidewalk, Recreation, Road, and General Operations Fund (BSRII) budget by \$164,395 to \$1,870,929 and approve the department line item changes as outlined.

Move to increase the Housing & Business Inspection Fund by \$3,911 to \$214,629 and approve the department line item changes as outlined.

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## **RESOLUTION 2015-21**

**Authorizing the Charter Township of Ypsilanti  
to Exercise its “First Right of Refusal” and to  
Purchase from Washtenaw County Treasurer  
Catherine McClary Acting in her Capacity as  
the Foreclosing Governmental Unit Under the  
Authority of the General Property Tax Act the  
Real Properties Described Herein Located  
In Ypsilanti Township, Michigan**

**WHEREAS**, on or about **May 29, 2015** Washtenaw County Treasurer Catherine McClary, Acting in her capacity as the **Foreclosing Governmental Unit** (FGU) under the Authority of the **General Property Tax Act** (GPTA) foreclosed upon certain properties in the Washtenaw County Circuit Court due to delinquent real property taxes.

The **“List of Tax Foreclosed Properties”** for **2015** last revised on **June 15, 2015** (See Exhibit 1) was received by Ypsilanti Township Clerk **Karen Lovejoy Roe** from Washtenaw County website which contained *inter alia* the following Ypsilanti Township properties which set forth the amount of unpaid delinquent taxes and are described as follows:

**1. 1476 Blossom Ave**

**Parcel No.: K-11-01-235-019**

**Minimum Bid: \$10,401.00**

**Legal Description:**

**YP # 129-19A LOT 19. ALSO BEG AT NE COR OF LOT 20. TH N 78-32 40 W 123.92 FT, TH 3.00 FT IN ARC OF CURVE LEFT, RADIUS 118.00 FT, CHORD S 15-40-54 W 3.00 FT, TH S 79-55-28 E 124.18 FT TO POB, WASHTENAW ORCHARD NUMBER ONE.**

**2. 1410 Blossom Ave**

**Parcel No.: K-11-01-235-027**

**Minimum Bid: \$5,609.00**

**Legal Description:**

**YP# 129-27 LOT 27 WASHTENAW ORCHARD NUMBER ONE.**

**3. 1334 Fall River Rd**

**Parcel No.: K-11-03-111-016**

**Minimum Bid: \$13,660.00**

**Legal Description:**

**YP# 132-57 lot 46 except w 24.55' THEREOF WASHTENAW CONCOURSE NO 1.**

**4. 1156 Parkwood Ave**

**Parcel No.: K-11-10-436-002**

**Minimum Bid:** **\$9,974.00**  
**Legal Description:**  
**YP# 68-63 LOT 63 HILL CREST SUBDIVISION.**

**5. 5977 S Mohawk Ave**  
**Parcel No.:** **K-11-22-480-059**  
**Minimum Bid:** **\$13,256.00**  
**Legal Description:**  
**YP# 171-59 LOT 59 SPRUCE FALLS**

**6. 1191 Laurel Ct**  
**Parcel No.:** **K-11-02-255-029**  
**Minimum Bid:** **\$15,356.00**  
**Legal Description:**  
**YP# 136-35 LOT 409 WASHTENAW CONCOURSE NO. 4**

**7. 1241 Redleaf Ln**  
**Parcel No.:** **K-11-03-177-040**  
**Minimum Bid:** **\$10,374.00**  
**Legal Description:**  
**YP# 134-134 NWLY 15 FT OF LOT 328 & LOT 329 EXCEPT NWLY 33.5 FT WASHTENAW CONCOURSE NO. 3**

**WHEREAS**, the Court of Appeals for the State of Michigan in an unanimous decision released for publication on **April 5, 2011** entitled **“City of Bay City vs Bay County Treasurer”** held that under the GPTA that **“ . . . the determination of a proper purpose for the purchase of tax-delinquent property is a legislative function, vesting such determinations as arose in this case with Plaintiff’s council.** Furthermore, because **MCL 211.78(m)(1)** creates a mandatory legal duty on Defendant’s part to sell the property to Plaintiff granting him no discretion to decide not to sale such property, the statute does not empower a county treasurer . . . to make an independent determination as to a municipality’s professed ‘public’ purpose” a copy of the Court of Appeals decision being attached hereto and incorporated by reference and labeled Exhibit 2; and

**WHEREAS**, from 2007 through 2015 Ypsilanti Township has seen over 3,000 foreclosures which make up approximately thirty-three (33%) of all foreclosures that have occurred during this time period in

Washtenaw County even though the Township's population is only fifteen (15%) of the County's total population; and

**WHEREAS**, this unprecedented record number of foreclosures in Ypsilanti Township resulted in a significant loss of tax revenue to the Township while also having a direct and negative effect upon the residential property values Township wide; and

**WHEREAS**, this record number of foreclosures in the Township destabilized a number of residential streets located within the Township's residential subdivisions and greatly contributed to a number of residential neighborhoods becoming predominantly rental properties which further contributed to the destabilization of residential properties; and

**WHEREAS**, the Charter Township of Ypsilanti in an effort to stabilize the Township's existing residential neighborhoods entered into a partnership with Habitat for Humanity for acquiring and rehabilitating residential properties located in the Township for homeowner occupancy which has resulted in increased neighborhood stabilization and has prevented further deterioration of existing residential subdivisions throughout the Township while also resulting in the increase of property values and the tax base in the Township; and

**WHEREAS**, Habitat has notified the Township of its desire to acquire additional residential properties in the Township for rehabilitation and resale to homeowners which further promotes the Township's Board stated policy of neighborhood stabilization; and

**WHEREAS**, the Ypsilanti Township Board of Trustees has determined and hereby finds that the exercise of its **“First Right of Refusal”** to acquire the above listed properties constitutes a **“Public Purpose”** as set forth in the Court of Appeals case entitled **“City of Bay City vs Bay County Treasurer”** since it is imperative that in order for the Township to achieve its stated public purpose of neighborhood stabilization and to prevent further deterioration of residential property values that the Township continues in its ongoing efforts with Habitat for Humanity to increase homeownership by acquiring residential properties in the Township for resale to Habitat who will rehabilitate said properties that in turn will be resold to persons for homeownership as opposed to being utilized as rental/investment properties; and

**WHEREAS**, the Township has been advised by the Washtenaw County Treasurer’s Office that the minimum bid price for all of the above listed properties total **\$78,630.00**;

**NOW, THEREFORE THE YPSILANTI CHARTER TOWNSHIP BOARD OF TRUSTEES HEREBY RESOLVES AS FOLLOWS:**

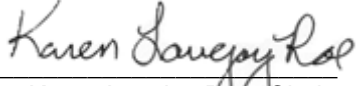
1. That the Township hereby finds and determines that the exercise of its **“First Right of Refusal”** pursuant to the General Property Tax Act as further defined in the Court of Appeals case entitled **“City of Bay City vs Bay County Treasurer”** to purchase the properties hereinabove listed located in the Township of Ypsilanti, Washtenaw County, State of Michigan, constitutes a **“Public Purpose”** since it is imperative that in order for the Township to achieve its stated public purpose of neighborhood stabilization and to prevent further deterioration of residential property values that the Township continues in its ongoing efforts with Habitat for Humanity to increase homeownership by acquiring residential properties in the Township for resale to Habitat who will rehabilitate said properties that in turn will be resold to persons for

homeownership as opposed to being utilized as rental/investment properties.

2. That the Township hereby notifies Washtenaw County Treasurer Catherine McClary Acting in her Capacity as the Foreclosing Governmental Unit that the Township desires to purchase the above listed properties under the Township's **"First Right of Refusal"** for the minimum bid of each property which totals **\$78,630.00**.

3. That the Township authorizes the payment of **\$78,630.00** for the purpose of acquiring the above listed properties pursuant to the Township's **"First Right of Refusal"** for the **"Public Purpose"** as defined herein.

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. 2015-21 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on July 21, 2015.

  
\_\_\_\_\_  
Karen Lovejoy Roe, Clerk  
Charter Township of Ypsilanti

## **RESOLUTION 2015-22**

**Authorizing the Charter Township of Ypsilanti  
to Exercise its "First Right of Refusal" and to  
Purchase from Washtenaw County Treasurer  
Catherine McClary Acting in her Capacity as  
the Foreclosing Governmental Unit Under the  
Authority of the General Property Tax Act the  
Real Property Located at Morris Ave and 3174 Morris  
Ave, Ypsilanti Township, Michigan**

**WHEREAS**, on or about **May 29, 2015** Washtenaw County

Treasurer Catherine McClary, Acting in her capacity as the **Foreclosing  
Governmental Unit** (FGU) under the Authority of the **General Property  
Tax Act** (GPTA) foreclosed upon certain properties in the Washtenaw  
County Circuit Court due to delinquent real property taxes.

The "**List of Tax Foreclosed Properties**" for **2015** last revised on  
**June 15, 2015** (See Exhibit 1) was received by Ypsilanti Township Clerk  
**Karen Lovejoy Roe** from Washtenaw County website which contained  
*inter alia* the following Ypsilanti Township properties which set forth the  
amount of unpaid delinquent taxes and are described as follows:

**1. Morris Ave**

**Parcel No.: K-11-24-100-004**

**Legal Description:**

**YP#155-152 GROVE PARK HOMES SUB. PRT OF THE NE 1/4  
SEC 24, T3S R7E, YPSILANTI TOWNSHIP, WASHTENAW  
COUNTY DESCR AS COM AT NE COR SEC 24, T3S R7E,  
THENCE ALG E LN OF SD SEC 24 S 0 DEG 17'00"E 1583.27 FT;  
THENCE S 89 DEG 45'55" W 1304.24 FT ALNG CNTLN GROVE  
RD; THENCE ALONG E LN HURON DAM SUB N 0 DEG 18'20" W  
629.78 FT TO POB; THENCE CONT N 0 DEG 18' 20" W 816.54 FT  
TO S LN OF MDOT ROW; THENCE ALNG SD ROW 112.06 FT  
ALNG A CIRCULAR CURVE TO RIGHT (HAVING A CENTRAL  
ANGLE OF 2 DEG 00'25", A RADIUS OF 3199.04 FT AND A  
CHORD BEARING S 88 DEG 56'08" E 112.05 FT) AND 401.45 FT  
ALNG A CURVE TO RIGHT (HAVING A CENTRAL ANGLE OF 51  
DEG 35'15", A RADIUS OF 445.87 FT AND A CHORD BRNG S 62  
DEG 08'17" E 388.02 FT AND S 36 DEG 20'40"E 416.92 FT AND S  
67 DEG 24'36"E 21.18 FT; THENCE S 89 DEG 45'55"W 276.76 FT;  
THENCE S0 DEG 14'05" E 10 FT; THENCE S 45 DEG 14'05" W  
14.14 FT; THENCE S 89 DEG 45'55"W 432.11 FT TO POB**

**2. 3174 Morris Ave**

**Parcel No.: K-11-24-107-006**

**Legal Description:**



**YP# 155-144 LOT 144 GROVE PARK HOMES.**

**Combined Minimum Bid for Both Parcels:       \$2,936.00**

**WHEREAS**, the Court of Appeals for the State of Michigan in an unanimous decision released for publication on **April 5, 2011** entitled **“City of Bay City vs Bay County Treasurer”** held that under the GPTA that **“. . . the determination of a proper purpose for the purchase of tax-delinquent property is a legislative function, vesting such determinations as arose in this case with Plaintiff’s council.**

**Furthermore, because MCL 211.78(m)(1) creates a mandatory legal duty on Defendant’s part to sell the property to Plaintiff granting him no discretion to decide not to sale such property, the statute does not empower a county treasurer . . . to make an independent determination as to a municipality’s professed ‘public’ purpose”** a

copy of the Court of Appeals decision being attached hereto and incorporated by reference and labeled Exhibit 4; and

**WHEREAS**, from **2007** through **2015** the commercial tax base of the Township has decreased **\$96,599,300.00** in **“State Equalized Value”** and has also suffered a **\$41,866,894.00** decrease in taxable value for the same time period; and

**WHEREAS**, the Ypsilanti Township Board of Trustees has determined and hereby finds that the exercise of its **“First Right of Refusal”** to acquire the vacant property as identified above which is located in the former housing complex known as **“Liberty Square,”** constitutes a **“Public Purpose”** as set forth in the Court of Appeals case entitled **“City of Bay City vs Bay County Treasurer”** since it is imperative that in order for the Township to continue to provide essential public services to its residents to promote and protect the public health, safety and welfare of the Township that the Township continues in its ongoing

efforts to rebuild and redevelop the Township's commercial tax base; and specifically this subject property given its strategic location along the Rawsonville Road Corridor which is one of the major gateways into the Township; and

**WHEREAS**, the Township expended significant financial resources in an effort to abate the Public Nuisance that was created at the Liberty Square Housing Complex over a number of years which included but was not limited to drug trafficking, prostitution, felonious assaults, etc. etc. Those efforts culminated in a series of Court Orders being issued by Washtenaw County Circuit Court Judge Donald E. Shelton which included the removal of all 151 Townhomes from said property along with an **"Opinion and Order"** which was entered by the Court on **August 19, 2011**; and

**WHEREAS**, the Township has been advised by the Washtenaw County Treasurer's Office that the minimum bid price for the property located at Morris Ave and 3174 Morris Ave. is **\$2,936.00**;

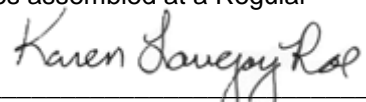
**NOW, THEREFORE THE YPSILANTI CHARTER TOWNSHIP  
BOARD OF TRUSTEES HEREBY RESOLVES AS FOLLOWS:**

1. That the Township hereby finds and determines that the exercise of its **"First Right of Refusal"** pursuant to the General Property Tax Act as further defined in the Court of Appeals case entitled **"City of Bay City vs Bay County Treasurer"** to purchase the vacant property located at Morris Ave and 3174 Morris Ave, respectively constitutes a **"Public Purpose"** since it is imperative that in order for the Township to continue to provide essential public services to its residents to promote and protect the public health, safety and welfare of the Township that the Township continues in its ongoing efforts to rebuild and redevelop the Township's commercial tax base.

2. That the Township hereby notifies Washtenaw County Treasurer Catherine McClary Acting in her Capacity as the Foreclosing Governmental Unit that the Township desires to purchase Morris Ave and 3174 Morris Ave under the Township's **"First Right of Refusal"** for a minimum bid which per the Washtenaw County Treasurer's Office is **\$2,936.00.**

3. That the Township authorizes the payment of **\$2,936.00** for the purpose of acquiring Morris Ave and 3174 Morris Ave pursuant to the Township's **"First Right of Refusal"** for the **"Public Purpose"** as defined herein.

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. 2015-22 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on July 21, 2015.



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Karen Lovejoy Roe, Clerk  
Charter Township of Ypsilanti

# CHARTER TOWNSHIP OF YPSILANTI

## RESOLUTION 2015-23

### Abandoned Tax Delinquent Property

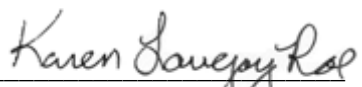
**Whereas**, the Charter Township of Ypsilanti Board of Trustees has determined that parcels of abandoned tax delinquent property exist; and

**Whereas**, abandoned tax delinquent property contributes to crime, blight, and decay with Ypsilanti Township; and

**Whereas**, the certification of tax delinquent abandoned property as certified abandoned property will result in the accelerated forfeiture and foreclosure of certified abandoned property under the general property tax act and return abandoned property to productive use more rapidly, therefore reducing crime, blight, and decay within Ypsilanti Township.

**Now Therefore, Be It Resolved**, that the Charter Township of Ypsilanti Board of Trustees hereby notifies residents and owners of property within Ypsilanti Township that abandoned tax delinquent property will be identified and inspected; and may be certified abandoned property subject to accelerated forfeiture and foreclosure under the general property tax act.

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. 2015-23 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on July 21, 2015.

  
Karen Lovejoy Roe, Clerk  
Charter Township of Ypsilanti

# 1<sup>ST</sup> READING OF POLICY RESOLUTION NO. 2015-24

## CHARTER TOWNSHIP OF YPSILANTI POLICY RESOLUTION TO IMPOSE RESTRICTIONS AND CONDITIONS ON ALL COLLECTION BOXES IN THE TOWNSHIP BY WAY OF AN ADMINISTRATIVE REVIEW AND AMENDMENT TO THE SITE PLAN

### COLLECTION BOXES

#### 1. Intent and Definitions.

- A. The Collection Boxes Policy Resolution is intended to safeguard the public's health, safety and welfare of all citizens who reside, visit the Township or further use collection boxes within the community. The intent of this collection Boxes Policy Resolution is to impose restrictions and conditions on all collection boxes in the Township by way of an administrative review and amendment to the approved site plan, so that they are and remain clean, safe and do not create hazards to pedestrians and to vehicular traffic.

- B. *Operator* means a person who owns, operates or otherwise is in control of collection boxes to solicit collections of salvageable personal property.

*Director* means the Director of Planning for the Charter Township of Ypsilanti.

*Permitee* means a person over 18 years of age or an entity who is issued a permit authorizing placement of collection box(es) on real property.

*Real Property, Property or Land* means a lot of record located in the Township of Ypsilanti.

*Collection Box* means any metal container, receptacle, or similar device that is located on any parcel or lot of record within the Township and that is used for soliciting and collecting the receipt of clothing, household items, or other salvageable personal property. This term does not include recycle bins for the collection of recyclable material, any rubbish or garbage receptacle or any collection box located within an enclosed building.

#### 2. Collection Box Permit.

No later than thirty (30) days from the effective date of this article, no person shall place, operate, maintain or allow any collection box on any real property without first obtaining an annual permit issued by the Ypsilanti Township Office of Community Standards ("Department"), to locate a collection box.

#### 3. Application for Site Plan Amendment.

- A. Prior to the issuance of a permit by the director for placement of a collection bin, the owner of the real property, on forms provided by the Office of Community Standards, shall apply for an amendment to the approved site plan associated with the subject property.
- B. The information provided for the site plan amendment shall abide by the "sketch plan" submittal requirements noted within section 2115.5 of the Township Zoning Ordinance.
- C. The site plan amendment application shall be accompanied by a nonrefundable site plan review fee in an amount established by resolution of the Township Board.
- D. Within fifteen (15) business days of receiving an application for site plan amendment, the Director shall notify the applicant whether the application

is approved or denied. If the Director denies an application, the Director shall state in writing the specific reasons for denial.

- E. Any person aggrieved by the decision rendered by the Director in granting or denying any application for administrative site plan amendment under this article may appeal the decision to the Township Planning Commission. The appeal shall be made by filing a written notice thereof with the Township Clerk's Office setting forth the grounds for the appeal not less than ten (10) days after receiving notice of the decision of the Director. The Township Planning Commission may grant relief if the applicant presents clear and convincing evidence that there was an error in the decision of the Director.

#### **4. Application for a Permit.**

- A. Upon a successful amendment to the approved site plan by the property owner, any person desiring to secure a permit, shall make an application to the Office of Community Standards on forms provided by the director.
- B. A permit shall be obtained for each collection box(es) proposed. Combining fees for collection box(es) located on a lot of record may be addressed in the fee resolution.
- C. The application for a permit shall be upon a form provided by the Department and be signed by an individual who is an officer, director, member of an entity applicant. The applicant shall furnish the following information:
  - 1) Name, address and email of all partners or limited partners of a partnership applicant, all members of an LLC applicant, all officers and directors of a non-publicly traded corporation applicant, all stockholders owning more than five percent of the stock of a non-publicly traded corporate applicant, and any other person who is financially interested directly in the ownership or operation of the business, including all aliases.
  - 2) Date of birth of individuals and date of establishment of an entity or the birthdate of an individual applicant.
  - 3) Whether the applicant has previously received a permit for a collection box in the township or currently operates a collection box or similar type receptacle without a permit in the township.
  - 4) The name, address, email address, date of birth and telephone number of a contact person accepting responsibility for all matters relating to a collection box located in the township.
  - 5) Removal agreement: The petitioner shall submit a signed removal agreement and a letter of credit or cash security, satisfactory to the township attorney, for the removal of collection boxes and any related site improvements. The petitioner shall demonstrate that adequate funds will be available to the township for the removal of the collection boxes, restoration of the site and associated administrative costs incurred by the township in the event that the petitioner, property owner or their successors fail to remove the collection boxes in a timely manner as required by this article.
  - 6) The physical address of the real property where the collection box is proposed to be located.
  - 7) A scaled drawing sufficient to illustrate the proposed location of the collection box on the real property, the dimensions of the proposed collection box and that the location complies with the requirements of Section 4 of this article.

- 8) If not the owner of the real property, a notarized affidavit from the property owner providing written permission to place the collection box(es) on the property, as well as an acknowledgement from the property owner of receipt of a copy of this Resolution Policy shall be provided on a form provided by the Department Director. For purposes of this subsection, the affidavit and acknowledgement may be executed by an individual who is an officer, director, member or manager of an entity owning the property.
  - 9) A nonrefundable application fee in an amount established by resolution of Township Board.
- D. Within ten (10) business days of receiving an application for a permit, the Director shall notify the applicant whether the permit is granted or denied. If the Director denies an application, the Director shall state in writing the specific reasons for denial.
- E. No person to whom a permit has been issued shall transfer, assign or convey such permit to another person or legal entity.
- F. A person shall be issued a permit by the Director if the requirements of this article are satisfied.

## **5. Requirements for a Permit.**

- A. A Permittee shall operate and maintain, or cause to be operated and maintained, all collection boxes located in the Township for which the Permittee has been granted a permit as follows:
1. Collection boxes shall be metal or other appropriate material as approved by the director, and shall further be maintained in good condition and appearance with no structural damage, holes or visible rust and shall be free of graffiti;
  2. Collection boxes shall be locked or otherwise secured in such a manner that the contents cannot be accessed by anyone other than those responsible for the retrieval of the contents;
  3. Collection boxes shall have, at a minimum, 2-inch type visible from the front of each collection box the name, address, email, website and phone number of the operator, as well as whether the collection box is owned and operated by a for profit company or a not for profit company. The collection box shall not have information, advertising or logos other than those relating to the Operator.
  4. Collection boxes shall be serviced and emptied as needed, but at least every seven (7) days.
  5. The Permittee and property owner shall maintain, or cause to be maintained, the area surrounding the collection boxes, free from any junk, debris or other material. The property owner shall be responsible to the extent provided by law for the Township's cost to abate any nuisance, in accordance with Section 26-28, "Causes of blight or blighted factors enumerated", of the Township Municipal Code.
- B. Collection boxes shall:
1. Not be permitted on any land used for residential purposes.
  2. Not be permitted on any unimproved parcel, nor where the principal use of the land has been closed or unoccupied for more than thirty (30) day.

3. Not be less than 1,000 feet from another collection box as measured along a straight line from one box to the other. Notwithstanding this separation requirement, up to two (2) collection boxes on a single lot of record are permitted if the two (2) collection boxes are side by side and are no more than one foot apart.
4. Not exceed 7.0 feet in height, 6.0 feet in width and 6.0 feet in depth.
5. Not cause a visual obstruction to vehicular or pedestrian traffic.
6. Maintain all applicable yard setbacks for the district in which the box is located as prescribed within article xx of the township zoning ordinance.
7. Not be placed closer than 10 feet from: i) a public or private sidewalk; ii) a public right-of-way; iii) a driveway; or iv) a side or rear property line of adjacent property used for residential purposes.
8. Not cause safety hazards with regard to a designated fire lane or building exit.
9. Not interfere with an access drive, off-street parking lot maneuvering lane and/or required off-street parking space to an extent which would cause safety hazards and/or unnecessary inconvenience to vehicular or pedestrian traffic; ii) encroach upon an access drive, off-street parking lot maneuvering lane and/or required off-street parking space as illustrated on the approved site plan.
10. Be placed on a level, hard (asphalt or concrete) paved, dust-free surface.

#### **6. Term of Permit and Renewal of Permit.**

- A. The permit cycle shall begin on the date of issuance and shall be valid for one calendar year (365 days).
- B. A collection box permit shall be renewed annually. The application for renewal must be filed not later than thirty (30) days before the permit expires. The application for renewal shall be upon a form provided by the Director.
- C. The Director shall either approve or deny the renewal of a permit within ten (10) business days of receipt of the complete renewal application and payment of the renewal fee.
- D. A permit renewal fee set by resolution of the Township Board shall be submitted with the application for renewal. Any changes to the previously approved site plan or failure to apply for renewal prior to the expiration date shall require the submission of a new site plan application and applicable review and permit fees.
- E. Prior to expiration of the permit, the Permittee may voluntarily cancel the permit by notifying the Director in writing of the intent to cancel the permit. The permit shall become void upon the Director's receipt of a written notice to intent to cancel the permit.
- F. The Director shall approve the renewal of a permit if the Director finds that no circumstances existed during the term of the permit which would cause a violation to exist, and that at the time of submission of the application for renewal, or at any time during the renewal of the application for renewal, there were not circumstances inconsistent with any finding required for approval of a new permit. Any Permittee whose permit has been revoked shall be denied renewal of the permit for the subsequent calendar year.



- G. If the permit expires and is not renewed, the collection box(es) must be removed from the real property within a maximum of ten (10) days after expiration of the permit.

## **7. Revocation of Permit, Removal of Collection Boxes and Liability.**

- A. The Director shall have the right to revoke any permit issued hereunder for a violation of this article. Any of the grounds upon which the Director may refuse to issue an initial permit shall also constitute grounds for such revocation. In addition, the failure of the Permittee to comply with the provisions of this article or other provisions of this code or other law shall also constitute grounds for revocation of the permit. The Director shall provide written notification to the Permittee and property owner via first class mail, email or in person stating the specific grounds for a revocation and a demand for correction and abatement. The notice shall allow a maximum of seven (7) days from mailing of the notice to correct or abate the violation. Upon failure to make the correction or abatement, the permit shall be revoked by the Director and, thereafter, the Permittee shall not be eligible for a permit on the property for the subsequent calendar year.
- B. Upon revocation, the collection box shall be removed from the real property within ten (10) days and, if not so removed within the time period, the Township may remove, store or dispose of the collection box at the expense of the Permittee and/or real property owner. Any such boxes that are not claimed within thirty (30) days shall be destroyed. All costs associated with the removal, storage or disposal of the collection box incurred by the Township, or the Township's contractor, shall be the responsibility of the property owner. If such obligation is not paid within thirty (30) days after mailing of a billing of costs to the property owner, the Township may place a lien upon such real property enforceable as a tax lien in the manner prescribed by the general laws of this state against the property and collected as in the case of general property tax. If the same is not paid prior to the preparation of the next assessment roll of the Township, the amount shall be assessed as a special tax against such premises on the next assessment roll and collected thereunder.
- C. A permit for a collection box may be revoked if any governmental authority or agency determines that the collection box has violated the Michigan Consumer Protection Act and/or the Charitable Organizations and Solicitations Act.

## **8. Appeal to Township Board of Trustees.**

Any person aggrieved by the decision rendered by the Director in granting or denying any application for a permit under this article or in revoking a permit issued under this article may appeal the decision to the Township Board of Trustees. The appeal shall be made by filing a written notice thereof with the Township Clerk's Office setting for the grounds for the appeal not later than ten (10) days after receiving notice of the decision of the Director. The Township Board may grant relief if the applicant presents clear and convincing evidence that there was an error in the decision of the Director.

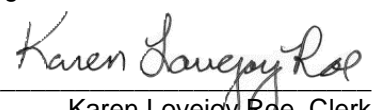
## **9. Penalty and Remedies.**

- A. In addition to revocation of permit pursuant to Section 6 of this article, any person violating the provisions of this article is guilty of a civil infraction.
- B. In addition to the penalty provided in Subsection (A) of this section, any condition caused or permitted to exist in violation of the provisions of this article, or any ordinance, shall be deemed a new

and separate offense for each day that such condition continues to exist.

- C. Nothing in this article shall prevent the Township from pursuing any other remedy provided by law in conjunction with or in lieu of prosecuting persons under this section for violation of this article.
- D. The real property owner and Permittee shall be jointly and severally liable for each violation and for payment of any fine and costs of abatement.
- E. No fines shall be imposed for a violation of this article until ninety (90) days after its effective date. All collection boxes existing at the effective date of the ordinance shall apply for a permit as required herein within thirty (30) days of the effective date. Any collection boxes not in compliance with this article after ninety (90) days of the effective date shall be subject to all remedies for violation as provided herein.

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 Policy Resolution No. 2015-24 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on July 21, 2015. The second reading is scheduled to be heard on August 19, 2015.



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Karen Lovejoy Roe, Clerk  
Charter Township of Ypsilanti

**CHARTER TOWNSHIP OF YPSILANTI**

**RESOLUTION NO. 2015 – 25**

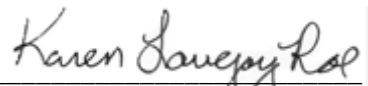
**DESIGNATION OF NEWSPAPER OF CIRCULATION**

**WHEREAS**, the Charter Township of Ypsilanti has primarily used Washtenaw Now for legal publication; and

**WHEREAS**, Washtenaw Now has recently ceased business activity and is no longer available for publication of Ypsilanti Township's legal notices

**NOW THEREFORE, BE IT RESOLVED** that Washtenaw Legal and AnnArbor.com be designated as the newspapers of general circulation for the Charter Township of Ypsilanti advertisements and publications for the remainder 2015 calendar year.

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. 2015-25 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on July 21, 2015.



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Karen Lovejoy Roe, Clerk  
Charter Township of Ypsilanti

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## Exhibit A to Master Agreement

### Purchase Agreement

This Purchase Agreement (this "Agreement") is dated as of July 15, 2015 between The Detroit Edison Company ("Company") and Charter Township of Ypsilanti ("Customer").

This Agreement is a "Purchase Agreement" as referenced in the Master Agreement for Municipal Street Lighting dated March 28, 2013 (the "Master Agreement") between Company and Customer. All of the terms of the Master Agreement are incorporated herein by reference. In the event of an inconsistency between this Agreement and the Master Agreement, the terms of this Agreement shall control.

Customer requests the Company to furnish, install, operate and maintain street lighting equipment as set forth below:

1. DTE Work Order Number:	43467832 If this is a conversion or replacement, indicate the Work Order Number for current installed equipment: N/A	
2. Location where Equipment will be installed:	Intersection of Ridge Rd & Appleridge St in Charter Township of Ypsilanti, as more fully described on the map attached hereto as <u>Attachment 1</u> .	
3. Total number of lights to be installed:	24	
4. Description of Equipment to be installed (the " <u>Equipment</u> "):	<u>Conversion – Overhead (OH)</u> 24 – 100 watt High Pressure Sodium to 65 watt Autobahn LED	
5. Estimated Total Annual Lamp Charges	\$3,746.40	
6. Computation of Contribution in aid of Construction (" <u>CIAC Amount</u> ")	Total estimated construction cost, including labor, materials, and overhead:	\$6,192.00
	Credit for 3 years of lamp charges:	N/A
	<b>CIAC Amount (cost minus revenue)</b>	<b>\$6,192.00</b>
7. Payment of CIAC Amount:	Due promptly upon execution of this Agreement	
8. Term of Agreement	5 years. Upon expiration of the initial term, this Agreement shall continue on a month-to-month basis until terminated by mutual written consent of the parties or by either party with thirty (30) days prior written notice to the other party.	
9. Does the requested Customer lighting design meet IESNA recommended practices?	(Check One) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "No", Customer must sign below and acknowledge that the lighting design does not meet IESNA recommended practices <b>Signature:</b> <i>Brenda L. Stumbo</i>   <i>Karen Lovejoy Roe</i>	
10. Customer Address for Notices:	Charter Township of Ypsilanti 7200 S Huron River Dr Ypsilanti, MI 48197 Attn: Karen Lovejoy Roe	

11. Special Order Material Terms:

All or a portion of the Equipment consists of special order material: (check one) ☐ YES ☒ NO

If "Yes" is checked, Customer and Company agree to the following additional terms.

A. Customer acknowledges that all or a portion of the Equipment is special order materials ("SOM") and not Company's standard stock. Customer will purchase and stock replacement SOM and spare parts. When replacement equipment or spare parts are installed from Customer's inventory, the Company will credit Customer in the amount of the then current material cost of Company standard street lighting equipment.

B. Customer will maintain an initial inventory of at least N/A posts and N/A luminaires and any other materials agreed to by Company and Customer, and will replenish the stock as the same are drawn from inventory. Costs of initial inventory are included in this Agreement. The Customer agrees to work with the Company to adjust inventory levels from time to time to correspond to actual replacement material needs. If Customer fails to maintain the required inventory, Company, after 30 days' notice to Customer, may (but is not required to) order replacement SOM and Customer will reimburse Company for such costs. Customer's acknowledges that failure to maintain required inventory could result in extended outages due to SOM lead times.

C. The inventory will be stored at \_\_\_\_\_. Access to the Customers inventory site must be provided between the hours of 9:00 am to 4:00 pm, Monday through Friday with the exceptions of federal Holidays. Customer shall name an authorized representative to contact regarding inventory: levels, access, usage, transactions, and provide the following contact information to the Company:

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

The Customer will notify the Company of any changes in the Authorized Customer Representative. The Customer must comply with SOM manufacturer's recommended inventory storage guidelines and practices. Damaged SOM will not be installed by the Company.

D. In the event that SOM is damaged by a third party, the Company may (but is not required to) pursue a damage claim against such third party for collection of all labor and stock replacement value associated with the damage claim. Company will promptly notify Customer as to whether Company will pursue such claim.

E. In the event that SOM becomes obsolete or no longer manufactured, the Customer will be allowed to select new alternate SOM that is compatible with the Company's existing infrastructure.

F. Should the Customer experience excessive LED equipment failures, not supported by LED manufacturer warranties, the Company will replace the LED equipment with other Company supported Solid State or High Intensity Discharge luminaires at the Company's discretion. The full cost to complete these replacements to standard street lighting equipment will be the responsibility of the Customer.

12. Experimental Emerging Lighting Technology ("EELT") Terms:

All or a portion of the Equipment consists of EELT: (check one) ☒ YES ☐ NO

If "Yes" is checked, Customer and Company agree to the following additional terms.

A. The annual billing lamp charges for the EELT equipment has been calculated by the Company are based upon the estimated energy and maintenance cost expected with the Customer's specific pilot project EELT equipment. .

B. Upon the approval of any future MPSC Option I tariff for EELT street lighting equipment, the approved rate schedules will automatically apply for service continuation to the Customer under Option 1 Municipal Street Lighting Rate, as approved by the MPSC. The terms of this paragraph B replace in its entirety Section 7 of the Master Agreement with respect to any EELT equipment purchased under this Agreement.

\*\*\*\*\*

Company and Customer have executed this Purchase Agreement as of the date first written above.

Company:

The Detroit Edison Company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Customer:

Charter Township of Ypsilanti

By: Brenda L. Stumbo Karen Lovejoy Roe

Name: Brenda L. Stumbo Karen Lovejoy Roe

Title: Supervisor Clerk

July 22, 2015

July 22, 2015

Attachment 1 to Purchase Agreement

Map of Location

