

CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE TUES., AUGUST 21, 2018 REGULAR BOARD MEETING

Supervisor Stumbo called the meeting to order at approximately 7:03 p.m. in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township. The Pledge of Allegiance was recited followed by a moment of silent prayer.

Members Present: Supervisor Brenda L. Stumbo, Clerk Karen Lovejoy Roe, Treasurer Larry Doe, Trustees: Stan Eldridge, Heather Jarrell Roe, Monica Ross-Williams, and Jimmie Wilson, Jr.

Members Absent: none

Legal Counsel: Wm. Douglas Winters

PUBLIC COMMENTS

Jennifer Sporer, Township Resident stated she was an election inspector and would like the Board to approve the wage increase for election inspectors. She said working the election was public service but it also was a 14-16 hour day and you do not get paid overtime.

Steven Hodak, Township Resident asked if there was a committee for the snow removal ordinance. He said if there was a sub-committee he would like to be included in it and they could come up with a proposal to present to the board so precious board time would not be used for ironing out the pros and cons.

Arloa Kaiser, Township Resident presented pictures to the Board and stated she was opposed to the snow ordinance. She said she had a petition that many people have signed who oppose a snow ordinance. She said the pictures show snow and ice and as the board could see from the pictures, the ice would be very hard to remove from the sidewalk.

Robert Harrison, Township Resident stated he would like the board to approve the wage increase for election workers. He said it was a long day and not too many people would want to take up their full day working the election.

Steven Hodak, Township Resident said that when they moved here he couldn't believe that wheelchair bound residents could not get down Washtenaw or Packard in the winter because of the snow.

Emma Ridener, Township Resident said her neighborhood does not get plowed and they have a lot of disabled and elderly residents. She said they have a very hard time getting around when there is snow but their street doesn't get plowed out either. She said it would be a burden to remove snow from sidewalks and then not be able to get down the road because it wasn't plowed. She said she was against a snow ordinance but would like to get her street plowed.

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Supervisor Stumbo introduced Sarah Jo Shipley the new Economic Development Director. Ms. Shipley stated she was happy to be back home in Ypsilanti Township. She said her last position was with the City of Kalamazoo. She said she was glad to bring her skills back to the township where she was born and raised.

CONSENT AGENDA

A. MINUTES OF THE JUNE 17, 2018 WORK SESSION, CLOSED AND REGULAR MEETING AND THE JULY 24, 2018 SPECIAL MEETING

B. STATEMENTS AND CHECKS

- 1. STATEMENTS AND CHECKS FOR AUGUST 7, 2018 IN THE AMOUNT OF \$1,776.651.95**
- 2. STATEMENTS AND CHECKS FOR AUGUST 21, 2018 IN THE AMOUNT OF \$970,718.10**
- 3. CLARITY HEALTH CARE DEDUCTIBLE ACH EFT FOR JULY 2018 IN THE AMOUNT OF \$44,494.00**
- 4. CLARITY HEALTH CARE ADMIN FEE JULY 2018 IN THE AMOUNT OF \$1,096.50**

C. JULY 2018 TREASURER'S REPORT

A motion was made by Treasurer Doe, supported by Trustee Eldridge to Approve the Consent Agenda

The motion carried unanimously.

ATTORNEY REPORT

A. GENERAL LEGAL UPDATE

Attorney Winters stated they have reached an agreement with AFSCME Local 3451 and the contract had been ratified. He said he has asked the Board to set aside Friday, August 24, 2018 for a Special Board Meeting.

Attorney Winters stated they have a closing date for tomorrow for one of the vacant parcels in Liberty Square. He said he just received confirmation today that another owner, who resides in California, has agreed to proceed via Fed Ex to complete the closing on their parcel. He said when those two closings were completed there would be only two parcels of land left to be purchased in Liberty Square. He said they were in negotiations with one of the owners.

Attorney Winters stated that regarding the houses the Township had purchased for Habitat for Humanity, the Quick Claims Deeds from the County Treasurer had been received. He said Habitat for Humanity would be taking these houses over soon.

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Attorney Winters stated there was an agenda item tonight regarding a cell tower and this would be one of the last remaining cell towers that the township has leased over the years. He said they had an agreement for the cell tower company to pay up front all future payments in one lump sum of \$175,000.00 to the Township but Towerpoint Capital wanted to prorate a check we had received from Crown Castle of \$18,900.00. He said we did not do that but this year they came back and increased the amount to \$176,400.00 and the \$18,900.00 check we received this month we will keep.

Attorney Winters stated in regards to Rivergrove Townhomes an action for quiet title would be filed to make sure the successful bidder for the proposals would have an insurable title. He said this would allow the new owner to receive a warranty deed so they could receive financing.

Attorney Winters stated they had proceeded in good faith with Ypsilanti Community Schools regarding the demolition of Kettering and Thurston Schools in Ypsilanti Township. He said those schools have been abandoned by Ypsilanti Community Schools and have been deteriorating. He said if this were an entity, other than the Ypsilanti School District the Township would have already taken legal action against them. Attorney Winters stated last spring they had met with YCS Officials who assured us they would proceed with the demolition of those schools and they have not. He said he had sent many emails and letters asking for a time line for this project and on July 23, 2018 he received an email from the Superintendent that said the project was costing more than they had planned so they would move forward with the demolition of Kettering but the Thurston demolition was on hold. Attorney Winters said that was not our agreement. Mr. Winters stated the Supervisors' Office received an email today stating that YCS Board had decided to include the demolition of these two buildings as part of their sinking fund proposal which will be on November 6, 2018 ballot. Mr. Winters said that YCS is leaving it up to the voters to decide what to do with these buildings. Attorney Winters stated with Board approval he would take legal action regarding the demolishing of these buildings.

Trustee Jarrell Roe thanked Attorney Winters for his persistence on these matters. She said these abandoned buildings are terrible for the residents in these neighborhoods but she was very disappointed in the leadership for YCS. She said it is hard to teach students to be quality people, and to be upstanding citizens and follow through with their word when the leadership in their schools are not responsible at keeping their promises.

Trustee Wilson, Jr. thanked Attorney Winters in dealing with all the behind the scenes things going on in the township. He said he was behind it 100% to do anything necessary to rectify this situation with Ypsilanti Community Schools. He said in the November election there would be a millage but there would also be three vacant seats for Ypsilanti Community School Board of Education.

Trustee Ross-Williams thanked Attorney Winters and other Township personnel who have tried to get this situation with Ypsilanti Community Schools rectified. She

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said as an alumni from Ypsilanti Public Schools it was very disappointing that YCS has not followed through with their promises regarding Kettering and Thurston School. She said it was not right that the residents have to vote for a sinking fund millage to try and get these schools demolished.

Clerk Lovejoy Roe stated it was disappointing that we have spent so much time on a promise that they would not keep. She said also disappointing was that most of Willow Run Schools are not being used in the combined district of Ypsilanti Community Schools. Clerk Lovejoy Roe stated the district was trying to make the residents pay for demolishing schools that the school district has abandoned. She said the residents in the Willow Run School District pay higher taxes than anyone in Washtenaw County and possibly in the State of Michigan because they had a huge bond when they built the new high school and the new middle school which are now closed. She said it was very unfair to make those residents pay even more for the demolition of the school buildings which are destroying their neighborhood. She suggested getting a group together and go to their Board meeting since they seem to be ignoring any letters that have been sent to them.

Supervisor Stumbo stressed the goal of the Township was always for compliance as we do not want to take people to court. She said we relied on their commitment to do what they promised, we told the residents in those areas that it would be taken care of, and Ypsilanti Community Schools violated the public trust. Supervisor Stumbo stated we had already authorized court action, if necessary, and she said it was necessary.

Mike Radzik, OCS Director stated the sale of Gault Village closed on Friday, August 17, 2018. He said Attorney McLain has been in contact with a local attorney who will represent the new owner. Mr. Radzik stated Attorney McLain was arranging to add the new owner to the existing lawsuit and he would move forward pressing for a time line for renovation and improvements that was previously agreed to. He said, with caution, they are optimistic with this new owner.

OLD BUSINESS

- 1. 2nd READING OF RESOLUTION 2018-18, PROPOSED ORDINANCE 2018-479, AN ORDINANCE AMENDING THE CHARTER TOWNSHIP OF YPSILANTI'S CODE OF ORDINANCES, CHAPTER 46 TOWNSHIP PARKS, SECTION 61 (FIRST READING HELD AT THE JULY 17, 2018 REGULAR MEETING)**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to Approve 2ND Reading of Resolution 2018-18, Proposed Ordinance 2018-479, an Ordinance Amending the Charter Township of Ypsilanti's Code of Ordinances, Chapter 46 Township Parks, Section 61 (First Reading Held at the July 17, 2018 Regular Meeting) (see attached).

Supervisor Stumbo stated the state law changed allowing air and gas soft guns or paint ball guns to be carried in township parks but our Ordinance prohibits them from being discharged in the township parks.

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Jarrell Roe:	Yes	Eldridge:	Yes	Ross-Williams:	No
Lovejoy Roe:	Yes	Stumbo:	Yes	Doe:	Yes
Wilson:	Yes				

The motion carried.

**2. RESOLUTION 2018-21, ESTABLISH TOWNSHIP SUPERVISOR'S SALARY
(TABLED AT THE July 17, 2018 REGULAR MEETING)**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to Remove from Table.

Jarrell Roe:	Yes	Eldridge:	Yes	Ross-Williams:	Yes
Lovejoy Roe:	Yes	Stumbo:	Yes	Doe:	Yes
Wilson:	Yes				

A motion was made by Clerk Lovejoy Roe, supported by Trustee Wilson to Approve Resolution 2018-21, Establish Township Supervisor's Salary (see attached).

The motion carried unanimously.

**3. RESOLUTION 2018-22, ESTABLISH TOWNSHIP CLERK'S SALARY
(TABLED AT THE JULY 17, 2018 REGULAR MEETING)**

A motion was made by Trustee Jarrell, supported by Trustee Eldridge to Remove from Table.

Jarrell Roe:	Yes	Eldridge:	Yes	Ross-Williams:	Yes
Lovejoy Roe:	Yes	Stumbo:	Yes	Doe:	Yes
Wilson:	Yes				

A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to Approve Resolution 2018-21, Establish Township Clerk's Salary (see attached).

The motion carried unanimously.

**4. RESOLUTION 2018-23, ESTABLISH TOWNSHIP TREASURER'S SALARY
(TABLED AT THE July 17, 2018 REGULAR MEETING)**

A motion was made by Trustee Jarrell Roe, supported by Trustee Eldridge to Remove from Table.

Jarrell Roe:	Yes	Eldridge:	Yes	Ross-Williams:	Yes
Lovejoy Roe:	Yes	Stumbo:	Yes	Doe:	Yes
Wilson:	Yes				

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A motion was made by Clerk Lovejoy Roe, supported by Trustee Jarrell Roe to Approve Resolution 2018-21, Establish Township Treasurer's Salary (see attached).

The motion carried unanimously.

NEW BUSINESS

1. BUDGET AMENDMENT #12

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to Approve Budget Amendment #12 (see attached).

Trustee Eldridge stated he is uncomfortable approving a budget amendment for items he has not yet voted on. It was suggested to move the budget amendment request to the end of the agenda.

The motion carried unanimously.

2. 1ST READING OF ORDINANCE 2018-480, AN ORDINANCE TO AMEND CHAPTER 62, ARTICLE IV, SECTION 62-76 OF THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF YPSILANTI, TO ADJUST WATER SERVICE RATES.

A motion was made by Clerk Lovejoy Roe, supported by Trustee Jarrell Roe to Approve 1st Reading of Ordinance 2018-480, an Ordinance to Amend Chapter 62, Article IV, Section 62-76 of the Code of Ordinances, Charter Township of Ypsilanti, to Adjust Water Service Rates (see attached).

Jeff Castro, YCUA Director, stated that at the regular meeting on August 22, 2018 the YCUA Board of Commissioners would consider the water and sewer modification to our current rate structure. He said under the new rate structure the minimum use charge would be replaced with a readiness to serve charge. Mr. Castro said the proposed readiness to serve charge rate structure was more equitable for our customers to pay a consumption rate at every interval of usage. He said the readiness to serve charge rate structure had become the main rate method for utilities while the minimum use charge method was being phased out. He said our current rate structure dates back to the 1970's. He said YCUA is requesting the Boards' consideration for a change in ordinances to modify the current rate structure that would take effect October 1, 2018. Mr. Castro stated a draft of these three ordinances were included in the packet. He said he anticipates that the YCUA Board of Commissioners would consider the recommendation to the Board of Trustees to modify the current minimum use structure and replace it with the readiness to service charge at their meeting on August 22, 2018. He said the readiness to serve charge for water would be \$14.94 every two months and for sewer it would be \$15.68 every two months for a total of \$30.62 plus each customer would be charged \$5.81 for every 100 cubic feet of water and sewer. He said under the current rate structure a customer who now uses 2 units of water would pay \$59.41 but with the readiness to serve they will pay \$42.24 for 2 units of water. He said a customer using 4 units of water under the old structure they would pay the same \$59.41 but with the readiness to serve they would pay \$53.86 for 4 units of water. Mr. Castro said that if a customer has a sprinkling meter currently if they use 1 unit of water they pay \$30.63 under the readiness to serve

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they would pay \$10.23. Mr. Castro stated the average customer uses 12 units of water and with the old system they would pay \$94.94 every two months and with the readiness to serve system they would pay \$100.34 every two months.

Supervisor Stumbo stated with this new system everyone pays for what they use and since the 1970's the customers that used less paid more than the customers who used more. She said this new system would be a fairer structure for residents.

Trustee Jarrell Roe stated that if residents were struggling with paying their water and sewer bills the Township has a program that helps our residents pay for their water and sewer.

Trustee Ross-Williams said she needs more clarity before the next reading.

Jarrell Roe:	Yes	Eldridge:	Yes	Ross-Williams:	Yes
Lovejoy Roe:	Yes	Stumbo:	Yes	Doe:	Yes
Wilson:	Yes				

The motion carried unanimously.

**3. 1st READING OF ORDINANCE 2018-481, AN ORDINANCE TO AMEND
CHAPTER 62, ARTICLE IV, SECTION 62-77 OF THE CODE OF ORDINANCES,
CHARTER TOWNSHIP OF YPSILANTI, TO ADJUST SEWAGE DISPOSAL RATES**

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to Approve 1st Reading of Ordinance 2018-481, an Ordinance to Amend Chapter 62, Article IV, Section 62-77 of the Code of Ordinances, Charter Township of Ypsilanti, to Adjust Sewage Disposal Rates (see attached).

Jarrell Roe:	Yes	Eldridge:	Yes	Ross-Williams:	Yes
Lovejoy Roe:	Yes	Stumbo:	Yes	Doe:	Yes
Wilson:	Yes				

The motion carried unanimously.

**4. 1st READING OF ORDINANCE 2018-482, AN ORDINANCE TO REPEAL
CHAPTER 62, ARTICLE IV, SECTION 62-79(K) OF THE CHARTER TOWNSHIP
OF YPSILANTI CODE OF ORDINANCES**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Jarrell Roe to Approve 1st Reading of Ordinance to Repeal Chapter 62, Article IV, Section 62-79(K) of the Charter Township of Ypsilanti Code of Ordinances (see attached).

Jarrell Roe:	Yes	Eldridge:	Yes	Ross-Williams:	Yes
Lovejoy Roe:	Yes	Stumbo:	Yes	Doe:	Yes
Wilson:	Yes				

The motion carried unanimously.

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- 5. REQUEST APPROVAL OF PROPOSAL FROM OHM FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR A BUS STOP AT SCHOONER COVE BLVD. AND S. HURON RIVER DR. IN THE AMOUNT OF \$14,330.00 BUDGETED IN LINE ITEM #101-970-000-974-100 CONTINGENT UPON THE FOLLOWING CONDITIONS:**

- 1. APPROVAL OF THE WASHTENAW COUNTY ROAD COMMISSION**
- 2. OBTAINING EASEMENTS**
- 3. APPROVAL OF THE WASHTENAW COUNTY OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT**
- 4. APPROVAL OF TOWNSHIP ATTORNEY**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Wilson to Approve Proposal from OHM for Professional Engineering Design Services for a Bus Stop at Schooner Cove Blvd. and S. Huron River Dr. in the Amount of \$14,330.00 Budgeted in Line Item #101-970-000-974-100 Contingent Upon the Following Conditions (see attached):

- 1. APPROVAL OF THE WASHTENAW COUNTY ROAD COMMISSION**
- 2. OBTAINING EASEMENTS**
- 3. APPROVAL OF THE WASHTENAW COUNTY OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT**
- 4. APPROVAL OF TOWNSHIP ATTORNEY**

Supervisor Stumbo asked Jessica Howard how much a bus shelter would cost. Jessica Howard, OHM stated they prepare the pad and make sure it was handicap accessible and AAATA puts in the shelter so she doesn't know exactly what it would cost. Attorney Winters confirmed that OHM prepared the drawings for the pad but he asked who would build it. Ms. Howard said it would go out for bid through Ypsilanti Township. Attorney Winters was concerned who would be overseeing the project because it would need to follow ADA regulation.

A motion was made by Clerk Lovejoy Roe, supported by Trustee Wilson to add a friendly amendment to #4 Approval of Township Attorney and whatever Indemnification the Attorney would want added to the contract to protect the Township of Ypsilanti.

The motion and amendment carried unanimously.

- 6. REQUEST OF WAYNE DUDLEY, PUBLIC SERVICES SUPERINTENDENT FOR APPROVAL OF A CHANGE ORDER WITH TECHNICAL ENVIRONMENTAL SERVICES FOR SOIL REMEDIATION DURING THE FUEL TANK REMOVAL AT THE CIVIC CENTER IN THE AMOUNT OF \$2,453.89 BUDGETED IN LINE ITEM #101-265-000-931-020**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Jarrell Roe to Approve the Request of Wayne Dudley, Public Services Superintendent for

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Approval of a Change Order with Technical Environmental Services for Soil Remediation during the Fuel Tank Removal at the Civic Center in the Amount of \$2,453.89 Budgeted in Line Item #101-265-000-931-020.

The motion carried unanimously.

- 7. REQUEST OF WAYNE DUDLEY, PUBLIC SERVICES SUPERINTENDENT TO ACCEPT A DONATION IN AN AMOUNT NOT TO EXCEED \$2,400.00 FROM THE STRICOF FAMILY FOUNDATION FOR THE INSTALLATION OF WINDSCREENS AT THE FORD LAKE PARK PICKLEBALL COURTS AND TO WAIVE THE FINANCIAL POLICY AND ACCEPT THE QUOTE FROM ALL COURT FABRICS IN THE AMOUNT OF \$2,400.00 FOR THE WINDSCREENS BUDGETED IN LINE ITEM #212-212-000-977-000**

A motion was made by Trustee Ross-Williams, supported by Trustee Wilson to Approve Request of Wayne Dudley, Public Services Superintendent to Accept a Donation in an Amount not to Exceed \$2,400.00 from the Stricof Family Foundation for the Installation of Windscreens at the Ford Lake Park Pickleball Courts and to Waive the Financial Policy and Accept the Quote from All Court Fabrics in the Amount of \$2,400.00 for the Windscreens Budgeted in Line Item #212-212-000-977-000

The motion carried unanimously.

- 8. REQUEST OF MICHAEL SARANEN, HYDRO OPERATIONS FOR APPROVAL OF CHANGE ORDER #2 FROM JAMES LEFFEL AND COMPANY FOR ADDITIONAL WORK ON GENERATOR #2 IN THE AMOUNT OF \$47,760.00 BUDGETED IN LINE ITEM #252-252-000-977-000**

A motion was made by Trustee Eldridge, supported by Treasurer Doe to Approve Request of Michael Saranen, Hydro Operations for Approval of Change Order #2 from James Leffel and Company for Additional Work on Generator #2 in the Amount of \$47,760.00 Budgeted in Line Item #252-252-000-977-000.

The motion unanimously.

- 9. REQUEST OF MICHAEL RADZIK, OCS DIRECTOR FOR APPROVAL OF THE AUTHORIZING DOCUMENT FOR CONVERSION SERVICES WITH THE STATE OF MICHIGAN RECORDS MANAGEMENT SERVICES AND GRAPHIC SCIENCES, INC. TO \$73,000.00 BUDGETED IN LINE ITEM #249-249-000-801-000**

A motion was made by Trustee Jarrell Roe, supported by Trustee Wilson to Approve Request of Michael Radzik, OCS Director for Approval of the Authorizing Document for Conversion Services with the State of Michigan Records Management Services and Graphic Sciences, Inc. to \$73,000.00 Budgeted in Line Item #249-249-000-801-000 (see attached).

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A motion was made by Trustee Jarrell Roe, supported by Trustee Wilson to add a friendly amendment contingent upon Attorney review of the document and successful completion of the random sample testing.

Trustee Eldridge stated that with all this technology we would probably need to upgrade our network.

Trustee Ross-Williams asked about the contract stating they would charge monthly. Mr. Radzik stated that would be how it would be charged when they take small increments of the documents but no matter how they get the documents it would not increase the cost of the project.

Supervisor Stumbo asked if the residents would have access to this information once it was digital. Mr. Radzik stated the purpose of going digital was for easy access internally whether those records would be put on our web site that would be for the Board to decide. He said the files would need to be reviewed by legal counsel to see if any information was confidential. Supervisor Stumbo stated it would be a good service for our residents if it was on the website as view only information.

Clerk Lovejoy Roe said there was software that was protected and you could decide what could be viewed and what can't. She said this software was guaranteed that the information cannot be manipulated or moved.

Mr. Radzik stated once the information was digital we don't receive the 400 boxes back, they go to the State and they destroy the records. Clerk Lovejoy Roe said the statement in the contract states it was up to the Township to make sure the retention time was adequate to destroy the records. She said she thinks we need to have them hold the documents until we get the new software.

The motion and amendment carried unanimously.

10. REQUEST OF MIKE RADZIK, OCS DIRECTOR FOR AUTHORIZATION TO SEEK LEGAL ACTION IF NECESSARY TO ABATE PUBLIC NUISANCE FOR PROPERTY LOCATED AT 1375 N. PROSPECT RD. AND 1777 SMITH ST. IN THE AMOUNT OF \$20,000.00 BUDGETED IN LINE ITEM #101-950-000-801-023

A motion was made by Treasurer Doe, supported by Trustee Jarrell Roe to Approve Request of Mike Radzik, OCS Director for Authorization to Seek Legal Action if necessary to Abate Public Nuisance to Property Located at 1375 N. Prospect Rd. and 1777 Smith St. in the Amount of \$20,000.00 budgeted in Line Item #101-950-000-801-023

The motion carried unanimously.

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11. REQUEST OF KAREN WALLIN, HUMAN RESOURCES FOR AUTHORIZATION TO CHANGE PROVIDERS FOR SHORT TERM DISABILITY, LONG TERM DISABILITY AND LIFE INSURANCE COVERAGE TO DEARBORN NATIONAL AND RAISE LIFE INSURANCE COVERAGE FOR RETIREES TO \$15,000.00

A motion was made by Trustee Jarrell Roe, supported by Trustee Eldridge to Approve Request of Karen Wallin, Human Resources for Authorization to Change Providers for Short Term Disability, Long Term Disability and Life Insurance Coverage to Dearborn National and Raise Life Insurance Coverage for Retirees to \$15,000.00.

A friendly Amendment was made by Trustee Jarrell Roe, supported by Trustee Eldridge to make this motion contingent upon Attorney review.

The motion and amendment carried unanimously.

12. REQUEST APPROVAL OF LETTER OF AGREEMENT FOR TOWERPOINT CAPITAL TO PURCHASE INTEREST IN THE CELL TOWER LOCATED AT 2801 HOLMES RD. IN THE AMOUNT OF \$176,400.00

A motion was made by Clerk Lovejoy Roe, supported by Trustee Jarrell Roe to Approve Request of Letter of Agreement for Towerpoint Capital to Purchase Interest in the Cell Tower Located at 2801 Holmes Rd. in the Amount of \$176,400.00 (see attached).

The motion carried unanimously.

13. REQUEST FOR A SALARY ADJUSTMENT OF \$3,000.00 FOR THE DEPUTY CLERK BEGINNING MONDAY, AUGUST 27, 2018 CHANGING THE CURRENT SALARY FROM \$59,188.00 TO \$62,188.00 FUNDED BY A LINE ITEM TRANSFER WITHIN THE CLERK'S BUDGET

Trustee Eldridge asked to go into closed session or bring it back when they can discuss this privately. He said this was a personnel issue and should not be discussed in an open forum. Trustee Ross-Williams agreed with Trustee Eldridge.

A motion to Table was made by Trustee Jarrell Roe, supported by Trustee Ross-Williams until the next scheduled board meeting in closed session if the Attorney indicates Closed Session would be Legal.

Jarrell Roe:	Yes	Eldridge:	Yes	Ross-Williams:	Yes
Lovejoy Roe:	Yes	Stumbo:	Yes	Doe:	Yes
Wilson:	Yes				

The motion carried unanimously.

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14. REQUEST TO INCREASE ELECTION INSPECTORS HOURLY RATES TO \$13.00 PER HOUR BEGINNING WITH THE NOVEMBER 6, 2018 GENERAL ELECTION

A motion was made by Trustee Eldridge, supported by Trustee Wilson to Approve Request to Increase Election Inspectors Hourly Rates to \$13.00 Per Hour Beginning with the November 6, 2018 General Election.

Trustee Eldridge suggested to be more efficient with how many election workers were at each precinct. He said at the last election he came in at the end of the night and he was only about the 70th voter. He suggested that we focus on hiring college students to work at the polls.

Trustee Ross-Williams explained why she made a friendly amendment at the June 19, 2018 board meeting regarding the pay scale for election workers. She said she made her suggestion to comply with a happy median for the election workers. Ms. Ross-Williams stated there were other appointed and elected boards in Ypsilanti Township that have not had increases in their pay since she didn't know when, but we have not discussed giving them increases in their pay.

Clerk Lovejoy Roe explained why she scheduled the number of election workers at each precinct for the May election. She said that Trustee Eldridge must have been referring to the May election because she did not believe she had less than 800 voters at each precinct and some had close to 1000 at the August election. She said that at the May election she had scheduled more workers because she had people working who had never worked an election. She said she wanted them to get the experience they would need for the next two elections that she predicted would have a larger turnout. She said the smaller elections were great for training new inspectors.

The motion carried unanimously.

15. REQUEST TO SET A PUBLIC HEARING DATE OF TUESDAY, SEPTEMBER 18, 2018 AT APPROXIMATELY 7:00PM – SPECIAL ASSESSMENT TAX ROLL

A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to Approve Request to set a Public Hearing Date of Tuesday, September 18, 2018 at Approximately 7:00pm – Special Assessment Tax Roll

The motion carried unanimously.

AUTHORIZATION AND BIDS

- 1. REQUEST TO AWARD LOW BID FOR THE REPLACEMENT OF THE CIVIC CENTER ROOF TO WM. MOLNAR ROOFING IN THE AMOUNT OF \$183,000.00 WITH A CONTINGENCY AMOUNT OF \$20,000.00 FOR A TOTAL AMOUNT OF \$203,000.00 BUDGETED IN LINE ITEM #101-970-000-975-141 CONTINGENT UPON ATTORNEY APPROVAL**

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A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to Approve Request to Award Low Bid for the Replacement of the Civic Center Roof to Wm. Molnar Roofing in the Amount of \$183,000.00 with a Contingency Amount of \$20,000.00 for a Total Amount of \$203, 000.00 Budgeted in Line Item #101-970-000-975-141 Contingent Upon Attorney Approval.

Jessica Howard, OHM stated there was only one bid for this job. She said the trades are having a hard time finding people to do the work.

Supervisor Stumbo stated part of this job would to be look at the glass leaking on the roof and the windows. Jessica Howard stated there would be testing done with the contractor and a representative from OHM and a third party tester from S&ME. She said they would determine how it was leaking and what would be the best way to repair it.

The motion carried unanimously.

- 2. REQUEST TO AWARD THE LOW BID FOR THE REPLACEMENT OF THE COMMUNITY CENTER ROOF TO WEATHERSEAL HOME IMPROVEMENT, LLC IN THE AMOUNT OF \$100,600.00 WITH UNIT PRICING AS NOTED IN THE PROPOSAL AND WITH A CONTINGENCY AMOUNT OF \$10,000.00 FOR A TOTAL AMOUNT OF \$118,600.00 BUDGETED IN LINE ITEM #101-970-000-976-008 CONTINGENT UPON ATTORNEY APPROVAL**

A motion was made by Treasurer Doe, supported by Trustee Ross Williams to Approve Request to Award the Low Bid for the Replacement of the Community Center Roof to Weatherseal Home Improvement, LLC in the Amount of \$100,600.00 with Unit Pricing as Noted in the Proposal and with a Contingency Amount of \$10,000.00 for a Total Amount of \$118,600.00 Budgeted in Line Item #101-970-000-976-008 Contingent Upon Attorney Approval.

Trustee Jarrell Roe said she saw that Wm. Molnar bid on both jobs but the Unit Pricing was missing. Jessica Howard, OHM said the Molnar bid was missing Unit Pricing but their bid was higher than Weatherseal Home Improvement.

The motion carried unanimously.

OTHER BUSINESS

Supervisor Stumbo stated that the City of Ypsilanti was sending the contract for the recycling at our compost center to our Attorney. She said they asked about the street sweeper and they said no.

Trustee Ross-Williams thanked Supervisor Stumbo for being diligent with working on the list that the community of West Willow gave her.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE TUES., AUGUST 21, 2018 BOARD MEETING
PAGE 14**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Wilson to Adjourn.

The meeting was adjourned at 9:15 p.m.

Respectfully Submitted,

Brenda L. Stumbo, Supervisor
Charter Township of Ypsilanti

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

CHARTER TOWNSHIP OF YPSILANTI

**RESOLUTION 2018-18
(In Reference to Ordinance 2018-479)**

**Amending the Township Code of Ordinances, Chapter 46, Township Parks,
Regulating Possession of Firearms in Township Parks**

Whereas, the Ypsilanti Township Code of Ordinances Chapter 46 currently contains regulations prohibiting possession of air or gas soft guns including paint ball guns in Township Parks; and

Whereas, the Michigan Legislature has expanded the definition of firearms which are permitted under Michigan's Open Carry Law (MCL 123.1101 – 123.1104); and

Whereas, the expanded definition includes possession of guns which expel a BB or pellet by spring, gas or air; specifically including paint ball guns that expel plastic balls filled with paint; and

Whereas, the Township Code provision prohibiting the possession of air and gas soft guns including paint ball guns conflicts with the expanded definition of firearms permitted under Michigan's Open Carry Law;

Now Therefore,

Be it resolved, that Ordinance No. 2018- 479 is hereby adopted by reference.

CHARTER TOWNSHIP OF YPSILANTI

ORDINANCE NO. 2018-479

**An Ordinance to Amend the Charter Township
of Ypsilanti's Code of Ordinances, Chapter
46 Township Parks, Section 61**

The Charter Township of Ypsilanti hereby ordains that the Ypsilanti Township Code of Ordinances, Chapter 46, Township Parks, Section 61 entitled Possession and Use of Firearms, is amended to read as follows:

It shall be unlawful for any person within park property to:

1. Possess, carry, fire or discharge, or cause to be fired or discharged across, in or into any portions of the park, any spear, bow and arrow, crossbow, or sling shot, except for the purposes designated by the Board in an area and at times designated by the Board;
2. Possess, set off or attempt to set off or ignite any firecracker, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics without authorization from the Director; or
3. Discharge or cause to be discharged, a firearm, pistol, pellet gun, air rifle, air or shot gun, or paint ball gun, as defined by Michigan law, MCL 750.222, as amended, in or into any portion of a Township Park.

Any unauthorized or illegal weapon, explosive, or other pyrotechnic within a park shall be subject to seizure by a law enforcement officer.

Severability

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

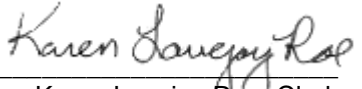
Publication

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

Effective date

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

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify adoption of Ordinance No. 2018-479 by the Charter Township of Ypsilanti Board of Trustees assembled at a Regular Meeting held on August 21, 2018 after first being introduced at a Regular Meeting held on July 21, 2018. The motion to approve was made by member Roe and seconded by Eldridge YES: Stumbo, Roe, Doe, Eldridge, Wilson, Jarrell Roe ABSENT: None NO: Ross Williams. ABSTAIN: None.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

CHARTER TOWNSHIP OF YPSILANTI
RESOLUTION NO. 2018-21
ESTABLISH TOWNSHIP SUPERVISOR'S SALARY

WHEREAS according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for elected officials shall be determined by the township board; and

WHEREAS in 2018, AFSCME, Teamsters, Administrative/Confidential employees and Elected Officials did not receive a wage increase and remained at their 2017 salaries; and

WHEREAS in 2018, the Teamster and Firefighter contracts were negotiated and ratified with a 3% increase in wages; and

WHEREAS in 2018, the Administrative/Confidential employees received a 3% increase; and

WHEREAS the AFSCME contract is currently being negotiated;

NOW THEREFORE BE IT RESOLVED that the salary for the office of Supervisor shall receive a 3% increase from \$79,400.19 to \$81,782.20; and

BE IT FURTHER RESOLVED that elected officials' wages will be paid bi-monthly per our auditor's recommendation.

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. 2018-21 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on August 21, 2018.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

CHARTER TOWNSHIP OF YPSILANTI

RESOLUTION NO. 2018-22

ESTABLISH TOWNSHIP CLERK'S SALARY

WHEREAS according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for elected officials shall be determined by the township board; and

WHEREAS in 2018, AFSCME, Teamsters, Administrative/Confidential employees and Elected Officials did not receive a wage increase and remained at their 2017 salaries; and

WHEREAS in 2018, the Teamster and Firefighter contracts were negotiated and ratified with a 3% increase in wages; and


WHEREAS in 2018, the Administrative/Confidential employees received a 3% increase; and

WHEREAS the AFSCME contract is currently being negotiated;

NOW THEREFORE BE IT RESOLVED that the salary for the office of Clerk shall receive a 3% increase from \$79,400.19 to \$81,782.20; and

BE IT FURTHER RESOLVED that elected officials' wages will be paid bi-monthly per our auditor's recommendation.

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. 2018-22 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on August 21, 2018.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

CHARTER TOWNSHIP OF YPSILANTI

RESOLUTION NO. 2018-23

ESTABLISH TOWNSHIP TREASURER'S SALARY

WHEREAS according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for elected officials shall be determined by the township board; and

WHEREAS in 2018, AFSCME, Teamsters, Administrative/Confidential employees and Elected Officials did not receive a wage increase and remained at their 2017 salaries; and

WHEREAS in 2018, the Teamster and Firefighter contracts were negotiated and ratified with a 3% increase in wages; and

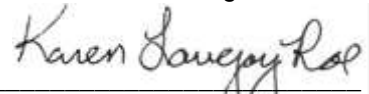
WHEREAS in 2018, the Administrative/Confidential employees received a 3% increase; and

WHEREAS the AFSCME contract is currently being negotiated;

NOW THEREFORE BE IT RESOLVED that the salary for the office of Treasurer shall receive a 3% increase from \$79,400.19 to \$81,782.20; and

BE IT FURTHER RESOLVED that elected officials' wages will be paid bi-monthly per our auditor's recommendation.

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. 2018-23 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on August 21, 2018.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

**CHARTER TOWNSHIP OF YPSILANTI
2018 BUDGET AMENDMENT #12**

August 21, 2018

AMOUNTS ROUNDED TO THE NEAREST DOLLAR

101 - GENERAL OPERATIONS FUND **Total Increase** \$374,996.00

Request to increase budget for Civic Center Roof Replacement in the amount of \$183,000 plus \$20,000 for any unforeseen issues for a total of \$203,000. This will be funded by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	101-000-000-699.000	\$203,000.00
		Net Revenues	<u><u>\$203,000.00</u></u>
Expenditures:	Civic Center - Roof	101-970-000-975.141	\$203,000.00
		Net Expenditures	<u><u>\$203,000.00</u></u>

Request to increase budget for Community Center Roof Replacement in the amount of \$108,600 plus \$10,000 for any unforeseen issues for a total of \$118,600. This will be funded by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	101-000-000-699.000	\$118,600.00
		Net Revenues	<u><u>\$118,600.00</u></u>
Expenditures:	Capital Outlay - Community Ctr	101-970-000-976.008	\$118,600.00
		Net Expenditures	<u><u>\$118,600.00</u></u>

Request to increase the budget and create a new department in General Fund for the new Economic Development Director's wages and fringe benefits for the remainder of 2018. This will be funded by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	101-000-000-699.000	\$39,066.00
		Net Revenues	<u><u>\$39,066.00</u></u>
Expenditures:	SALARY - SUPERVISION	101-728-000-705.000	\$31,300.00
	F.I.C.A./MEDICARE	101-728-000-715.000	\$2,395.00
	HEALTH INSURANCE	101-728-000-719.000	\$860.00
	SICK AND ACCIDENT	101-728-000-719.001	\$60.00
	DENTAL BENEFITS	101-728-000-719.015	\$50.00
	VISION BENEFITS	101-728-000-719.016	\$11.00
	HEALTH CARE DEDUCTION	101-728-000-719.020	\$2,275.00
	ADMIN FEE - HEALTH DEDUCTIBLE	101-728-000-719.021	\$20.00
	LIFE INSURANCE	101-728-000-720.000	\$25.00
	RETIREMENT/MERS	101-728-000-876.000	\$1,620.00
	RETIREMENT HEALTH CARE SAVINGS	101-728-000-876.100	\$450.00
		Net Expenditures	<u><u>\$39,066.00</u></u>

**CHARTER TOWNSHIP OF YPSILANTI
2018 BUDGET AMENDMENT #12**

August 21, 2018

101 - GENERAL OPERATIONS FUND - CONTINUED

Request to increase budget for OHM professional engineering design for a bus stop at Schooner Cove and South Huron River Drive . The bus stop will be funded by a Community Development Block Grant (CDBG) through Washtenaw County.

Revenues:	FEDERAL GRANTS - CDBG	101-000-000-522.000	\$14,330.00
			<u>Net Revenues</u>
			<u>\$14,330.00</u>
Expenditures:	CDBG PROJECT - CAPITAL OUTLAY	101-970-000-974.100	\$14,330.00
			<u>Net Expenditures</u>
			<u>\$14,330.00</u>

212 - BIKE, SIDEWALK, REC, ROADS GENERAL FUND (BSRII)

Total Increase \$2,400.00

Request to increase budget for purchase and installation of wind screens for the pickle ball courts at Ford Lake Park. This will be funded by a donation from the Stricof Family Foundation.

Revenues:	Contributions & Donations	212-000-000-675.000	\$2,400.00
			<u>Net Revenues</u>
			<u>\$2,400.00</u>
Expenditures:	Equipment	212-212-000-977.000	\$2,400.00
			<u>Net Expenditures</u>
			<u>\$2,400.00</u>

236 - 14B DISTRICT COURT FUND

Total Increase \$857.00

Request to increase budget for PTO payout over the budgeted 32 hours, an additional 40 hours for one employee to be paid out at 75%. This will be funded by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	236-000-000-699.000	\$857.00
			<u>Net Revenues</u>
			<u>\$857.00</u>
Expenditures:	Salary-Pay Out	236-136-000-708.004	\$796.00
	FICA&Medicare	236-136-000-715.000	\$61.00
			<u>Net Expenditures</u>
			<u>\$857.00</u>

249 - BUILDING DEPARTMENT FUND

Total Increase \$73,000.00

Request to increase budget to facilitate a professional service contract with Graphic Sciences, Inc. to scan & digitize old paper property records. This will be funded by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	249-000-000-699.000	\$73,000.00
			<u>Net Revenues</u>
			<u>\$73,000.00</u>
Expenditures:	Professional Services	249-249-000-801.000	\$73,000.00
			<u>Net Expenditures</u>
			<u>\$73,000.00</u>

CHARTER TOWNSHIP OF YPSILANTI
2018 BUDGET AMENDMENT #12

August 21, 2018

252 - HYDRO STATION FUND

Total Increase \$47,760.00

Request to increase budget for expense related to change order #2 additional work on Generator #2. This will be funded by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	252-000-000-699.000	\$47,760.00
		Net Revenues	<u>\$47,760.00</u>
Expenditures:	Equipment	252-252-000-977.000	\$47,760.00
		Net Expenditures	<u>\$47,760.00</u>

Motion to Amend the 2018 Budget (#12):

Move to increase the General Fund budget by \$374,996 to \$10,449,877 and approve the department line item changes as outlined.

Move to increase the Bike, Sidewalk, Rec, Roads, General (BSRII) Fund budget by \$2,400 to \$2,151,495 and approve the department line item changes as outlined.

Move to increase the 14B District Court Fund by \$857 to \$2,000,487 and approve the department line item changes as outlined.

Move to increase the Building Department Fund budget by \$73,000 to \$836,188 and approve the department line item changes as outlined.

Move to increase the Hydro Station Fund budget by \$47,760 to \$652,035 and approve the department line item changes as outlined.

CHARTER TOWNSHIP OF YPSILANTI

PROPOSED ORDINANCE 2018-480

ADJUSTMENT OF WATER SERVICE RATES

An ordinance to amend Chapter 62, Article IV, Section 62-76 of the Code of Ordinances, Charter Township of Ypsilanti, to adjust water service rates.

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

Chapter 62, Article IV, Section 62-76 of the Code of Ordinances be amended as follows:

For all billings rendered prior to October 1, 2018, existing water service rates shall prevail. For all billings rendered on or after October 1, 2018, water service rates shall be as follows, for each bimonthly (two-month) period:

Readiness-to-serve rates based on size of meter:

Meter Size (inch)	Water Rate
5/8-3/4	\$ 14.94
1	\$ 37.35
1-1/2	\$ 74.70
2	\$ 119.52
3	\$ 373.50
4	\$ 747.00
6	\$ 1,494.00
8	\$ 2,614.50
10	\$ 4,108.50
12	\$ 4,855.50

Commodity and water contracts community rate: \$3.23 per 100 cubic feet

* * * * *

WITNESS:

THE CHARTER TOWNSHIP OF YPSILANTI

Brenda L. Stumbo, Supervisor

Karen Lovejoy-Roe Clerk

This Ordinance shall become effective upon the date of publication.

I, Karen Lovejoy-Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan, hereby certify that the foregoing Ordinance No. 2018 _____

consisting of (1) page was duly approved and adopted by the Charter Township of Ypsilanti Board of Trustees assembled at a meeting of said board held _____ after said ordinance had previously been introduced at a meeting of the Board held _____. I further certify the motion to adopt was made by member _____ and seconded by member _____. The vote on the motion is as follows:


Yes: _____,
 name name name name name

No: _____,
 name name name name name

Karen Lovejoy-Roe, Clerk
Charter Township of Ypsilanti

PUBLISH: _____
 Day, Month, Year

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. 2018-480 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on August 21, 2018. The second reading is scheduled to be heard on September 18, 2018.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

CHARTER TOWNSHIP OF YPSILANTI

PROPOSED ORDINANCE 2018-481

ADJUSTMENT OF SEWAGE DISPOSAL RATES

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

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

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

For all billings rendered prior to October 1, 2018, existing sewage disposal service rates shall prevail. For all billings rendered on or after October 1, 2018, sewage disposal rates shall be as follows, for each bimonthly (two-month) period:

Readiness-to-serve rates based on size of meter:

Meter Size (inch)	Sewage Rate
5/8-3/4	\$ 15.68
1	\$ 39.20
1-1/2	\$ 78.39
2	\$ 125.43
3	\$ 391.96
4	\$ 783.92
6	\$ 1,567.83
8	\$ 2,743.71
10	\$ 4,311.54
12	\$ 5,095.46

Commodity Rate: \$2.58 per 100 cubic feet

* * * * *

WITNESS:

THE CHARTER TOWNSHIP OF YPSILANTI

Brenda L. Stumbo, Supervisor

Karen Lovejoy-Roe Clerk

This Ordinance shall become effective upon the date of publication.

I, Karen Lovejoy-Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan, hereby certify that the foregoing Ordinance No. 2018 ____ consisting of (1) page was duly approved and adopted by the Charter Township of Ypsilanti Board of Trustees assembled at a meeting of said board held _____ after said ordinance had previously been introduced at a meeting of the Board held _____. I further certify the motion to adopt was made by member _____ and seconded by member _____. The vote on the motion is as follows:

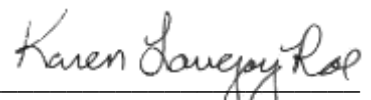
Yes: _____, _____, _____, _____, _____
name name name name name

No: _____, _____, _____, _____, _____
name name name name name

Karen Lovejoy-Roe, Clerk
Charter Township of Ypsilanti

PUBLISH: _____
Day, Month, Year

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. 2018-481 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on August 21, 2018. The second reading is scheduled to be heard on September 18, 2018.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

CHARTER TOWNSHIP OF YPSILANTI

ORDINANCE 2018-482

**REPEALING CHAPTER 62, ARTICLE IV, SECTION 62-77
OF THE CODE OF ORDINANCES**

An Ordinance to repeal Chapter 62, Article IV, Section 62-79(k) of the Charter Township of Ypsilanti Code of Ordinances which provides for a restricted debt retirement and capital improvement fund surcharge on water service and sewage disposal bills, because said surcharge is now a part of and fully included in the readiness-to-serve and commodity rates established by the water rate ordinance at Chapter 62, Article IV, Section 62-76 and established by the sewer rate ordinance at Chapter 62, Article IV, Section 62-77, each rate ordinance being effective October 1, 2018.

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

Effective October 1, 2018, Chapter 62, Article V, Section 62-79(k) of the Code of Ordinances is repealed.

* * * * *

WITNESS:

THE CHARTER TOWNSHIP OF YPSILANTI

Brenda L. Stumbo, Supervisor

Karen Lovejoy-Roe Clerk

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. 2018-482 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on August 21, 2018. The second reading is scheduled to be heard on September 18, 2018.

Karen Lovejoy Roe

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti



August 15, 2018

Ms. Brenda Stumbo
Township Supervisor
Charter Township of Ypsilanti
7200 S. Huron River Drive
Ypsilanti, MI 48197

RE: Proposal for Bus Stop at Schooner Cove Boulevard and S. Huron River Drive
Professional Engineering Design Services

Dear Ms. Stumbo:

Thank you for the opportunity to submit this proposal to provide Professional Engineering Design Services for the proposed Bus Stop at Schooner Cove and S. Huron River Drive. The proposed bus stop enhancement will be funded by CDBG through Washtenaw County. The design and construction of this bus stop will be performed by the Charter Township of Ypsilanti (Township) with the assistance of OHM Advisors. OHM Advisors will facilitate the design, bidding, and permitting of this project.

This proposal provides key personnel and project manager contact information as well as project understanding, deliverables, schedule, and fee estimation.

PROJECT UNDERSTANDING

The project includes the design of a bus bay (pull-out) at the northeast corner of Schooner Cove Boulevard and S. Huron River Drive. Improvements will be made to the existing stormwater management system and adjacent asphalt pathway, as well the addition of a crosswalk for pedestrian access to the bus stop from the south side of Huron River Drive. In addition, a bus stop enclosure will also be added (by others) and will be coordinated with the Ann Arbor Area Transportation Authority (AAATA) as well as the Washtenaw County Road Commission (WCRC) in regards to work proposed within the S. Huron River Drive Right-of-Way (ROW). The path will comply with the most recent guidelines for pathway construction including the American Association of State Highway Transportation Official's (AASHTO) Guide for the Development of Bicycle Facilities (where applicable), applicable sections of the Americans with Disabilities Act (ADA), the National Asphalt Pavement Association (NAPA) Standards, and local ordinances.

OHM Advisors has previously assisted with the conceptual estimate and various application preparations. We offer the scopes of services for the completion of the final design, bidding and award of this project.

SCOPE

Task 1 – Design Survey/ROW Identification/Soil Borings

OHM Advisors will begin Design Survey upon authorization to proceed. The focus will be to identify critical areas where obtaining temporary or permanent easements could save construction cost as well as areas that may require additional design efforts. Tasks to be accomplished include:

- ▶ **Control:** Establish horizontal and vertical control.



- **Right-of-Way:** Obtain property boundary and ROW information and tie to project control.
- **Topographic Survey:** Obtain all necessary existing physical features, such as sidewalk, structure inventory, trees, etc., and elevations to provide information for preparing plans, with a focus on meeting all ADA requirements.
- **Soil Borings:** This task will also include two (2) five-foot deep soil borings (to be performed by G2 Consulting Group) to ensure stable ground for the proposed asphalt pathway as well as the storm sewer extension and enclosure of the existing ditch.

Task 2 – Engineering Drawing Design

The data gathered in Task 1, along with the conceptual sketches provided during the application process, will allow OHM to create a set of design drawings and aerial maps. These drawings and maps will be further developed to show the bus stop location. Any notes and details necessary for specific design elements will be included along with cross-sections of the paths. These documents will serve as the “plans” for the project and allow contractors to understand the overall scope of work. In addition, these documents will also be reviewed with the Township personnel assigned to this project to obtain feedback. A review meeting will be held and any plan modifications discussed at the meeting will be incorporated into the drawings for the final bid package. OHM will also work with the WCRC at this stage to ensure this location is acceptable.

Task 3 – Specifications and Final Bid Package Assembly

In order to develop the necessary specifications, OHM will follow the Charter Township of Ypsilanti Engineering Standards and Design Specifications. These specifications will pertain to specific items such as special instructions to bidders (Township and CDBG requirements), supplemental and technical specifications, and a method of payment for the contractor to follow. The bid package will require the necessary bonding, prevailing wage information, and insurance requirements as well as a bid form that will allow the Township to compare bids on an “apples to apples” basis. After completion of the design, the Township will be provided with two hard copies of the package for review along with an updated final engineer’s opinion of probable cost. Final adjustments to the package will then be made based on the Township’s comments prior to advertising and bidding.

Task 4 – Bidding Assistance

The final bid package will be provided to the Township to be posted on the Michigan Inter-governmental Trade Network (MITN). OHM will assist with the bid process and conduct a bid opening. OHM can also hold an onsite pre-bid conference with potential bidders, if requested by the Township. OHM will address any questions and/or any Requests for Information (RFIs) received by the bidding contractors during the bid phase. OHM will hold a bid opening at the Township on the date specified in the bid documents. Bids will be received, read aloud, collected, tabulated, and reviewed. A letter of recommendation will be provided to the Township based on price, references, and other criteria outlined in the bid documents.

DELIVERABLES

Task	Deliverable
Task 2	Engineering Design Plans
Task 3	Final Bidding Package (Reviewed by Township Attorney)
Task 4	Recommendation of Award Letter

KEY PERSONNEL

This project team has been specifically selected to best meet the technical aspects of the design and facilitate coordination with the Township. G2 Consulting Group will offer geotechnical services if needed. Below is a list of key personnel and their role on this project.



Project Team Members	Role on Project	Specific Duties
Matthew Parks, PE	Project Manager	Management, Utility Coordination, & Public Liaison
Jessica Howard	Lead Design Engineer	Concepts, Design Development, ADA Issues & QA/QC
Phil Maly	Construction	QA/QC
Andrew Schripsema, PE, PS	Surveyor	Design Survey (Control, Topography, & Right-of-Way)

ASSUMPTIONS/CLARIFICATIONS

- ▶ The design will be limited to the bus bay, pathway, and hard surface around the proposed conceptual bus stop. This design will not incorporate any improvements to S. Huron River Drive, Schooner Cove Boulevard or other work outside these immediate limits.
- ▶ Any additional tasks outside of the above scope of services can be conducted at an hourly rate or as negotiated between the Township and OHM Advisors (OHM). Additional work will not be conducted prior to Township authorization.
- ▶ Construction phase services are not included in the proposal. The Township can inspect and administer this project with their staff or OHM can submit a proposal under separate cover for consideration upon request. In general, small projects like this require approximately 15% of the overall construction cost to administer construction services. This can change based on the level of service provided.
- ▶ Any meetings in addition to the meetings outlined in the above scope are not included in the scope of services but can be attended upon request. Time spent for these meetings will be charged on an hourly basis.

FEE

OHM Advisors will invoice the Charter Township of Ypsilanti for the above stated services on an hourly not-to-exceed basis, in accordance with our 2015 Rate Schedule. Invoices will be sent monthly as work is performed.

Design Tasks	Design Fee
Task 1: Survey & ROW	\$2,900.00
Task 1: Soil Borings (G2)	\$2,530.00
Task 2: Engineering Drawings	\$3,800.00
Task 3: Specifications and Final Bid Package	\$2,900.00
<u>Task 4: Bidding Assistance</u>	<u>\$2,200.00</u>
Total	\$14,330.00

ACCEPTANCE

If this proposal is acceptable to you, a signature on the enclosed copy of this letter and initials on the contract terms and conditions will serve as our authorization to proceed.

Thank you for giving us the opportunity to present this proposal to you. We look forward to working with you throughout this project.

Sincerely,
 OHM Advisors

Matthew D. Parks, P.E.



OHM ADVISORS
CONSULTANT

Charter Township of Ypsilanti
CLIENT

(Signature)

Matthew D. Parks, P.E.

(Name)

Ms. Brenda Stumbo

Principal-in-Charge

(Title)

Township Supervisor

(Date)

(Signature)

(Name)

Ms. Karen Lovejoy Roe

(Title)

Township Clerk

(Date)

August 16, 2018

Town of Ypsilanti MI
7200 S Huron River Dr
Ypsilanti, MI 48197

Re: Letter Agreement to Purchase Interest in Wireless Site

Dear Doug Winters:

In consideration of the sum of \$100.00 ("Option Fee"), the receipt and sufficiency of which is hereby acknowledged, your signature below grants to TowerPoint Capital, LLC and its successors and assigns, including its asset holding company TowerPoint Acquisitions, LLC, ("TowerPoint") an exclusive option ("Option") to purchase your interest in the Lease ("Lease" as further described in Exhibit A) through an assignment of the Lease and the grant of an underlying telecommunications easement pursuant to the terms herein. TowerPoint may exercise the Option at any time within 90 calendar days of the date you sign this Letter Agreement (the "Option Period"). The Option Period will be extended for the length of any delay in delivering the due diligence items listed in Exhibit B. TowerPoint may exercise the Option by delivering executable closing documents to you. TowerPoint's exercise of the Option will require you to sell to TowerPoint the Lease on the terms set forth in a mutually agreed upon Easement Agreement and other documentation as required by the escrow/closing agent for the transaction - TitleVest Agency, Inc. The basic terms of the transaction are as follows:

Purchase Price: **\$176,400.00** paid in a lump sum at closing.

99 Year Purchase Term of Easement and Lease Assignment

Revenue Sharing Provisions:

- TowerPoint Site Management Agreement: **50% in favor of the Landlord**
- New Tenant Rent: **50% in favor of Landlord** (New Tenant Rent will be generated from tenants collocating equipment on the equivalent of up to 250 sq. ft. adjacent to the existing tower installation.)

TowerPoint pays for due diligence costs, the title insurance policy, and standard closing costs. Each party bears its own legal expenses. Landlord pays transfer/stamp or other tax (if any) and recording fees. The purchase price will not be prorated. Landlord will keep the most recent annual payment from CCI.

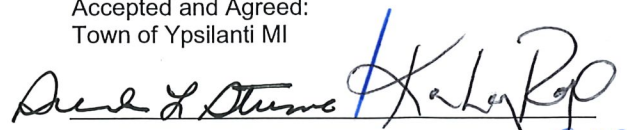
During the Option Period, you agree not to directly or indirectly solicit, initiate or participate in any discussions or negotiations with, or encourage or respond to any inquiries or proposals by, any persons, company or group other than TowerPoint concerning your Lease. You agree to promptly notify TowerPoint if any person, company or group seeks to initiate any discussions regarding your Lease. You further agree to work in good faith with TowerPoint to close this transaction. This Letter Agreement is intended as and shall be a legally binding commitment for you to sell your Lease. In the event of a breach of this Letter Agreement by you, TowerPoint shall, in addition to its other rights and remedies (including recording a copy of this Letter Agreement), be entitled to compensation for its time, effort and expense to evaluate this transaction and, in any action to enforce this Letter Agreement, to recovery of its reasonable attorneys' fees. The terms of this Letter Agreement are confidential and may not be disclosed without the prior written consent of TowerPoint, except to professionals engaged to evaluate and conduct the transaction on your behalf. You acknowledge that TowerPoint has given you no tax or legal advice in evaluating the transaction.

To the extent the terms of this Letter Agreement represent an offer by TowerPoint, the terms herein are subject to change by TowerPoint after August 24, 2018 if this Letter Agreement is not mutually executed. TowerPoint reserves the right to change the terms of this Letter Agreement following expiration.

Sincerely,
TowerPoint Capital, LLC

Jesse M. Wellner, Chief Executive Officer
August 16, 2018

Accepted and Agreed:
Town of Ypsilanti MI



Landlord's Signature

Date 8-22-18

Print Name: Brenda L. Stumbo/Karen Lovejoy Roe

Title: Supervisor Clerk

Exhibit A

Site Location and Lease Terms

Site Location: 2801 Holmes, Ypsilanti, MI 48197

Wireless Tenants	Current Rent	Rent Payment Frequency	Escalation (CPI, % or \$)	Escalation Frequency	Date of Next Escalation
CCI	\$18,900.00	Annually	5%	Term	August 1, 2021

Pricing is based on the Lease Terms above and is subject to confirmatory due diligence of the Lease Terms.

Initial *AKR*
Here: *DS*

Exhibit B

Required Due Diligence Items

1. Executed Lease including any and all Amendments thereto (as well as any lease commencement letters, notices, or other correspondence regarding the Lease)
2. Proof of Rent Payments under the Lease (minimum of 3 months received in the last 6 months); e.g.: copies of rent checks/stubs and/or direct deposit statements.
3. Landlord Request for Information (RFI): Completed and executed including social security numbers for individuals with 20% or greater ownership positions in the entity which owns the property.
4. Landlord's comments or Landlord's counsel's comments, if any, to the Easement Agreement ("Easement") to be provided under separate cover (to be finalized in a mutually agreeable Easement) or return the Easement with each page initialed showing approval of the form Easement.
5. If an existing mortgage is in place on the property: A Mortgage Statement and Lender contact information for obtaining a non-disturbance agreement from Lender (required only if the property is encumbered by a Mortgage, Deed of Trust, Line of Credit or similar instrument).
6. Legal entity organizational documents (including any Amendments thereto) showing proof of authority, as applicable below, for all entities owning an interest in the Property:

Corporation	LLC	General Partnership	Limited Partnership	Condominium Association	Cooperative Corporation (i.e.: Housing Co-op)	Trust
Articles of Incorporation	Articles of Incorporation	Certificate of Partnership	Certificate of Limited Partnership	Condominium Declaration	Articles of Incorporation	Trust Agreement
Signed Corporate Bylaws	Signed Operating Agreement	Signed General Partnership Agreement	Signed Limited Partnership Agreement	Signed Condominium Bylaws	Signed Corporate Bylaws	Certificate of Trust

Within 10 days of signing this Letter Agreement, I agree to provide to TowerPoint the Required Due Diligence Items listed above to facilitate a timely close under the terms of this Letter Agreement.

Initial 
Here: