

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE APRIL 19, 2016 REGULAR MEETING**

Supervisor Stumbo called the meeting to order at approximately 7:00pm 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 and Trustees: Mike Martin, Scott Martin

Members Absent: Trustee Jean Hall Currie, Trustee Eldridge (left after Item #2 New Business)

Legal Counsel: Wm. Douglas Winters

PUBLIC COMMENTS

Monica Ross-Williams, Township Resident suggested the Board remember that a splash pad was under consideration at Ford Lake Park and we are unsure what will happen when taking water in and out of Ford Lake. She would like the Board to be cautious if approving the request.

CONSENT AGENDA

A. MINUTES OF THE APRIL 5, 2016 WORK SESSION AND REGULAR MEETING

B. STATEMENTS AND CHECKS

1. STATEMENTS AND CHECKS FOR APRIL 19, 2016 IN THE AMOUNT OF \$1,580,730.55
2. CHOICE HEALTH CARE DEDUCTIBLE ACH EFT FOR MARCH 2016 IN THE AMOUNT OF \$58,278.15
3. CHOICE HEALTH CARE ADMIN FEE FOR FEBRUARY 2016 IN THE AMOUNT OF \$1,207.50

C. MARCH 2016 TREASURER'S REPORT

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve the Consent Agenda

The motion carried unanimously.

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SUPERVISOR REPORT

- A. PROCLAMATION IN HONOR OF CHEMICAL AWARENESS WEEK MAY 8-14, 2016
- B. PROCLAMATION IN HONOR OF MULTIPLE CHEMICAL SENSITIVITY AWARENESS WEEK MAY 8-14, 2016

A motion was made by Treasurer Doe, supported by Trustee S. Martin to approve the two Proclamations

The motion carried unanimously.

CLERK REPORT (see attached)

TREASURER REPORT (none given)

TRUSTEE REPORT

Trustee Eldridge thanked the Board for all their kind words regarding the death of his brother.

ATTORNEY REPORT

- A. GENERAL LEGAL UPDATE (none given)

OLD BUSINESS

1. **2nd READING OF RESOLUTION 2016-02, PROPOSED ORDINANCE 2016-457, AN ORDINANCE AMENDING THE CHARTER TOWNSHIP OF YPSILANTI ZONING CODE SIGN ORDINANCE NO. 74 (1ST READING HELD AT MARCH 15, 2016 REGULAR MEETING) (see attached)**

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to Approve the 2nd Reading of Resolution 2016-02, Proposed Ordinance 2016-457, an Ordinance Amending the Charter Township of Ypsilanti Zoning Code Sign Ordinance No. 74 (1st Reading Held at March 15, 2016 Regular Meeting)

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

The motion carried unanimously.

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2. REQUEST AUTHORIZATION TO REVOKE THE CLASS C LIQUOR LICENSE HELD BY LAS DOS FUENTES FOR USE AT 1960 WHITTAKER RD. (PUBLIC HEARING HELD AT THE APRIL 5, 2016 REGULAR MEETING)(see attached)

A motion was made by Treasurer Doe, supported by Trustee S. Martin to Request Authorization to Revoke the Class C Liquor License Held by Las Dos Fuentes for use at 1960 Whittaker Rd. and to Approve Resolution 2016-14 (Public Hearing Held at the April 5, 2016 Regular Meeting)

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

The motion carried unanimously.

NEW BUSINESS

1. BUDGET AMENDMENT #7

A Motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to Approve Budget Amendment #7 (see attached)

The motion carried unanimously.

2. REQUEST TO APPROVE THE USE OF AN EXISTING CLASS C LIQUOR LICENSE TRANSFERRED FROM THE CITY OF ANN ARBOR TO AK12, LLC LOCATED AT 1828 WHITTAKER RD. AND TO WAIVE THE \$1,000.00 LICENSE TRANSFER APPLICATION FEE

A Motion was made by Clerk Lovejoy Roe, supported by Trustee S. Martin to Approve the Request to Approve the Use of an Existing Class C Liquor License Transferred from the City of Ann Arbor to AK12, LLC Located at 1828 Whittaker Rd. and to Waive the \$1,000.00 License Transfer Application Fee.

The motion carried unanimously.

Trustee Eldridge left the meeting.

3. REQUEST OF NEXUS GAS TRANSMISSION TO SURVEY TOWNSHIP OWNED PROPERTY K-11-23-200-001

A Motion was made by Clerk Lovejoy Roe, supported by Treasurer L. Doe to Approve the Request of Nexus Gas Transmission to Survey Township Owned Property K-11-23-200-001

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A Motion was made by Trustee S. Martin, supported by Treasurer Doe to table this request.

S. Martin:	Yes	Stumbo:	Yes		
Lovejoy Roe:	Yes	Doe:	Yes	M. Martin:	No

The motion carried.

- 4. REQUEST TO SUPPORT THE YPSILANTI TOWNSHIP PARK COMMISSION'S SMOKE FREE PARKS PUBLIC HEARING ON MONDAY, MAY 2, 2016 AT 6:30PM AT 7200 S. HURON RIVER DR. AND TO HELP PUBLICIZE THE HEARING**

A Motion was made by Clerk Lovejoy Roe, supported by Trustee S. Martin to Approve the Request to Support the Ypsilanti Township Park Commission's Smoke Free Parks Public Hearing on Monday, May 2, 2016 at 6:30pm at 7200 S. Huron River Dr. and to Help Publicize the Hearing

The motion carried unanimously.

- 5. REQUEST BY THE YPSILANTI TOWNSHIP PARK COMMISSION FOR THE CREATION OF A JOINT YPSILANTI TOWNSHIP PARK COMMISSION/TOWNSHIP BOARD COMMITTEE FOR THE PURPOSE OF REVIEWING PROPOSALS TO LEASE YPSILANTI TOWNSHIP BASEBALL FIELDS.**

A Motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to Approve the Request by the Ypsilanti Township Park Commission for the Creation of a Joint Ypsilanti Township Park Commission/Township Board Committee for the Purpose of Reviewing Proposals to Lease Ypsilanti Township Baseball Fields and to appoint Trustees Eldridge and S. Martin to serve on the Joint Park Commission/Township Board Committee.

The motion carried unanimously.

- 6. REQUEST AUTHORIZATION TO SIGN PURCHASE AGREEMENT WITH DTE ENERGY FOR THE CONVERSION OF TWO HUNDRED TWENTY-THREE (223) MERCURY VAPOR AND HIGH PRESSURE SODIUM STREETLIGHTS TO LED IN THE AMOUNT OF \$61,938.00 BUDGETED IN LINE ITEM #101-956-000-926-050**

A Motion was made by Trustee M. Martin, supported by Treasure Doe to Approve the Request Authorization to Sign Purchase Agreement with DTE Energy for the Conversion of Two Hundred Twenty-Three (223) Mercury Vapor and High Pressure Sodium Streetlights to LED in the Amount of \$61,938.00 Budgeted in Line Item #101-956-000-926-050

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The motion carried unanimously.

- 7. REQUEST AUTHORIZATION TO SIGN PURCHASE AGREEMENT WITH DTE ENERGY FOR THE INSTALLATION OF ONE (1) OVERHEAD FED 65 WATT AUTOBAHN LED WITH BLACK HOUSING MOUNTED ON A 6' ARM ATTACHED TO AN EXISTING WOOD POLE IN THE AMOUNT OF \$1,060.82 BUDGETED IN LINE ITEM #101-956-000-926-050**

A Motion was made by Treasurer Doe, supported by Trustee M. Martin to Approve the Request Authorization to Sign Purchase agreement with DTE Energy to the Installation of One (1) Overhead FED 65 Watt Autobahn LED with Black Housing Mounted on a 6' Arm Attached to an Existing Wood Pole in the Amount of \$1,060.82 Budgeted in Line Item #101-956-000-926-050

The motion carried unanimously.

- 8. REQUEST OF ERIC COPELAND, FIRE CHIEF FOR AUTHORIZATION TO SELL A 1999 FREIGHTLINER TRUCK (FORMERLY KNOWN AS RESCUE 14-1) IN THE AMOUNT OF \$10,000.00**

A Motion was made by Clerk Lovejoy Roe supported by Treasurer Doe to Approve the Request of Eric Copeland, Fire Chief for Authorization to Sell a 1999 Freightliner Truck (Formerly Known as Rescue 14-1) in the Amount of \$10,000.00

The motion carried unanimously.

- 9. REQUEST TO SET PUBLIC HEARING FOR MAY 17, 2016 AT APPROXIMATELY 7:00PM FOR THE CREATION OF A STREETLIGHT SPECIAL ASSESSMENT DISTRICT FOR THE WASHTENAW BUSINESS PARK AND HURON CENTER**

A Motion was made by Clerk Lovejoy Roe, supported by Trustee S. Martin to Approve the Request to Set Public Hearing for May 17, 2016 at Approximately 7:00PM For The Creation of a Streetlight Special Assessment District for the Washtenaw Business Park and Huron Center

The motion carried unanimously.

OTHER BUSINESS

Supervisor Stumbo stated that Trustee Eldridge lost his brother suddenly on Monday, April 18, 2016. She said the visitation would be on Thursday, April 21, 2016 from 4-8 pm at Stark Funeral Home and the Funeral would be at Stark Funeral Home on Friday, April 22, 2016 at 1:30 pm.

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A Motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to adjourn.

The meeting was adjourned at approximately 7:39 p.m.

Respectfully Submitted,

Brenda L. Stumbo, Supervisor
Charter Township of Ypsilanti

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

CLERK REPORT

APRIL 19, 2016

Submitted by Karen Lovejoy Roe, Clerk

- **MAY 3, 2016 COUNTYWIDE WISD MILLAGE ELECTION-** The Clerk's Department has mailed out the absentee ballots and are receiving voted ballots in every day. The Clerk's office is extremely busy. The number of requests are on track with the very high turnout of the Presidential Primary in March. The State Bureau of Elections has approved the use of dual poll books for our elections. The Clerk's office is in process of working with the IS Department to utilize the dual system in some pilot locations for the May election. Sample ballots are available in the Clerk's office. Voters can request an absentee ballot by calling the Clerk's office at 734.484.4700 or emailing at klovejoyroe@ytown.org. Absentee ballots must be returned by 8:00 PM to the Clerk's office on election day, Tuesday, May 3, 2016.m
- **PASSPORTS-**The number of passports being processed is record breaking for our office and all passport locations due to the expiration of passports that were issued following the new requirement 10 years ago of a passport or pass to visit Canada and Mexico. There are also a large number of families applying for passports for the first time. The Clerk's office processed 18 passports on Friday, April 8, 2016 for the Eastern Michigan University Men's Basketball team and staff.
- **WASHTENAW COMMUNITY COLLEGE 50TH ANIVERSARY** –On Thursday, March 31, 2016 Clerk Lovejoy Roe attended the 50th Anniversary Celebration Opening Doors. Washtenaw Community College was celebrating 50 years of making a difference in people's lives through excellent and accessible educational programs and services. There were several speakers that presented awards and proclamations to the Community College. It was a very wonderful event and celebration.
- **AFFORDABLE HOUSING REGIONAL EQUITY LEADERSHIP GROUP MEETING-** Clerk Lovejoy Roe attended the meeting of the Affordable Housing Regional Equity Leadership Group on Wednesday, April 13, 2016 at the LRC off of Washtenaw Ave. This group of elected leaders and Washtenaw County staff are working on strategies to implement the goals of the Affordable Housing Study that was adopted throughout Washtenaw County. The City of Ann Arbor is working on ordinance changes to allow Accessory Dwelling Units at Single Family Residences. They are also exploring Downtown Premiums, where premiums would be granted to developers for restricting a specific number of units in new high rise residential buildings for affordable housing units. The County staff shared updates on the Platt Rd. development which could include affordable housing units. A draft of an annual report was provided and discussed. It is hopeful that County Staff will present the annual report at Township Board and City Council meetings in June. The next meeting is scheduled for Wednesday, May 11, 2016.
- **REGIONAL TRANSPORTATION AUTHORITY-** Clerk Lovejoy Roe attended the meeting of the RTA Joint Policy/Technical meeting on Wednesday, April 13, 2016 at the Dearborn City Council Chamber in Dearborn, Michigan. A project update was presented along with the study schedule. Reports were provided on the recent

Public/Stakeholder Open Houses. The Ann Arbor open house was attended by 130 individuals. The results of a survey revealed that the Detroit to Ann Arbor Commuter Rail was highly supported along with the Woodward Bus Rapid Transit (BRT). Concepts of the BRT Transit Stations were presented. A conceptual commuter rail schedule was included in the presentation. There will be a millage/ballot proposal on the November 2016 ballot for all the counties that are a part of RTA including Washtenaw County to provide funding to implement both the Regional Rail and the Bus Rapid Transit across county lines.

- **WASHTENAW URBAN COUNTY EXECUTIVE COMMITTEE MEETING-** Clerk Lovejoy Roe attended the Washtenaw Urban County Executive Committee Meeting on Wednesday, August 6, 2016. The 2016 Washtenaw Urban County Action Plan was adopted at this meeting. Staff presented a HOME 2015 Substantial Amendment that will be voted on at the next meeting. There is a 30-day public comment period on the amendment currently underway. The amendment will provide \$201,540 to Habitat to purchase, renovate and support down payment assistance for 5 homes.
- **STATE BUREAU OF ELECTIONS MANDATORY TRAINING** -On Thursday, March 31, 2016 part of the Clerk's staff attended election training in Pittsfield Township. On Wednesday, April 13th the remaining Clerk's staff attended election training in Oakland County. The Supervisor's and Treasurer's staff helped support the Clerk's staff remaining while others were at training. The Clerk's staff appreciates the great teamwork that all share between the three offices.
- **WASHTENAW COUNTY ELECTIONS DIVISION AUDIT-**Ypsilanti Township had one precinct that was selected for an audit of the Presidential Primary election. The audit was conducted by the Washtenaw County Elections Division of the Clerk's office. The Audit was very successful with all audited items conducted properly per election law.

ORDINANCE NO. 2016-457

An ordinance amending the Charter Township of Ypsilanti Zoning Code Sign Ordinance No. 74

The Charter Township of Ypsilanti hereby ordains that Ordinance No. 74 known as the Zoning Code for the Charter Township be amended, as follows:

Sec 2109. Signs. Subsection 3.b. non-residential building –mounted signs. Footnote (4) which reads as follows shall be deleted:

(4) Temporary or permanent window signs shall be permitted to be installed on the inside of a building in a manner visible from the public way provided that such signs or graphics do not exceed two signs per window and further do not cover more than 20 percent of the window surface area. Window signs shall be limited to the company name and or logo occupying the given space. Signage shall not include the advertisement of products, services, or other non-company affiliated graphics. Hours of operation and street numbers are exempt from this requirement.

The following new provision is adopted:

Sec 2109. Signs. Subsection 3.b. non-residential building –mounted signs. Footnote (4):

(4) Temporary or permanent window signs shall be permitted to be installed on the inside of a building in a manner visible from the public way provided that such signs or graphics do not exceed two signs per window and further do not cover more than 20 percent of the window surface area. Hours of operation and street numbers are exempt from this requirement.

Severability

The various parts, sentences, paragraphs and clauses of this ordinance are severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected.


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 adoption of Ordinance No. 2015-457 by the Charter Township of Ypsilanti Board of Trustees assembled at a Regular Meeting held on April 19, 2016 after first being introduced at a Regular Meeting held on March 15, 2016. The motion to approve was made by member Roe and seconded by member Doe. Yes: Mike Martin, Scott Martin, Stumbo, Roe, Doe. ABSENT: Currie, Eldridge NO: None. ABSTAIN: None.


Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

RESOLUTION 2016-14

Requesting the Michigan Liquor Control Commission Revoke Las Dos Fuentes Class C Liquor License for 1960 Whittaker Road

Whereas, on May 14, 2012, the Township Board, at the request of Las Dos Fuentes, LLC (“LLC”), approved a Class C Liquor License for 1960 Whittaker Road; and

Whereas, since the liquor license was approved, 1960 Whittaker Road has continuously remained a vacant and unoccupied building; and

Whereas, on March 7, 2016, a written report was filed setting forth specific grounds for revocation of Las Dos Fuentes liquor license and scheduling a public hearing for April 5, 2016, regarding the request to revoke the liquor license; and

Whereas, on March 10, 2016, the written report and notice of the public hearing was served on the licensee’s authorized agent by registered mail; and

Whereas, the notice served on the authorized agent included advice that the licensee had the right to have legal counsel at the hearing, the right to present evidence, the right to question adverse witnesses; and

Whereas, on April 5, 2016, the Township Board conducted a public hearing on whether the Class C Liquor License approved for 1960 Whittaker Road, should be revoked; and

Whereas, at the April 5, 2016, hearing, representatives of the licensee, Las Dos Fuentes, LLC appeared and were given an opportunity to hear the evidence presented, question the witnesses and present evidence on its own behalf; and

Whereas, the Township Board, based on the evidence presented at the public hearing, makes the following findings:

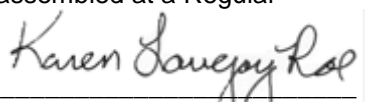
1. Since May 14, 2012, when the Township Board approved Las Dos Fuentes liquor license, the premises of 1960 Whittaker Road has continuously remained vacant and unoccupied.
2. For nearly four years, the licensee’s progress in renovating the premises of 1960 Whittaker Road has been negligible.
3. The licensee has authorized plumbing and electrical work performed on the premises of 1960 Whittaker Road without the issuance of necessary permits and inspections, resulting in the issuance of a stop work order.

4. In July 3, 2013, the Township Building Director after conducting an inspection of the building located at 1960 Whittaker Road, revoked the certificate of occupancy for multiple code violations documented in photographs taken during the inspection.
5. Since May 14, 2012, the Township has issued to the licensee, six separate notices of violations regarding 1960 Whittaker Road for multiple code and ordinance violations ranging from trash accumulation around the building to unsafe electrical wiring.
6. Despite numerous requests by the Township planner, the licensee has failed to submit a site plan, including occupant loads and parking calculations for review.

Whereas, the Township Board concludes that the Las Dos Fuentes, LLC is in violation of: (1) Township Ordinance 37-25(e) prohibiting a liquor licensee from engaging in an unreasonable, delay in the completion of remodeling or construction of the licensed premises; and (2) Township Ordinance 37-27 failing to correct multiple code violations identified by the Township Building Director and Township Community Standards Department.

Now therefore, be it resolved, the Township Board requests, pursuant to MCL 436.1501 that the Michigan Liquor Control Commission revoke Las Dos Fuentes Class C liquor license for 1960 Whittaker Road.

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. 2016-14 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on April 19, 2016.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

**CHARTER TOWNSHIP OF YPSILANTI
2016 BUDGET AMENDMENT #7**

April 19, 2016

101 - GENERAL OPERATIONS FUND

Total Increase \$105,099.00

Budget for DTE to convert 223 mercury and sodium vapor street lights to LED cost savings lights. The annual savings is projected to be \$17,426.57. This will be fund by an EO rebate (after construction) of \$8,552 and an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	101-000-000-699.000	\$53,386.00
	Rebates & Energy Savings Credit	101-000-000-675.100	\$8,552.00
		Net Revenues	<u>\$61,938.00</u>
Expenditures:	Street Light - Construction/Conversion	101-956-000-926.050	\$61,938.00
		Net Expenditures	<u>\$61,938.00</u>

Budget for DTE to install an overhead LED street light at E Clark just west of Ridge Road. This will be fund by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	101-000-000-699.000	\$1,061.00
		Net Revenues	<u>\$1,061.00</u>
Expenditures:	Street Light - Construction/Conversion	101-956-000-926.050	\$1,061.00
		Net Expenditures	<u>\$1,061.00</u>

Budget for Special May Election recently scheduled by the County. This will be funded by a reimbursement from the County after the election.

Revenues:	Reimbursement for Elections	101-000-000-686.000	\$42,100.00
		Net Revenues	<u>\$42,100.00</u>
Expenditures:	APPOINTED OFFICIALS	101-215-000-704.000	\$26,000.00
	REG OVERTIME	101-215-000-709.000	\$6,000.00
	OFFICE SUPPLIES - ELECTIONS	101-215-000-740-010	\$5,000.00
	PROFNSL SRV-PROGRAMMING BALLO	101-215-000-801.200	\$3,500.00
	TRAVEL - ELECTIONS	101-215-000-860.010	\$500.00
	EQUIPMENT RENTAL/LEASING	101-215-000-941.000	\$1,100.00
		Net Expenditures	<u>\$42,100.00</u>

Motion to Amend the 2016 Budget (#7):

Move to increase the General Fund budget by \$105,099 to \$8,963,692 and approve the department line item changes as outlined.