

CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE JUNE 18, 2019 REGULAR BOARD MEETING

Supervisor Stumbo called the meeting to order at approximately 7:00 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.

Supervisor Stumbo stated that Retiree, Jeri Sizemore, passed away last week and asked to keep her family in your prayers.

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

Members Absent: none

Legal Counsel: Wm. Douglas Winters

PUBLIC COMMENTS

JoAnn McCollum, Township Resident, thanked Supervisor Stumbo, Clerk Lovejoy Roe, and Trustee Ross-Williams for their help in keeping the grass cut at the Wiard Road Roundabout. She thanked Trustee Wilson for helping out on West Willow Dumpster Day. She thanked Deputy Bynam for always following up on calls that residents have made. She said if she doesn't put it on "Next Door" Deputy Bynam will put it on "Next Door" which helps to keep the residents informed on our community. She said we have enough gas stations on Ecorse Road. She said she purchases more items in the store in the gas stations because she thinks that gas is very expensive in the gas stations on Ecorse Road. She said they should put a food store on Ecorse Road. Ms. McCollum said she liked the residential structures in the plans for Ecorse Road.

Arloa Kaiser, Township Resident stated she was opposed to Ypsilanti Township giving property next to the Post Office to the YMCA. She said the township spent a lot of money on this property and they should not just to give it away. She said she doesn't want her taxes going up. She said she heard on the radio a woman in power in our state who is proposing MDOT to study our roads. Ms. Kaiser stated she wanted the state to stop wasting money for toll booths and unnecessary studies and just fix the roads. She said she would like people to write letters to the state telling them to stop wasting our tax dollars and just get the basics done.

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CONSENT AGENDA

A. MINUTES OF THE May 21, 2019 WORK SESSION AND REGULAR MEETING

B. STATEMENTS AND CHECKS

- 1. STATEMENTS AND CHECKS FOR June 4, 2019 IN THE AMOUNT OF \$565,667.62**
- 2. STATEMENTS AND CHECKS FOR JUNE 18, 2019 IN THE AMOUNT OF \$659,334.45**
- 3. CHOICE HEALTH CARE DEDUCTIBLE ACH EFT FOR MAY 2019 IN THE AMOUNT OF \$50,462.70**
- 4. CHOICE HEALTH CARE ADMIN FEE FOR APRIL 2019 IN THE AMOUNT OF \$1,105.50**

C. MAY 2019 TREASURER'S REPORT

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

The motion carried unanimously.

ATTORNEY REPORT

A. GENERAL LEGAL UPDATE

Attorney Winters stated regarding the Washtenaw Avenue sidewalk easement we are closer to getting the easement from Camelot Apartments. He said the Attorney for Camelot has said KeyBank, the lender, has granted the loan approval for the easement. Attorney Winters stated the Township may get back a portion of their retainer and other money that would not go to KeyBank for a non-refundable review fee. He said the township may get the easements from U-Haul and Mr. Muffler to extend the sidewalk. He said this project may go out for bid this fall and the project would start in 2020.

Attorney Winters said regarding the Township's request mandating that he and Dick Carlisle review recreational marijuana, progress has begun. He said they met and they have begun to map out a strategy on how to move forward. Attorney Winters stated they were hoping to receive the rules from the State of Michigan by the end of the month. He said they would report to the Board any updates to keep the board informed of the progress.

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OLD BUSINESS

- 1. 2ND READING OF RESOLUTION 2019-06, PROPOSED ORDINANCE 2019-486, AN ORDINANCE AMENDING ARTICLE XXVII OF THE ZONING ORDINANCE TO ADD THE CONDITIONAL REZONING TEXT AMENDMENTS (FIRST READING HELD AT THE MAY 7, 2019 REGULAR MEETING)**

A motion was made by Clerk Lovejoy Roe, supported by Ross Williams to Approve the 2nd Reading of Resolution 2019-06, Proposed Ordinance 2019-486, an Ordinance Amending Article XXVII of the Zoning Ordinance to Add the Conditional Rezoning Text Amendments (First Reading Held at the May 7, 2019 Regular Meeting) (see attached).

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

The motion carried unanimously.

NEW BUSINESS

- 1. 1ST READING OF RESOLUTION 2019-27, PROPOSED ORDINANCE 2019-488, AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF YPSILANTI, CHAPTER 30, ARTICLE II ENTITLED FIRE PREVENTION CODE BY THE ADOPTION OF THE 2018 EDITION OF THE INTERNATIONAL FIRE PREVENTION CODE**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Ross-Williams to Approve the 1st Reading of Resolution 2019-27, Proposed Ordinance 2019-488, an Ordinance amending the Cod of Ordinances, Charter Township of Ypsilanti, Chapter 30, Article II Entitled Fire Prevention Code by the Adoption of the 2018 Edition of the International Fire Prevention Code (see attached).

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

The motion carried unanimously.

- 2. 1ST READING OF RESOLUTION 2019-26, PROPOSED ORDINANCE 2019-487, AMENDING THE ZONING ORDINANCE TO ADD ARTICLE XI-A ECORSE RD. FORM BASED DISTRICT TO ENACT FORM BASED ZONING AND UPDATED USES AND TO REZONE ECORSE RD. TO BE CONSISTENT WITH THE ARTICLE XI-A ZONING ORDINANCE LANGUAGE**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Wilson to Approve the 1st Reading of Resolution 2019-26, Proposed Ordinance 2019-487

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Amending the Zoning Ordinance to Add Article XI-A Ecorse Rd. Form Based District to Enact Form Based Zoning and Updated Uses and to Rezone Ecorse Rd. to be Consistent with the Article XI-A Zoning Ordinance Language (see attached).

Clerk Lovejoy Roe, supported by Trustee Wilson added a Friendly Amendment to Remove Gas stations, Car Washes, and Auto Repair from the List of Allowed Uses in the Ecorse Road Zoning. The change would not allow any new gas stations, car washes, or auto repair facilities on Ecorse Road.

Megan Masson-Minock, Carlisle Wortman, explained the amendment would be that gas stations and car washes that currently exist on Ecorse Road would become non-conforming uses and they could continue to operate as long as there was not a change in ownership. Ms. Masson-Minock said that if they apply for a non-conforming "A" status they could expand.

JoAnn McCollum, Township Resident stated she feels there are enough Gas Stations and Auto Repair on Ecorse Road. She said she thinks a Food Store would be a great addition to Ecorse Road.

Supervisor Stumbo stated that the plan was to make the Ecorse Road Corridor a walkable downtown area with restaurants and shops.

Trustee Wilson stated he was at the final meeting with business owners in the area and they were satisfied that they could remain the way they were and if they decide they could expand.

Roll Call Vote on the Original Motion and the Friendly Amendment:

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

The motion carried unanimously.

3. REQUEST TO APPROVE A BORDER TO BORDER TRAIL AGREEMENT FOR BRIDGE RD. TO SNOW RD. AND THE GROVE RD. TRAIL SEGMENT WITH THE WASHTENAW COUNTY PARKS AND RECREATION COMMISSION

A motion was made by Clerk Lovejoy Roe, supported by Trustee Ross-Williams to Approve the Request to Approve a Border to Border Trail Agreement for Bridge, Rd. to Snow Rd. and the Grove Rd. Trail Segment with the Washtenaw County Parks and Recreation Commission (see attached).

The motion carried unanimously.

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**4. RESOLUTION 2019-28, SUPPORT FOR THE IRON BELLE TRAIL IN THE
CHARTER TOWNSHIP OF YPSILANTI**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Ross-Williams to Approve Resolution 2019-28, Support for the Iron Belle Trail in the Charter Township of Ypsilanti (see attached).

The motion carried unanimously.

**5. REQUEST TO AWARD THE LOW BID FOR THE GROVE ROAD PATHWAY
EXTENSION PROJECT TO BEST ASPHALT IN THE AMOUNT OF \$371,747.50
WITH A 10% CONTINGENCY AMOUNT OF \$36,752.50 FOR A TOTAL
AMOUNT OF \$408,500.00 TO BE BUDGETED IN LINE ITEM #212-970-000-
997-007 CONTINGENT UPON APPROVAL OF THE BUDGET AMENDMENT**

A motion was made by Treasurer Doe, supported by Trustee Ross-Williams to Approve Request to Award the Low Bid for the Grove Road Pathway Extension Project to Best Asphalt in the Amount of \$371,747.50 with a 10% Contingency Amount of \$36,752.50 for a Total Amount of \$408,500.00 to be Budgeted in Line Item #212-970-000-997-007 Contingent Upon Approval of the Budget Amendment.

The motion carried unanimously.

**6. REQUEST TO APPROVE AGREEMENT WITH OHM FOR CONSTRUCTION
SERVICES FOR THE PHASE I GROVE RD. PATHWAY FROM BRIDGE RD. TO
SNOW RD. IN THE AMOUNT OF \$33,500.00 TO BE BUDGETED IN LINE ITEM
#212-970-000-997-007 CONTINGENT UPON APPROVAL OF THE BUDGET
AMENDMENT**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Jarrell Roe to Approve Agreement with OHM for Construction Services for the Phase I Grove Rd. Pathway from Bridge Rd. to Snow Rd. in the Amount of \$33,500.00 to be Budgeted in Line Item #212-970-000-997-007 Contingent Upon Approval of the Budget Amendment (see attached).

The motion carried unanimously.

**7. REQUEST TO APPROVE AGREEMENT WITH OHM FOR PROFESSIONAL
ENGINEERING DESIGN SERVICES FOR THE PHASE II GROVE RD. BORDER TO
BORDER PATHWAY FROM SNOW RD. TO RAWSONVILLE RD. IN THE
AMOUNT OF \$47,900.00 TO BE BUDGETED IN LINE ITEM #212-970-000-997-
007 CONTINGENT UPON APPROVAL OF THE BUDGET AMENDMENT**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Wilson to Approve Agreement with OHM for Professional Engineering Design Services for the Phase II Grove Rd. Border to Border Pathway from Snow Rd. to Rawsonville Rd. in the Amount of \$47,900.00 to be Budgeted in Line Item #212-970-000-997-007 Contingent Upon Approval of Budget Amendment (see attached).

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Clerk Lovejoy Roe stated they need to change the proposal before it is signed to specify that Washtenaw County Parks and Recreation would bid the project and not Ypsilanti Township.

Supervisor Stumbo stated this includes design work from North Hydro to Grove Road.

Ms. Herndon, Township Resident was wondering about the school on Mary Catherine. Clerk Lovejoy Roe stated it was Van Buren property that was vacant for years but she does not have any information regarding the property.

Supervisor Stumbo stated they would look into it. She said they had heard a Church purchased the property.

Ms. Herndon asked if the Township Board had any influence with YCUA about the flood situation.

Supervisor Stumbo stated there was a bad flood in that area and YCUA was handling it.

Clerk Lovejoy Roe stated at the West Willow Association Meeting residents said they did not feel they were being heard by YCUA. She said they encouraged residents to notify Crystal Campbell, the Neighborhood Watch Coordinator, or they could email any of the board members and they would forward the concerns to YCUA.

The motion carried unanimously.

8. REQUEST TO APPROVE AGREEMENT WITH OHM FOR GEOTECHNICAL SERVICES IN RELATION TO THE CIVIC CENTER POND IN THE AMOUNT OF \$6,850.00 BUDGETED IN LINE ITEM #101-956-000-801-000

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to Approve Agreement with OHM for Geotechnical Services in Relation to the Civic Center Pond in the Amount of \$6,850.00 Budgeted in Line Item #101-956-000-801-000 (see attached).

The motion carried unanimously.

9. RESOLUTION 2019-29, ABANDONED TAX DELINQUENT PROPERTY

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to Approve Resolution 2019-29, Abandoned Tax Delinquent Property (see attached).

The motion carried unanimously.

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10. RESOLUTION 2019-30, PURCHASE TAX FORECLOSED PROPERTY LOCATED AT 641 GREENLAWN IN THE AMOUNT OF \$24,974.00 BUDGETED IN LINE ITEM #101-950-000-969-011 FROM THE 2019 WASHTENAW COUNTY TREASURER LIST OF TAX FORECLOSED PROPERTIES UNDER THE RIGHT OF FIRST REFUSAL

A motion was made by Clerk Lovejoy Roe, supported by Trustee Wilson to Approve Resolution 2019-30, Purchase Tax Foreclosed Property Located at 641 Greenlawn in the Amount of \$24,974.00 Budgeted in Line Item #101-950-000-969-011 from the 2019 Washtenaw County Treasurer List of Tax Foreclosed Properties Under the Right of First Refusal (see attached).

The motion carried unanimously.

11. REQUEST TO APPROVE EQUIPMENT LEASE AGREEMENT WITH THE AMERICAN CENTER FOR MOBILITY FOR THE USE OF AN YPSILANTI TOWNSHIP FIRE TRUCK

Clerk Lovejoy Roe stated this motion was subject to Attorneys' review including reviewing the insurance, change to reflect a one-year lease, and include the real wages for each Firefighter.

Chief Copeland explained that this was over-time for staff and it would not have an impact on their work staff. He said it was a great opportunity for the fire service but also for our Township Board to collaborate with AMC on this venture. He said his staff were excited to be a part of the testing for autonomous vehicles.

A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to Approve Equipment Lease Agreement with the American Center for Mobility for the use of an Ypsilanti Township Fire Truck Pending Attorney Review of the Contract and Updates to Fire Fighter Wage Information, Length of Contract and Insurance Information.

The motion carried unanimously.

12. REQUEST TO WAIVE THE FINANCIAL POLICY AND ACCEPT THE LOW QUOTE FOR PURCHASE OF A NEW STOCK SPARTAN FIRE ENGINE FROM ZAHNEN COMPANIES IN THE AMOUNT OF \$515,000.00 BUDGETED IN LINE ITEM #206-970-000-979-000

A motion was made by Treasurer Doe, supported by Trustee Eldridge to Approve Request to Waive the Financial Policy and Accept the Low Quote for Purchase of a New Stock Spartan Fire Engine from Zahn Companies in the Amount of \$515,000.00 Budgeted in lien Item #206-970-000-979-000.

Chief Copeland introduced Dan Kimball, Fire Marshall and Fred Anstead, Captain. He said they have served on the truck committee for many years.

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Captain Anstead explained to the board the Fire Truck fleet they currently have in the Township. He said the industry standard is to replace a fire truck about every ten years or 100,000 miles and then the old truck would go into a reserve fleet status. He said truck 14-4 at the Textile Road station has 108,000 miles and is the one they would like to replace. He said some of the area they service has no fire hydrants so the new truck would carry 250 more gallons of water than the current truck. Captain Anstead explained with a slide presentation the process of deciding on the specific Fire Truck that they were proposing the Township to purchase.

Trustee Ross-Williams asked how does this total work with the fund balance. Chief Copeland said the truck price came in about \$10,000.00 under budget for what was budgeted in 2019. She asked if the 108,000 miles came up because of the mutual aid program. Captain Anstead said some might have put extra miles on it but this station does not usually respond to the mutual aid runs. Trustee William-Ross asked why did they pick to replace 14-4 because both the trucks were eleven years old. Captain Anstead said they looked at all the trucks and 14-4 seemed to have more maintenance issues over the last few years. He said they planned on replacing the other truck next year.

Captain Anstead said that the salesman contacted them today and said they had another stock truck available for the same price if we wanted to take them both. Captain Anstead said they knew they didn't have enough money to purchase both in their fund but if they could borrow from the general fund they could proceed in purchasing two trucks if the Board approves it tonight. He said they would pay it back with the millage that was approved last year.

Trustee Ross-Williams wondered if we purchased two trucks at the same time would they have additional discounts. Captain Anstead said they could look into it but they are a stock truck. He said he knows that when they purchase an additional truck next year it will cost \$15,000.00 to \$20,000.00 more for the same truck.

Javonna Neel, Accounting Director stated they would have to do a budget amendment and she did revise an amendment to include the additional \$515,000.00 from the General Fund if the Board agrees tonight to purchase both fire trucks. She said the Fire Department would pay the General Fund back in installments.

Trustee Eldridge asked why were they waiving the financial policy when in the board packet there was pricing from competitors but there was no break down pricing for us to compare with other vendors.

Captain Anstead said they have talked with other vendors and this was the lowest price. Captain Anstead said that even if they have them build out this exact truck with other vendors the cost would still be higher.

Clerk Lovejoy Roe said the reason the financial policy needed to be waived was because the policy states they would first come to the board to get authorization

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to go out for bids with the bid specs, and then we would receive sealed bids but instead they went out and got quotes and not sealed bids.

Supervisor Stumbo says there are three quotes but our policy states we have to bid it. She said if we just get three quotes we have to formally waive the financial policy.

Captain Anstead stated that after speaking with the vendors if they feel we were not going to go with them they won't even send in a bid because it is expensive for them to draft a bid.

Trustee Eldridge asked if any of the equipment from the old truck could be used on the new truck.

Captain Anstead stated some might but the old truck will still be used in a reserve mode.

Trustee Eldridge asked about the warranty for the engine on the truck.

Captain Anstead said the engine and transmission warranty were both five years.

Trustee Eldridge stated that it said the warranty information was attached but he could not find it.

Captain Anstead said he must of not printed it.

Clerk Lovejoy Roe said this was just a proposal and we do not have an agreement.

Trustee Eldridge asked if we could look into this and they could bring it back on July 2, 2019.

Captain Anstead said that if they sell the truck by then they would have to wait until the next group of trucks were built because they won't hold the truck unless there was a purchase agreement.

Trustee Eldridge stated that if they said the price was good for thirty days and the truck was not held for thirty days that may not be a good company to deal with.

Captain Anstead stated they purchased their last truck from this company and had no issues with them.

Chief Copeland said it stated in the document that it was subject to prior sale. Chief Copeland stated these trucks were on a first come basis so if another municipality shows up and purchases it they will get it.

Trustee Ross-Williams questioned that at the bottom of the proposals it states unless accepted within thirty days they have the right to withdraw their proposal.

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Supervisor Stumbo said that it states they are prepared to manufacturer a truck for us. She said the gentlemen stated that this company already has one manufactured and was ready to go.

Captain Anstead said the new truck would replace the 2008 truck and the 2008 truck will replace the reserve 1990 truck which would be retired.

Clerk Lovejoy Roe asked Javonna Neel, Accounting Director what was still owed on the previous fire truck that the Fire Department purchased with borrowed money from the general fund.

Chief Copeland said he thought there was six years remaining on the payment schedule for that truck.

Javonna Neel said she believed it was about \$215,000.00.

Clerk Lovejoy Roe asked how soon they could pay it back.

Javonna Neel said they received the millage which would begin in 2020 and they would be able to pay for the second new truck. Ms. Neel said that they would be able to accelerate the payment for the remainder of the \$215,000.00.

Trustee Eldridge questioned who would we be buying the truck from since it says it's a Spartan truck but on the letter head the company is listed as Zahnen Companies.

Captain Anstead stated it was a Spartan truck but Zahnen Company is the Michigan Dealer for Spartan trucks. Captain Anstead stated even if we purchase this truck it would be about ninety days before the truck would be delivered because of the additional equipment that was needed to be installed on the truck. Captain Anstead said the truck they purchased in 2015 cost \$594,000.00 and this truck was \$515,000.00. He said this was already a good deal.

Trustee Ross-Williams stated if two firetrucks were purchased at the same time she would want to have a discount before she would vote for it.

Captain Anstead said he would have to call the salesman.

Attorney Winters stated there were more questions than he could answer because this was different than previous contracts. He said it was hard to figure out the warranties for different parts of the truck and would like it to be clarified. He said he remembers previously having some issues when dealing with this company in Greenville.

Captain Anstead said there were issues about when the payment was due and we paid them for the truck in full upon delivery.

Attorney Winters said there were also other warranty issues.

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Trustee Jarrell Roe stated she has learned more in the last 20 minutes regarding Fire Trucks and thanked them for the explanation. She said she was not a board member to want to be pushed under the gun to make a decision about anything. She asked how important it was to purchase this truck now or wait until July 2, 2019. She said she hears them when they say other municipalities could come and purchase the truck if we don't do it tonight but she asked what impact it would have on them.

Captain Anstead said that it speeds up the timeline so they can get the trucks in here and would cut our maintenance costs. He said he doesn't like to be under the gun either but he does not want to wait another 180 days for another fire truck.

Trustee Jarrell Roe asked if the board approved this tonight how soon would the fire truck be delivered.

Captain Anstead said it would be about 60-90 days.

Trustee Eldridge stated he thought every board member wants the Fire Department to get a Fire Truck but he said he needed more information.

Supervisor Stumbo stated the Fire Department has always wanted to purchase the two trucks but custom trucks were much more expensive than the stock trucks. She said the opportunity came up to purchase a stock truck and then today the opportunity came up for the additional stock truck. She said they always wanted to replace the two trucks with two new trucks but the budget would not sustain it.

Clerk Lovejoy Roe asked if there were other vendors that built stock fire trucks.

Captain Anstead replied that there were. Clerk Lovejoy Roe asked why they wanted to go with Spartan.

Captain Anstead said Spartan was always more cost effective.

Clerk Lovejoy Roe said she agrees with Trustee Eldridge that no one is against purchasing the fire truck, in fact she said she would like to purchase both of the trucks if it could be worked out but she said she agrees with Trustee Ross-Williams about the possibility of a discount when purchasing two. She said the reason this was so hard to do was because it was not following our policy.

Trustee Ross-Williams said that she would like to see this come back to the board at the July 2, 2019 meeting with the questions answered.

Trustee Eldridge stated he doesn't think that we would get a discount for purchasing two trucks. He said he wasn't against purchasing two trucks for the price but would like more of a legal document.

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Clerk Lovejoy Roe asked if we could make a motion to purchase the two trucks subject to the agreement which would be brought to the board and would that be enough for them to save the two trucks.

Chief Copeland said he would bring a purchase agreement that was approved by Attorney Winters, for the two trucks, including warranty information to the July 2, 2019 board meeting for Board approval.

A motion by Trustee Eldridge, supported by Trustee Ross-Williams to table this until the July 2, 2019 board meeting.

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

The motion carried unanimously.

13. REQUEST TO APPROVE RESOLUTION ESTABLISHING AUTHORIZED SIGNATORIES FOR MERS CONTRACTS AND SERVICE CREDIT PURCHASE APPROVALS

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to Approve Resolution Establishing Authorized Signatories for MERS Contracts and Service Credit Purchase Approvals (see attached).

The motion carried unanimously.

14. REQUEST APPROVAL OF THE 2019 L-4029

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to Approve the Request Approval of the 2019 L-4029 (see attached).

The motion carried unanimously.

15. REQUEST APPROVAL OF AGREEMENT WITH WASHTENAW COMMUNITY COLLEGE FOR EXTENSION CENTER OFFERINGS FOR THE PERIOD OF JULY 1, 2019 TO JUNE 30, 2020

A motion was made by Clerk Lovejoy Roe, supported by Trustee Ross-Williams to Approve Agreement with Washtenaw Community College for Extension Center Offerings for the Period of July 1, 2019 to June 30, 2020.

Attorney Winters questioned the insurance for this program. Clerk Lovejoy Roe said she thought we had Certs for this and she asked Lisa Stanfield, Deputy Clerk to looked for the Certs.

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A motion was made by Ross-Williams, supported by Trustee Eldridge to Table this Request.

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

The motion carried unanimously.

16. REQUEST APPROVAL OF AGREEMENT WITH THE NATIONAL KIDNEY FOUNDATION FOR ENHANCE FITNESS CLASSES AT THE COMMUNITY CENTER FOR 2020

A motion was made by Trustee Jarrell Roe, supported by Trustee Eldridge to Approve Agreement with National Kidney Foundation for Enhance Fitness Classes at the Community Center for 2010.

Attorney Winters questioned the language regarding this Agreement and would like our Insurance people to look into it.

A motion was made by Trustee Eldridge, supported by Trustee Wilson to Table this request.

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

The motion carried unanimously.

17. REQUEST TO SET A PUBLIC HEARING DATE OF TUESDAY, JULY 2, 2019 AT APPROXIMATELY 7:00PM FOR TWO PRIVATE ROAD VARIANCES

A motion was made by Clerk Lovejoy Roe, supported by Trustee Jarrell Roe to Approve Request to Set a Public Hearing Date of Tuesday, July 2, 2019 at Approximately 7:00PM for Two Private Road Variances.

The motion carried unanimously.

18. REQUEST TO SET A PUBLIC HEARING DATE OF TUESDAY, JULY 16, 2019 AT APPROXIMATELY 7:00PM FOR THE CREATION OF STREETLIGHT SPECIAL ASSESSMENT DISTRICT #217 AMBERLY GROVE SUBDIVISION #2

A motion was made by Treasurer Doe, supported by Trustee Jarrell Roe to Approve Request to set a Public Hearing Date of Tuesday, July 16, 2019 at Approximately 7:00PM for the Creation of Streetlight Special Assessment District #217 Amberly Grove Subdivision #2.

The motion carried unanimously.

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**19. REQUEST TO SCHEDULE A REGULAR TOWNSHIP BOARD WORK SESSION
AND BOARD MEETING ON TUESDAY, JULY 2, 2019 AT 5:00PM AND 7:00PM**

A motion was made by Trustee Eldridge, supported by Clerk Lovejoy Roe to Approve the Request to Schedule a Regular Township Board Work Session and Board Meeting on Tuesday, July 2, 2019 at 5:00PM and 7PM.

The motion carried unanimously.

20. BUDGET AMENDMENT #10

A motion was made by Trustee Ross-Williams, supported by Clerk Lovejoy Roe to Approve Budget Amendment #10 (see attached)

The motion carried unanimously.

AUTHORIZATION AND BIDS

**1. REQUEST TO SEEK SEALED BIDS FOR THE INSTALLATION OF A CONCRETE
SLAB AT THE HYDRO STATION**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to Approve Request to Seek Bids for the Installation of a Concrete Slab at the Hydro Station.

The motion carried unanimously.

**2. REQUEST TO SEEK SEALED BIDS FOR SHORE STABILIZATION ISSUES IN TWO
AREAS OF FORD LAKE PARK**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to Approve the Request to Seek Sealed bids for Shore Stabilization Issues in Two Areas of Ford Lake Park.

Elliott Smith, OHM explained the slope erosion on Grove Road and in Loonfeather Park on the west slope. He said their recommendation should be completed in about two weeks.

The motion carried unanimously.

**3. REQUEST TO SEEK SEALED BIDS FOR THE CONSTRUCTION AND
INSTALLATION OF A NEW GENERATOR AT THE LAW ENFORCEMENT CENTER**

A motion was made by Trustee Wilson, supported by Clerk Lovejoy Roe to Approve the Request to Seek Sealed Bids for the Construction and Installation of a new Generator at the Law Enforcement Center.

The motion carried unanimously.

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OTHER BUSINESS

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

The motion carried unanimously.

The meeting was adjourned at approximately 8:51PM.

Respectfully Submitted,

Brenda L. Stumbo, Supervisor
Charter Township of Ypsilanti

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

CHARTER TOWNSHIP OF YPSILANTI

RESOLUTION 2019-06 (In Reference to Ordinance 2019-486)

AMENDING ARTICLE XXVII OF THE ZONING ORDINANCE TO ADD THE CONDITIONAL REZONING TEXT AMENDMENTS

Whereas, Section 3405 of the Michigan Zoning Enabling Act, PA 110 of 2006, as amended, authorizes a property owner, or their authorized representative, to voluntarily offer conditions to the rezoning of their property as a means to provide a voluntary mechanism for an applicant to self-limit their request; and

Whereas, the Township Planning Consultants recommended updates to the zoning ordinance to specify the process and circumstances for conditional rezonings under the Michigan Zoning Enabling Act; and

Whereas, the Township Planning Consultants have recommended amendments to the Charter Township of Ypsilanti's (Township) Planning Commission (Commission) to the Township's Zoning Code; and

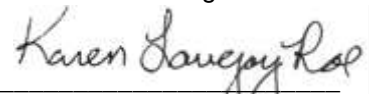
Whereas, at its regularly scheduled meeting held April 9, 2019, the Commission recommended approval of the Planning Consultant's proposed amendments to the Township's Zoning Code to the Township Board to update Article XXVII – Changes and Amendments to specify the process and circumstances for conditional rezonings,

Whereas, proposed Ordinance No. 2019-486 has revised the current existing Ordinance in such a fashion as to incorporate the above changes recommended; and

Whereas, the Charter Township of Ypsilanti Board of Trustees (Board) agrees with the request of the Planning Commission;

Now Therefore, Be it resolved, that the Charter Township of Ypsilanti Board of Trustees does hereby approve Ordinance No. 2019-486 as attached, by amending Article XXVII of the Township's Zoning Code as noted, replacing it with proposed Ordinance No. 2019-486, which ordinance reflects the suggestions and input of the Township's Planning Consultant as recommended by the Commission.

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. 2019-06 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on June 18, 2019.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

CHARTER TOWNSHIP OF YPSILANTI

ORDINANCE 2019-486

AN ORDINANCE AMENDING ARTICLE XXVII OF THE ZONING ORDINANCE TO ADD THE CONDITIONAL REZONING TEXT AMENDMENTS

The Charter Township of Ypsilanti hereby ordains that the Ypsilanti Township Zoning Code, adopted May 18, 1994, shall be amended as follows:

SECTION 1. AMENDMENT TO TOWNSHIP ZONING ORDINANCE ARTICLE XXVII:

Township Zoning Ordinance Article XXVII, "Changes and Amendments" by amending Section 2701 "Initiation of amendments", and adding Section 2705 "Conditional amendment of the official zoning map", as follows:

Sec. 2701. - Sec. 2701. - Initiation of amendments:

The township board may from time to time, on recommendation from the planning commission, amend, supplement or change the district boundaries or the regulations herein, or subsequently established herein. Amendments to the provisions of this ordinance (i.e. ordinance text amendment) may be initiated by the township board, the planning commission or by petition from one or more residents or property owners of the township. An amendment to the official zoning map (i.e. rezoning) may be initiated by the township board, the planning commission or by the owner or owners of the property that is the subject of the proposed amendment. All proposed amendments to the provisions of this ordinance or the official zoning map shall be referred to the planning commission for public hearing and recommendation to the township board, prior to consideration thereof by the township board pursuant to the authority and procedure established in Act. No. 184 of the Public Acts of Michigan of 1943 (MCL 125.271 et seq.) Act No. 110 of the Public Acts of Michigan of 2006 (MCL 125.3101 et seq.), as amended.

Sec. 2705. – Conditional amendment of the official zoning map:

The Township Board shall have the authority to place conditions on an amendment to the official zoning map, commonly referred to as a conditional rezoning, provided the conditions have been voluntarily offered in writing by the applicant and are acceptable to the Township Board. In exercising its authority to consider a conditional rezoning, the Township is also authorized to impose the following limitations:

- (a) An owner of land may voluntarily offer written conditions relating to the use and/or development of land for which a conditional rezoning is requested. This offer may be made either at the time the application for conditional rezoning is filed, or additional conditions may be offered at a later time during the conditional rezoning process as set forth below.
 - (1) The owner's offer of conditions may not authorize uses or developments not permitted in the requested zoning district. The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which the conditional rezoning is requested.
 - (2) A conditional rezoning that would also require approval of a conditional use, variance or site plan under the terms of this ordinance shall not be effective until approval for a conditional use, variance or site plan is ultimately granted in accordance with the provisions of this ordinance.
- (b) The offer of conditions may be amended during the process of conditional rezoning consideration, provided that any amended or additional conditions are entered voluntarily by the owner and confirmed in writing. An owner may withdraw in writing all or part of its offer of conditions any time prior to final rezoning action of the Township Board, provided that, if such withdrawal occurs subsequent to the Planning Commission's public hearing on the original rezoning request, then the

rezoning application shall be referred back to the Planning Commission for a new public hearing with appropriate notice and a new recommendation.

- (c) The procedure for consideration of Conditional Rezoning request by the Planning Commission and Township Board shall be the same as provided in Section 2702 for all other requests for amendments to the official zoning map. The following additional information shall also be required:
 - (1) A Conditional Rezoning request shall be initiated by the submission of a proposed Conditional Rezoning Agreement. A Conditional Rezoning Agreement shall include the following:
 - a. A written statement prepared by the applicant that confirms the Conditional Rezoning Agreement was proposed by the applicant and entered into voluntarily.
 - b. A written statement prepared by the applicant that confirms that the property shall not be used or developed in a manner that is inconsistent with conditions placed on the rezoning.
 - c. A list of conditions proposed by the applicant.
 - d. A time frame for completing the proposed improvements.
 - e. A legal description of the land.
 - f. A Sketch Plan in sufficient detail to illustrate any specific conditions proposed by the applicant.
 - (2) The Notice of Public Hearing on a Conditional Rezoning request shall include a general description of the proposed agreement being considered. A review of the proposed agreement shall be conducted at the public hearing.
 - (3) A Conditional Rezoning may be approved upon the criteria set forth in Sec. 2704 and a finding and determination that all of the following are satisfied:
 - a. The conditions, proposed development, and/or proposed use of the land are designed or proposed for public health, safety, and welfare purposes.
 - b. The conditions, proposed development and/or proposed use are not in material conflict with the Master Plan, or, if there is material conflict with the Master Plan, such conflict is due to one of the following:
 - i. A change in Township policy since the Master Plan was adopted.
 - ii. A change in conditions since the Master Plan was adopted.
 - iii. An error in the Master Plan.
 - c. The conditions, proposed development and/or proposed use are in accordance with all terms and provisions of the zoning district to which the land is to be rezoned, except as otherwise allowed in the Conditional Rezoning Agreement.
 - d. The conditions, proposed development and/or proposed use shall insure compatibility with adjacent uses of land.
- (d) Upon approval by the Township Board of a Conditional Rezoning request and a Conditional Rezoning Agreement, as provided by this Section, the Zoning Map shall be amended to reflect a new zoning classification along with a relevant designation that will provide reasonable notice of the Conditional Rezoning Agreement.

- (e) A Conditional Rezoning Approval shall expire following a period of time from the effective date of the rezoning established by the Township Board, unless progress has been diligently pursued and substantial completion has occurred in accordance with permits issued by the Township.
 - (1) In the event the conditional rezoning expires, the rezoning and the Conditional Rezoning Agreement shall be void and of no effect.
 - (2) If the Conditional Rezoning becomes void, no development shall be undertaken and no permits for development shall be issued until such time as a new zoning district classification of the property has become effective as a result of one or both of the following actions that may be taken:
 - a. The property owner seeks a new rezoning classification for the property; and/or
 - b. The Township initiates a new rezoning request for the property to a reasonable district classification, in accordance with the conventional rezoning procedure.
- (f) Recording. A Conditional Rezoning Approval shall not become effective until the Conditional Rezoning Agreement is recorded with the Washtenaw County Register of Deeds and a certified copy of the Agreement is filed with the Township Clerk.
- (g) Violation of Conditional Rezoning Agreement. If development and/or actions are undertaken on or with respect to the property in violation of the Conditional Rezoning Agreement, such development and/or actions shall constitute a violation of this ordinance and deemed a nuisance per se. In such case, the Township may issue a stop work order relative to the property and seek any other lawful remedies. Until curative action is taken to bring the property into compliance with the Conditional Rezoning Agreement, the Township may withhold, or, following notice and an opportunity to be heard, revoke permits and certificates, in addition to or in lieu of such other lawful action to achieve compliance.

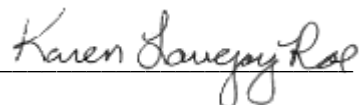
SECTION 3. SEVERABILITY. In the event that any one or more sections, provisions, phrases or words of this ordinance shall be found to be invalid by a Court of competent jurisdiction, such holding shall not affect the validity nor the enforceability of the remaining sections, provisions, phrases or words of this Ordinance unless expressly so determined by a Court of competent jurisdiction.

SECTION 4. PUBLICATION. This ordinance shall be published in a newspaper of general circulation as required by law.

SECTION 5. EFFECTIVE DATE: This ordinance shall become effective upon publication in a newspaper of general circulation as required by law.

SECTION 6. REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify adoption of Ordinance No. 2018-486 by the Charter Township of Ypsilanti Board of Trustees assembled at a Regular Meeting held on June 18, 2019 after first being introduced at a Regular Meeting held on May 7, 2019. The motion to approve was made by member Roe and seconded by Doe YES: Stumbo, Roe, Doe, Eldridge, Jarrell Roe, Ross Williams, Wilson ABSENT: None NO: None ABSTAIN: None.



Karen Lovejoy Roe, Clerk

Charter Township of Ypsilanti

CHARTER TOWNSHIP OF YPSILANTI

**RESOLUTION 2019-27
(In Reference to Ordinance 2019-488)**

**Adoption of the 2018 Edition of the
International Fire Prevention Code**

Whereas, the Charter Township of Ypsilanti Board of Trustees recognizes the need for a modern, up-to-date fire code addressing conditions hazardous to life and property from fire and explosion hazards; the storage, handling and use of hazardous substances and materials; and the use and occupancy of buildings and premises; and

Whereas, the International Fire Code, 2018 Edition, is designed to meet these needs through model code regulations that safeguard public health and safety; and

Whereas, the International Fire Code, 2018 Edition, is fully compatible with the Michigan Building Code, Michigan Residential Code, Michigan Rehabilitation Code and the International Property Maintenance Code.

Whereas, the Township Fire Department recommends adoption of Ordinance 2019- 488.

Now Therefore,

Be it resolved, that the Charter Township of Ypsilanti Board of Trustees hereby adopts by reference attached Ordinance No. 2019-488 amending the Code of Ordinances of the Charter Township of Ypsilanti, Article II, Fire Prevention Code.

CHARTER TOWNSHIP OF YPSILANTI

PROPOSED ORDINANCE NO. 2019-488

*An Ordinance Amending the Code of Ordinances,
Charter Township of Ypsilanti, Chapter 30, Article II
Entitled Fire Prevention Code by Adoption of the
2018 Edition of the International Fire Prevention Code*

The Charter Township of Ypsilanti hereby **Ordains** that Chapter 30 of the Code of Ordinances for Ypsilanti Township, Article II entitled Fire Prevention Code is hereby amended as follows:

DELETE in its entirety the current Article II entitled Fire Prevention Code (Sections 30-26 through 30-31, inclusive).

ADD the following new provision:

A. Adoption by Reference.

A certain document, copies of which are on file with the office of the Township Clerk and the Bureau of Fire Prevention, being marked and designated as the "**International Fire Code, 2018 Edition, International Code Council,**" is adopted by reference, including Appendix Chapters A through N, and all references therein printed – except those section and appendices herein amended, deleted or added. This document shall be known and may be cited as the "**Fire Prevention Code of the Charter Township of Ypsilanti,**" regulating and governing conditions hazardous to life and property from the standpoint of fire and explosion and for defining the scope of authority of the chief of the fire department and the bureau of fire prevention.

B. Purpose of Article.

The purpose of this article is to provide for the prevention of fires and the protection of persons and property from exposure to the dangers of fire and explosion; to authorize the investigation of fires and the discovery of crime or other offenses in relation thereto; to require the razing, repair and alterations of building, and the clearing and improvement of premises which constitute a fire hazard or a menace to the peace, security or safety of persons or property; to control the use and occupancies of such premises; to provide for the transportation, use and storage of inflammable liquids, compressed gases, and corrosive liquids; to prohibit the use of certain fire extinguishers and fire extinguishing agents; to provide for the administration of this article; and to fix penalties for violation of the provisions of this article.

C. Code Available for Public Use and Inspection.

Complete printed copies of the **Fire Prevention Code** of the Charter Township of Ypsilanti and supplements, therein adopted, are available for public use and inspection at the office of the Township Clerk and at the office of the Bureau of Fire Prevention.

D. References in Code.

References in the **Fire Prevention Code** of the Charter Township of Ypsilanti and supplements to the word “state” shall mean the State of Michigan; reference to the word “municipality” shall mean the Township of Ypsilanti; references to the term “corporation counsel” shall be held to mean the attorney for the township; reference to the term “bureau of fire prevention” shall mean the township fire department; and reference to the term “fire official” shall be held to mean the chief of the fire department or his authorized designee.

E. Code Revisions.

The following sections of the International Fire Code, 2018 Edition, International Code Council, are hereby revised.

Section 101.1 - insert Charter Township of Ypsilanti

Section 110.4 – delete in its entirety and replace with the following provision:

Section 110.4 Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under the infraction, and shall be subject to a fine as follows:

- a. The fine for any first violation of Article II shall be \$100.00.
- b. The fine for any violation which the violator has, within the past two years, been found in violation of once before, shall be \$250.00.
- c. The fine for any violation which the violator has, within the past two years, been found in violation of twice before, shall be \$500.00.

The imposition of one penalty for any violation shall not excuse the violations or permit it to continue. All such persons shall be required to correct or remedy such situation or defects within a reasonable time, and, when not otherwise specified, each act or violation and every day upon which such violation shall occur shall constitute a separate offense.

The application of the penalties of this section shall not be held to prevent the enforced removal of prohibited conditions by injunctive or other relief.

Each day that a violation continues after due notice has been served shall be deemed a separate violation.

Section 112.4 – insert \$100 or more than \$500

Section 901.2 – Fire Sprinkler Plan Submittal (Added to read)

All fire sprinkler plans shall be submitted to the *fire official* for review. The *fire official* may request review of the sprinkler plans by a third party. The third party shall be included on a list of companies approved by the Charter Township of Ypsilanti Fire Prevention Bureau. The Charter Township of Ypsilanti Fire Prevention Bureau shall witness

all required tests and field inspections of all fire sprinkler systems.

- a. A list of approved companies will be available in the Fire Prevention Bureau and the Office of Community Standards.
- b. No company will be allowed to review its own plans.

Section 906.1 - Residential Fire Extinguisher Requirements Rental Units. *2015 Property Maintenance Code language (Added to read)

- a. It shall be the responsibility of the owner(s) of single family and multiple family rental units to provide each living unit with a portable fire extinguisher.
- b. The fire extinguisher shall have a minimum 1A-10BC rating or higher, and shall be mounted in a readily accessible location within each dwelling unit. Each extinguisher shall be tagged to include a maintenance and inspection record and must be operable at all times.
- c. It shall be the owner's responsibility to maintain the extinguisher in accordance with NFPA 10, and such maintenance shall include, but is not limited to, recharging the extinguisher of the unit which was discharged when attempting to extinguish a documented fire. For the purpose of this section, a documented fire shall mean any fire that the Ypsilanti Township Fire Department has responded to and/or has a record of. In all other cases it shall be the responsibility of the resident to recharge the extinguisher.
- d. The resident of a single family or multiple family rental unit shall be responsible to advise the building owner, or his designated agent, whenever a required fire extinguisher is missing, damaged, discharged or in need of service.
- e. Anyone tampering with, damaging or interfering with the effectiveness of a fire extinguisher shall be in violation of this code.

Section 907.2 - Minimum Smoke Detection Requirements Rental Units. *2015 Property Maintenance Code language (Added to read)

- a. Each apartment, suite, or sleeping area of every single or multiple dwelling units shall be provided with a minimum of one smoke detector capable of sensing visible or invisible products of combustion.
- b. The smoke detector shall be approved or listed by recognized or independent testing laboratories and, when actuated, shall provide an alarm suitable to warn the occupants within the individual dwelling unit.
- c. A minimum of one smoke detector shall be located in the immediate area of all sleeping quarters.
- d. All single family and multiple dwelling units, including duplexes, shall comply with this section.

e. It shall be the responsibility of the owner(s) of each rental unit to install and maintain in operating condition smoke detectors in each dwelling unit as herein provided.

f. All devices, combination of devices and equipment required herein are to be installed in conformance with the Michigan Building and Residential Codes and this section.

g. At least one smoke detector shall be installed to protect each sleeping area. A sleeping area is defined as the area or areas of the family living unit in which the bedrooms or sleeping rooms are located. When bedrooms ordinarily used for sleeping are separated by other used areas, such as kitchens or living rooms, but not bathrooms or closets, they shall be considered as separate sleeping areas for the purpose of this section.

F. Geographic Limits Referred to in Certain Sections of the Code.

The geographic limits referred to in certain sections of the 2018 International Fire Code are hereby established as follows:

Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground storage tanks outside of buildings is prohibited): *Storage of greater than 50 gallons is prohibited within 50 feet of a structure.*

Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground ground storage tanks is prohibited): *Amend to add the following language:*

- a. *An above ground storage tank shall not be erected less than 300 feet (92 meters) from any of the following:*
 - i. *a mineshaft.*
 - ii. *an air escape shaft for a mine.*
 - iii. *a school*
 - iv. *a church*
 - v. *a hospital*
 - vi. *a theater*
 - vii. *assembly occupancies for 50 or more persons.*
- b. *The above ground storage tank, loading operation, or unloading operation shall not be installed closer than 25 feet (7.6 meters) plus 1 inch (25 millimeters) per 1,000 volts, measured horizontally from the nearest conductor or power lines, except that a service entrance and service line may be closer than 25 feet (7.6 meters), but shall not be over a tank loading or unloading area.*

Section 5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): *Amend to add the following language:*

- a. *Stationary containers with storage greater than 45 gallons is prohibited within 50 feet of the following:*
 - i. *Places of public assembly*
 - ii. *Non-ambulatory patient areas*
- b. *Stationary containers with storage greater than 45 gallons is prohibited within 15 feet of the following:*

- i. Combustible materials such as paper, leaves, weeds, dry grass or debris exposure hazards
- c. Stationary containers with storage greater than 45 gallons is prohibited within 10 feet of the following:
 - ii. Air intakes
- c. Stationary containers with storage greater than 45 gallons is prohibited within 5 feet of the following:
 - i. Lot lines

Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): *Amend to add the following language:*

For the protection of heavily populated and congested areas, the maximum aggregate capacity of any installation of liquefied petroleum gas shall not exceed a water capacity of 2,000 gallons within 50 feet (15.2 meters) of a structure.

G. Rights and Remedies are Cumulative.

The rights and remedies provided herein are cumulative and in addition to any other remedies provided by law.

H. Severability Clause.

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Charter Township of Ypsilanti hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsection, sentences, clauses or phrases by declared unconstitutional.

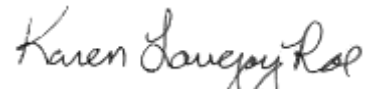
I. Publication.

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

J. Effective Date.

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

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify approval of the first reading of Proposed Ordinance No. 2019-488 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on June 18, 2019. The second reading is scheduled to be heard on July 16, 2019.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

CHARTER TOWNSHIP OF YPSILANTI

RESOLUTION 2019-26
(In Reference to Ordinance 2019-487)

A Resolution Amending the Zoning Ordinance of the Charter Township of Ypsilanti to add Article XI-A – Ecorse Road Form Based District to enact form-based zoning and updated uses and to rezone Ecorse Road to be consistent with the Article XI-A Zoning Ordinance language.

Whereas, the Charter Township of Ypsilanti adopted the Ecorse Road/East Michigan Avenue Placemaking Plan in 2018; and

Whereas, changes to the zoning on Ecorse Road are key to the implementation of that plan; and

Whereas, the Township Planning Consultants have recommended amendments to the Charter Township of Ypsilanti's (Township) Planning Commission (Commission) to the Township's Zoning Code; and

Whereas, at its regularly scheduled meeting held April 23, 2019, the Commission recommended approval to the Ypsilanti Township Board of the Planning Consultant's proposed amendments to the Township's Zoning Code to the Township Board to add Article XI-A – Ecorse Road Form Based District to enact form-based zoning and updated uses; and

Whereas, at its regularly scheduled meeting held April 23, 2019, the Commission recommended approval to the Ypsilanti Township Board of the Planning Consultant's proposed amendments to Ypsilanti Township's Zoning Map to be consistent with the recommended addition to the Township's Zoning Code to the Township Board to add Article XI-A – Ecorse Road Form Based District to enact form-based zoning and updated uses; and

Whereas, proposed Ordinance No. 2019-487 has revised the current existing Ordinance in such a fashion as to incorporate the above changes recommended; and

Whereas, the Charter Township of Ypsilanti Board of Trustees (Board) agrees with the request of the Planning Commission;

Now Therefore,

Be it resolved, that the Charter Township of Ypsilanti Board of Trustees does hereby approve Ordinance No. 2019-487 as attached, by amending the Zoning Ordinance to include Article XI-A of the Township's Zoning Code as noted, with proposed Ordinance No. 2019-487, which ordinance reflects the suggestions and input of the Township's Planning Consultant as recommended by the Commission.

CHARTER TOWNSHIP OF YPSILANTI

PROPOSED ORDINANCE 2019-487

Amending the Zoning Ordinance of the Charter Township of Ypsilanti to add Article XI-A – Ecorse Road Form Based District to enact form-based zoning and updated uses and to rezone Ecorse Road to be consistent with the Article XI-A Zoning Ordinance language.

SECTION 1. AMENDMENT TO TOWNSHIP ZONING ORDINANCE TO ADD ARTICLE XI-A:

ARTICLE XI – A ECORSE ROAD FORM BASED DISTRICT (ERFB)

SECTION 1140 - GENERAL INTENT AND PURPOSE

- A. Intent.** The **ECORSE ROAD FORM BASED DISTRICT (ERFB)** is intended to implement the vision established by the Township Master Plan and the E. Michigan Avenue and Ecorse Road Placemaking Plan, to transform the Ecorse Road corridor into a vibrant, dynamic area through placemaking and the attraction of new investment. The Ecorse Road Form Based District allows for the consolidation and creative redevelopment of parcels.

Development of buildings and sites, including retrofitting and redevelopment of existing sites and buildings, can include residential, retail, office, and service uses. Uses designed to support the residents and local workers are also encouraged, such as mixed-use developments with small scale retail or restaurant uses incorporated with housing units. The redeveloped corridor will help diversify the Township housing and commercial stock and incorporate architecturally interesting buildings.

Consolidation of parcels in the District is encouraged in order to provide for a quality and consistent development pattern. Incentives include additional building forms and more permitted uses.

- B. Purpose.** The general purpose of these regulations is as follows:
- a. Promote new investment opportunities by allowing a wide range of potential uses and techniques to expand the employment and economic base.
 - b. Ensure that development is of human scale, primarily pedestrian-oriented, and designed to create attractive streetscapes and pedestrian spaces.
 - c. Ensure that development is designed for all modes of transportation.
 - d. Promote mixed-use development.
 - e. Ensure reasonable transition between higher intensity development and adjacent neighborhoods.
 - f. Improve mobility options and reduce the need for on-site parking by encouraging all modes of transportation, through shared parking, and through on-street parking.
 - g. Provide predictable development approval process.
 - h. Encourage lot consolidation to provide for larger consistent developable sites.
- C. Factors for Regulation.** These regulations are based on two (2) significant factors: site context and building features.
1. Site context is derived from existing and desired characteristics of an area and recognizes the inherent conditions of the areas where these regulations are applied. Regulated sites types are organized by shape, size, orientation and location.
 2. Building feature addresses the manner in which buildings and structures relate to their lots, surrounding buildings, and street frontage. The shape of the building, the land area to volume ratio, and the orientation of the building has a significant impact upon the character of an area. Building

form standards control height, placement, building configuration, parking location, and building transparency applicable to the site context.

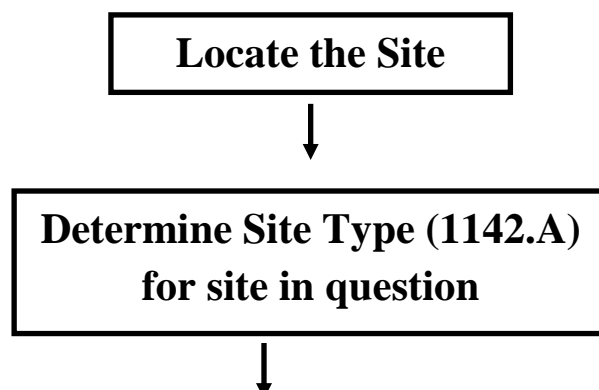
SECTION 1141 - APPLICABILITY AND ORGANIZATION

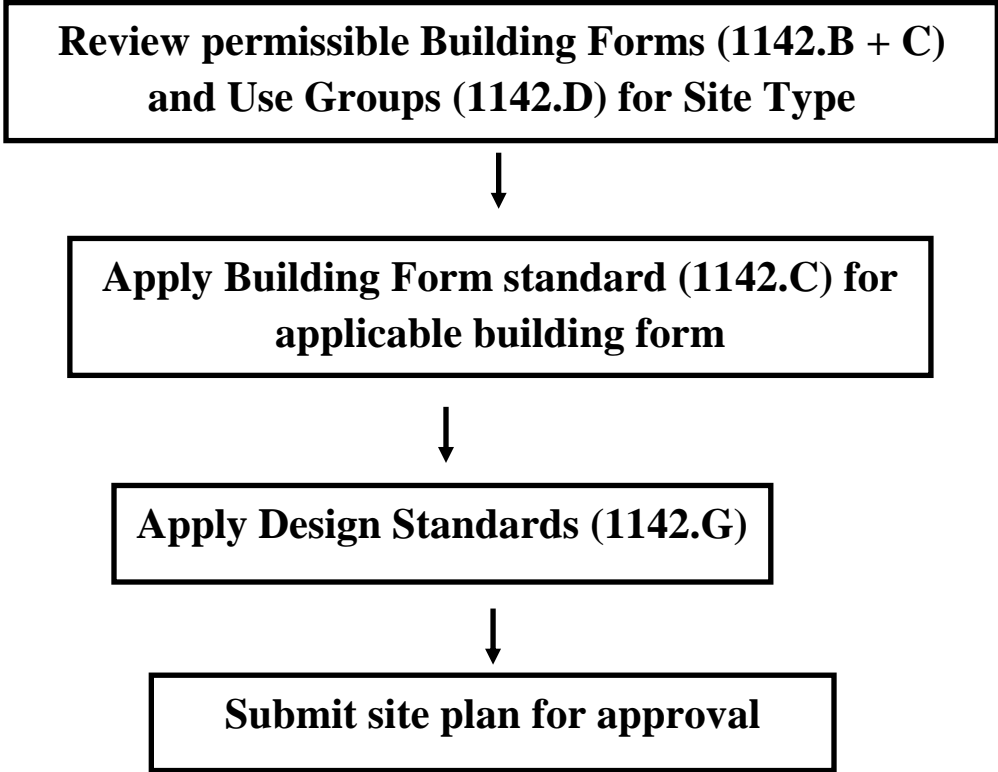
A. Applicability.

1. Any new use or expansion of existing use that requires site plan review shall comply with the requirements of this Article and other applicable requirements of this Ordinance.
2. The requirements of this Article shall not apply to:
 - a. Continuation of a permitted use within an existing structure.
 - b. Changes of use within existing structures that do not require increased parking.
 - c. Normal repair and maintenance of existing structures that do not increase its size or parking demand.

B. Regulating Plan. The Ecorse Road Form Based District shall be governed by a Regulating Plan that is specific to the area.

1. The Regulating Plan based on the site type determines building form and allowable use for each property within a form-based district
2. The Regulating Plan is based on three (3) factors: Site Type; Building Form; and Use Group.
 - a. **Site Types.** Site Types, as set forth in Section 1142.A, are determined by street orientation, lot size, lot configuration, location, and relationship to neighboring sites. Site type provides the basis for building forms and authorized use groups.
 - b. **Building Form Standards and Types.** Building form standards and types, set forth in Section 1142.B + C, establish the parameters for building form, height, and placement, and are specifically applied to each district based upon the regulating plan.
 - c. **Authorized Use Groups.** Authorized land uses are organized by use groups. Authorized use groups, as set forth in Section 1142.D, are specifically applied to each District based upon the regulating plan.
3. The steps to determine the regulations that apply to a specific property within a form-based district are as follows:
 - a. Find the site in question on the regulating plan map
 - b. Identify the site type for the site in question. Sites will be classified Site Type A, B, or C.
 - c. Consult the Use Groups and Building Forms Permitted table in which the site is located. The table will identify if a use group or building form is permitted, permitted with conditions, or not permitted for the site type and street type combination of the site in question.
 - d. Follow the regulations for the chosen building form when designing the development application. Building form regulations are established in Section 1142.B and 1142.C.
 - e. Follow the design standards as listed in Section 1142.G.
 - f. Obtain site plan approval or special use approval for the chosen building form and use, as appropriate.





- C. Design Standards.** General design standards, set forth in Section 11.42.G, are supplementary to other requirements of the Ordinance. Generally, the design standards regulate building placement, parking orientation, landscaping, and other site design requirements.
- D. Modification of District Boundaries.** Any modification to the boundaries of any form-based district shall require rezoning, in accordance with the provisions of Article XXVII, Changes and Amendments.
- E. Modification of Regulating Plan.** Specific building form, use group, and design standards applied within each Regulating Plan are based upon the designation of site type. Any modification of site type may be determined by the Planning Commission, notice and after conducting a public hearing in accordance with Sec. 2703.

The Planning Commission shall consider the following in making a determination to modify a site type or street type designation:

1. The applicant’s property cannot be used for the purpose permitted in the form-based district.
2. Area has been added to or deleted from the subject property in question, requiring the modification.
3. The proposed modification and resulting development will not alter the essential character of the area.
4. The proposed modification meets the intent of the district.
5. Existing streets have been improved and/or new streets constructed that may result in the modification of a specific site type.
6. Modification to the Regulating Plan is in conformance to the Master Plan and Placemaking Plan.

- F. Nonconformities.** Nonconformities shall be regulated in accordance with Article XXII of the Zoning Ordinance.

SECTION 1142 - STANDARDS

A. Site Types

1. **Site Type A** (neighborhood residential or mixed-use sites)

Site Type A is composed of lots one-half (0.5) acre or smaller and is reserved primarily for residential use and for smaller non-residential use which is compatible with a residential setting. Site Type A is generally located in areas which serve as a transition between the Ecorse Road and neighboring residential areas. The building form selected for these sites must consider both the front elevation that fronts on the street but also the rear/side elevation that is adjacent to residential in order to maintain compatibility with adjacent uses.

2. **Site Type B** (neighborhood commercial/office or mixed-use sites)

Made up mostly of lots between one-half (0.5) and one (1) acre in area, the Site Type B category may include free standing single-use sites developed for commercial and office uses serving the surrounding neighborhood or mixed-use developments. Size and character may vary based on the unique characteristic of each parcel. Small retail and food-service uses would often be found in this category, as well as small single or multi-tenant commercial or office buildings.

3. **Site Type C** (Community commercial/office and mixed-use sites)

The sites in Site Type C are mostly larger than one (1) acres in area. Site Type C size and character may vary based on the unique characteristic of each parcel. This category can include free standing single-use or mixed-use developments that are designed to serve a broader community-wide market.

B. Building Form Standards.

1. The ERFC district permit a series of building forms, dependent on the site context. The building forms, set forth in 1142.C, are designated within the district location based on the regulating plan. Building forms are classified in the following manner:
 - a. Permitted Building Forms. These building forms are permitted as of right in the locations specified.
 - b. Prohibited Building Forms. Building forms that are not identified as permitted in the locations specified are prohibited.
 - c. Exceptions: For all building forms in all locations, awnings, signs, other projections (architectural projections, bay windows, etc.) may project beyond the required building line by up to 5 feet. Projections will be reviewed by the Township to ensure public safety.
2. The regulating plan dictates the site type for each individual property in the district. Building forms are identified within each district as permitted or not permitted based upon the site type.
3. Non-Residential Development Height, Setback, and Greenbelt Provisions when adjacent to any Residentially Zoned or Used Property.
 - a. Setback and Greenbelt:
 - i. Site Type A and B. The following setback and greenbelt shall be provided for any parcel zoned Site Type A or B that is adjacent to a residentially zoned or used parcel.
 - a. When a parcel is abutting or adjacent to a residentially zoned or used parcel without an intervening constructed alley or street, the building setback from the property line of the residentially zoned or used parcel shall be no less than the height of the building on the parcel zoned ERFB.
 - b. When a parcel is abutting or adjacent to a residentially zoned or used parcel without an intervening alley or street, a minimum 10-foot landscaped greenbelt shall be maintained from the property line of the residentially zoned or used parcel. The greenbelt shall be

landscaped and screened with a solid fence or decorative wall up to six feet in height erected parallel to any common lot line, with a ten-foot wide planting strip along the base of the wall or fence that consists of one evergreen tree and one canopy tree per 30 lineal feet along the property line.

- c. The Planning Commission may deviate from these setback and greenbelt provisions in the course of its site plan review process; however, the Planning Commission shall not permit a setback or greenbelt that is less than required in the building form. In the review of the deviation, the Planning Commission shall consider the standards as set forth in Section 1142.B.3.b.
- ii. Site Type C. The following setback and greenbelt shall be provided for any parcel zoned Site Type C that is adjacent to a residentially zoned or used parcel.
 - a. When a property is abutting or adjacent to a residentially zoned or used parcel without an intervening alley or street, the setback from the property line of the residentially zoned or used parcel shall be no less than 1.5 times the height of the building on the non-residential parcel.
 - b. When a property is abutting or adjacent to a residentially zoned or used parcel without an intervening alley or street, a minimum 20-foot landscaped greenbelt shall be maintained from the property line of the residentially zoned or used parcel. The greenbelt shall be landscaped in accordance with Section 2108.C.
 - c. The Planning Commission may deviate from these setbacks and greenbelt provisions in the course of its site plan review process; however, the Planning Commission shall not permit a setback or greenbelt that is less than required in the building form. In the review of the deviation, the Planning Commission shall consider the standards set forth in Section 1142.B.3.b.
- b. Deviation Standards:
 - i. Height, setback, and greenbelt deviations may be granted by the Planning Commission if the following is found:
 - a. The deviation shall not adversely impact public health, safety, and welfare.
 - b. The deviation shall maintain compatibility with adjacent uses.
 - c. The deviation shall be compatible with the Master Plan and in accordance with the goals and objectives of the Master Plan and any associated subarea and corridor plans.
 - d. The deviation shall not adversely impact essential public facilities and services, such as: streets, pedestrian or bicycle facilities, police and fire protection, drainage systems, refuse disposal, water and sewage facilities, and schools.
 - e. The deviation shall be in compliance with all other zoning ordinance standards.
 - f. The deviation shall not adversely impact any on-site or off-site natural features.

C. Building Form Types

**Table 1142a-1
Building Form A.1**

Building Form A.1: Small, generally single-purpose buildings for residential. Typically situated on a smaller lot, adjacent to single family residential.

Building Height

Minimum 1 story, 14-foot height, Maximum 2 stories, 28-foot height (Site type A & B), Max: 2 stories, 38-foot height (Site type C)

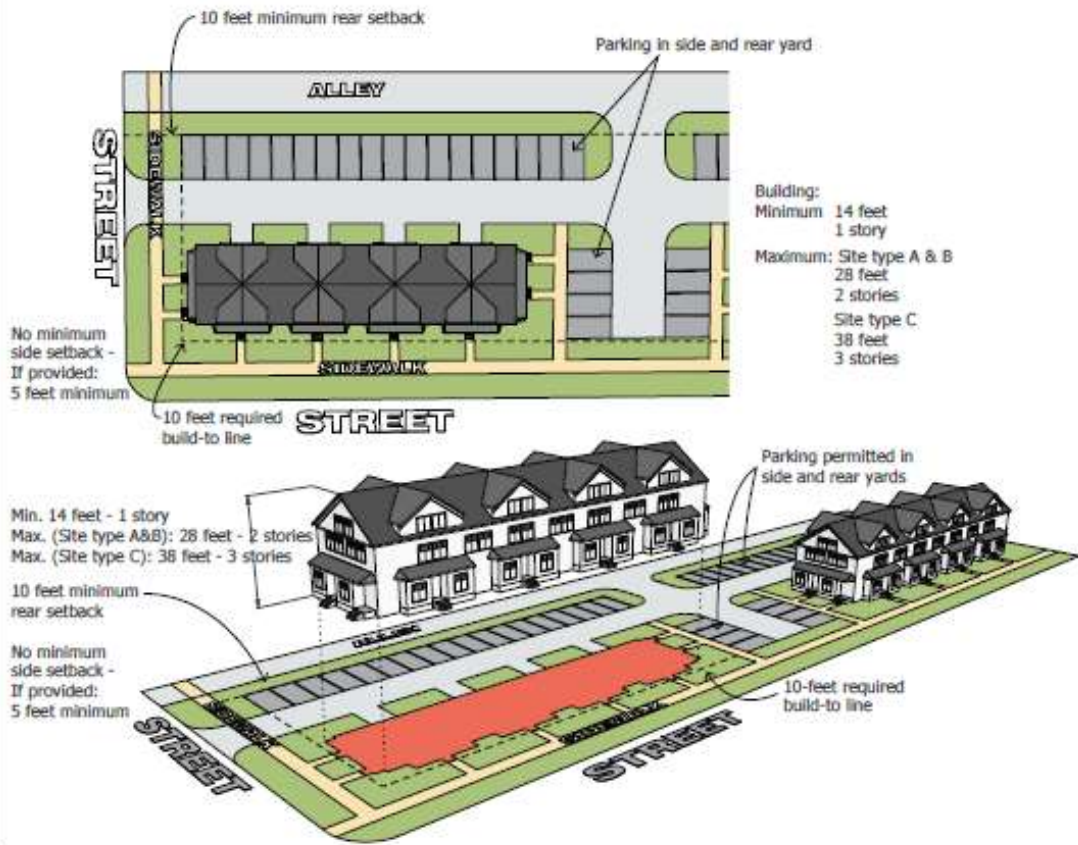
Building Placement

<p>Front Yard: 10-foot required build-to line ¹ 75% of the building façade must meet the required build-to line, while up to 25% of the façade can be setback to allow for architectural consideration.</p>	<p>Side Yard: No minimum side setback If provided, minimum 5 feet. For corner lots, side street yard, minimum 5 feet.</p>	<p>Rear Yard: Minimum 10-foot rear setback</p>
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Lot

<p>Impervious Surface: Maximum 80% Access and circulation: Driveways may access the site from any side, pedestrian pathways must be provided from the right-of-way.</p>	<p>Parking location: Parking shall be located in a side or rear yard; when located in a side yard and abutting the required build-to line adjacent to the right-of-way, parking shall be screened with a minimum 30-inch masonry wall on the required build-to line, or within 5 feet of the required build-to line, provided that a landscape treatment is added between the wall and the required build-to line.</p>
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¹ The Planning Commission may adjust the required build-to line to a maximum of 30 feet beyond the property line for projects incorporating a permanent space for an outdoor café, public space, or a cross access drive with an adjacent parcel. Outdoor cafés or public spaces must be developed as part of the primary building and must incorporate a permanent wall or landscaping area along the required build-to line.

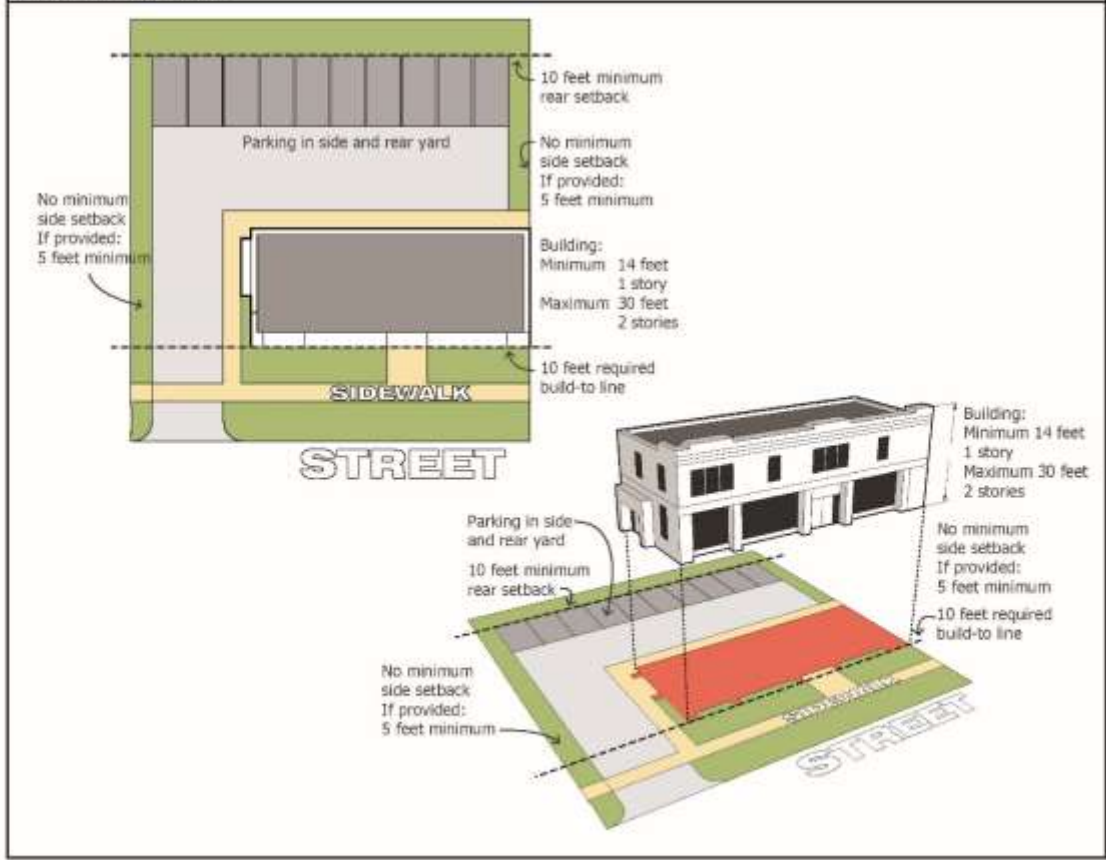


**Table 1142a-2
Building Form A.2**

Building Form A.2: Small, generally single-purpose buildings for retail, office, restaurant, or service uses. Typically situated on a smaller lot within the district. Adjacent to single-family residential.

Building Height		
Minimum 1 story, 14-foot height, Maximum 2 stories, 30-foot height		
Building Placement		
Front Yard: 10-foot required build-to line ¹ 75% of the building façade must meet the required build-to line, while up to 25% of the façade can be setback to allow for architectural consideration	Side Yard: No minimum side setback If provided, minimum 5 feet For corner lots, side street yard, minimum 5 feet.	Rear Yard: Minimum 10-foot rear setback
Lot		
Impervious Surface: Maximum 80% Access and circulation: Driveways may access the site from any side, pedestrian pathways must be provided from the right-of-way.	Parking location: Parking shall be located in a side or rear yard; when located in a side yard and abutting the required build-to line adjacent to the right-of-way, parking shall be screened with a minimum 30-inch masonry wall on the required build-to line, or within 5 feet of the required build-to line, provided that a landscape treatment is added between the wall and the required build-to line.	

¹ The Planning Commission may adjust the required build-to line to a maximum of 30 feet beyond the property line for projects incorporating a permanent space for an outdoor café, public space, or a cross access drive with an adjacent parcel. Outdoor cafés or public spaces must be developed as part of the primary building and must incorporate a permanent wall or landscaping area along the required build-to line.



**Table 1142a-3
Building Form B**

Building Form B: Small, generally single-purpose buildings for retail, office, restaurant, or service uses. Typically situated in an out lot of a larger classification building form, or on a smaller, more remote site location within the district.

Building Height

Minimum 1 story, 14-foot height, Maximum 2 stories, 28-foot height (Site type B), Max: 3 stories, 38 foot height (Site type C)

Building Placement

Front Yard: 10-foot required build-to line ¹ 75% of the building façade must meet the required build-to line, while up to 25% of the façade can be setback to allow for architectural consideration	Side Yard: No minimum side setback If provided, minimum 5 feet	Rear Yard: Minimum 10-foot rear setback
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Lot

Impervious Surface: Maximum 80% Access and circulation: Driveways may access the site from any side, pedestrian pathways must be provided from the right-of-way.	Parking location: Parking shall be located in a side or rear yard; when located in a side yard and abutting the required build-to line adjacent to the right-of-way, parking shall be screened with a minimum 30-inch masonry wall on the required build-to line, or within 5 feet of the required build-to line, provided that a landscape treatment is added between the wall and the required build-to line.
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¹ The Planning Commission may adjust the required build-to line to a maximum of 30 feet beyond the property line for projects incorporating a permanent space for an outdoor café, public space, or a cross access drive with an adjacent parcel. Outdoor cafés or public spaces must be developed as part of the primary building and must incorporate a permanent wall or landscaping area along the required build-to line.

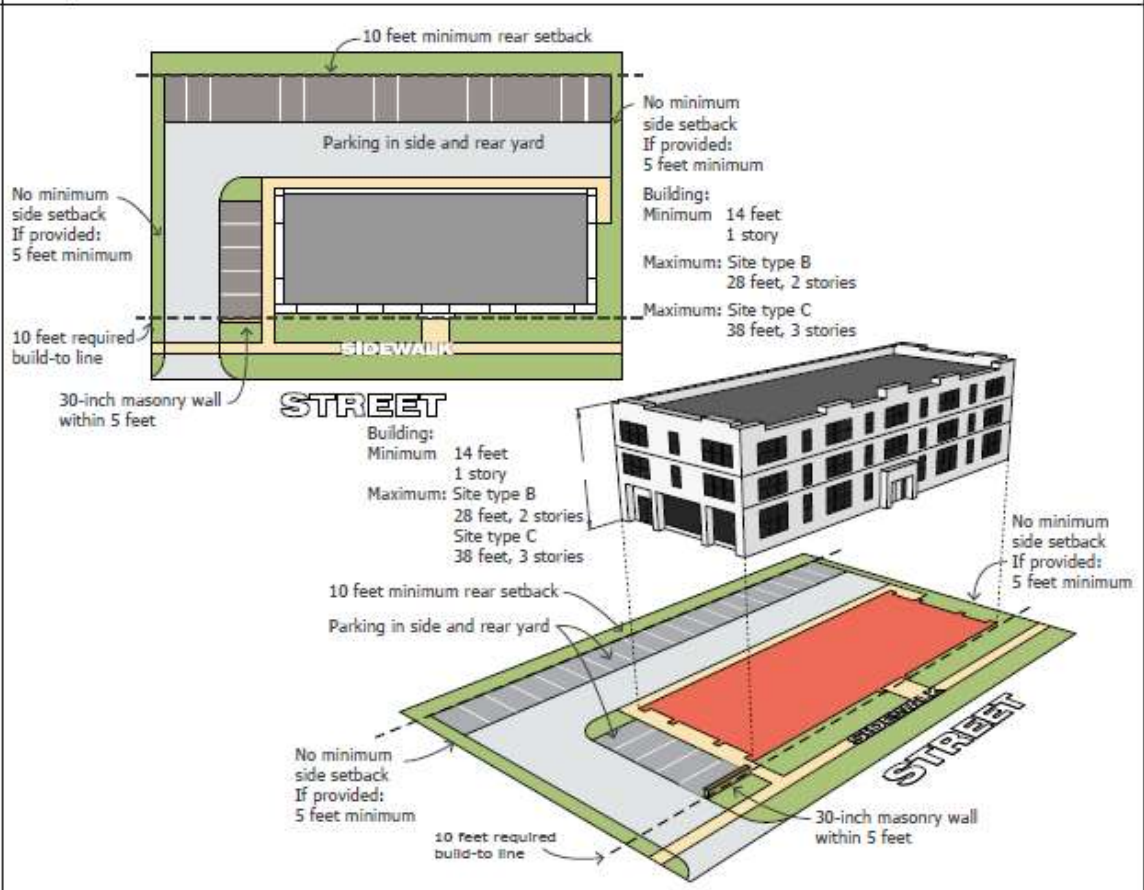


Table 1142a-4 Building Form C		
Building Form C: Single or multiple-tenant buildings for retail, restaurant, office, service, or residential uses. This category also includes multiple-tenant development, although it requires a second story to encourage a mix of use.		
Building Height		
Minimum 1 story, 14-foot height, Maximum 3 stories, 38-foot height, Ground floor 14-foot minimum height		
Building Placement		
Front Yard: Maximum 60-foot required build-to line.	Side Yard: No minimum side setback If provided, minimum 5 feet	Rear Yard: Minimum 30-foot rear setback
Lot		
Impervious Surface: Maximum 80%	Parking location: Parking may be located in any yard; when located in a front or side yard adjacent to the primary building and abutting the right-of-way, parking shall be screened with a minimum 30-inch masonry wall on the required build-to line, or within 5 feet of the required build-to line, provided that a landscape treatment is added between the wall and the required build-to line; if parking is provided in the front yard only 1 row is permitted	

D. Authorized Use Groups.

1. Authorized uses are categorized by use groups as set forth in Table 1142.D. Use groups generally contain similar types of uses in terms of function, character, and intensity.
2. Use groups are designated in locations within each district based on the regulating plan. Use groups are classified in the following manner:
 - a. Permitted Use Groups. These use groups are permitted as of right in the locations specified.
 - b. Special Use Groups. These use groups are permitted after review and approval by the Planning Commission, in accordance with the procedures set forth in Section 2119 and the standards in this Ordinance.
 - c. Prohibited Use Groups. These use groups not indicated as permitted are prohibited in the locations specified.

- d. Uses permitted in all locations within the District. Public parks and essential public services are permitted by right in all locations.
- e. Similar Uses. If a use is not listed but is similar to other uses within a use group, the Zoning Administrator may make the interpretation that the use is similar to other uses within a use group.

The Zoning Administrator may also make the determination whether the use is permitted as of right, permitted in upper stories only, or permitted as a special use. The Zoning Administrator may obtain a recommendation from the Planning Commission as to whether or not the proposed use is similar to a use permitted as of right, permitted in upper stories only, or permitted as a special use.

**Table 1142.D
Use Groups by Category**

Use Group 1 Residential Uses:
One-Family detached and attached dwellings, subject to regulations in Section 1801
Two-Family dwellings
Use Group 2 Misc. Residential / Related Uses:
Multiple-Family dwellings
Live/Work units
Child care centers, subject to regulations in Section 1861
Bed and Breakfast, subject to regulations in Section 1808

Use Group 3
Office / Institutional:
Civic Buildings
General office
Professional and medical office
Primary/secondary schools (private)
Publicly owned/operated office and service facilities
Veterinary clinics or veterinary hospitals, subject to regulations in Section 1820 and Section 1821, respectively
Use Group 4
Retail, Entertainment, and Service Uses:
Financial institutions
General retail
Food use without a drive-through
Personal services
Business services
Use Group 5
Misc. Uses:
Commercial kennels / pet day care
Medical Clinics and Hospitals
Technology centers / office research / data center
Funeral homes
Senior assisted/independent living
Group day care homes, subject to regulations in Section 1861
Lodging
Places of Worship
Fitness, gymnastics, and exercise centers
Theatres and places of assembly
Indoor commercial recreation establishments
Use Group 6
Automotive Uses:
Automobile car wash, subject to conditions in Section 1833
Gasoline service station, subject to conditions in Section 1829

E. Ecorse Road Form Based Code District Regulating Plan



F. Ecorse Road Form Based Code District Regulating Plan Table

Site Type	Building Form		Use Group	
			Permitted Use Group	Special Use Group
Site Type: A	Permitted Building Form	A1, A2	Permitted Use Group	1, 2, 3, 4
			Special Use Group	—
Site Type: B	Permitted Building Form	A1, A2, B	Permitted Use Group	2, 3, 4
			Special Use Group	6
Site Type: C	Permitted Building Form	B, C	Permitted Use Group	2, 3, 4
			Special Use Group	5, 6

G. Design Standards. In addition to standards set forth in this Ordinance, all proposed development shall comply with the standards set forth herein.

1. Pedestrian/Non-Motorized Access

- a. **Intent.** To ensure that site layout and building design provides safe and convenient pedestrian and bicycle access both to and within a site and between adjacent sites.
- b. **Standards**
 - i. A pedestrian connection shall provide a clear connection between the primary street upon which the building fronts and the building. Connection may include pavement striping.
 - ii. Pedestrian access shall be clearly identified from parking areas and all entrances to a building.

- iii. Where appropriate, sidewalks fronting the public right-of-way should be designed to accommodate space for activities such as outdoor dining.
- iv. All sites shall provide a bike rack for at least two (2) bicycles within fifty (50) feet of the building entrance.

2. **Building Placement and Orientation**

- a. **Intent.** To require building placement that provides a strong visual and functional relationship with its site, adjacent sites, and the primary street upon which the site is located. Ensure consistency within sites and to adjacent sites to provide distinct building groups which exhibit similar orientation, scale, and proportion.
- b. **Standards**
 - i. Setbacks and building orientation shall reinforce a consistent pattern of siting.
 - ii. Primary building entrances shall be located so that they are easily identifiable with convenient public access.
 - iii. Buildings should enhance street corners through the use of prominent architectural or site features.

3. **Parking Placement, Orientation, and Screening**

- a. **Intent.** To provide a circulation system that efficiently moves vehicles in a well-defined manner, while reducing the visual impact of parking areas and mitigating conflict between pedestrians, bicycles, and automobiles.
- b. **Standards**
 - i. **Required Parking.** Off-street parking shall be provided for a principal use erected, altered, or expanded after the effective date of this Ordinance in accordance with the standards set forth in Sec. 2104.
 - a. The Form Based districts are intended to encourage pedestrian and friendly design and compact mixed-use developments. Applicants are encouraged to consider the provisions for shared parking and flexibility in application set forth in Sec. 2104.
 - b. The placement and design of parking areas and structures shall foster safe pedestrian access and circulation and clearly identifiable public access and visitor parking. Pedestrian access shall be provided between all parking areas and public building entrances. .
 - ii. **Location**
 - a. When parking is located in a side yard (behind the front building line) but fronts on the required building line, no more than twenty-five (25) percent of the total site's linear feet along the required building line or sixty (60) feet, whichever is less, shall be occupied by parking.
 - b. For a corner lot, no more than twenty-five (25) percent of the site's cumulative linear feet along the required building lines or sixty (60) feet, whichever is less, shall be occupied by parking. The building shall be located in the corner of the lot adjacent to the intersection.

- c. Where off-street parking is visible from a street, it should be screened in accordance with the standards set forth in 2108.

4. **Architectural Design and Building Materials**

- a. **Intent.** To create a character for the form-based district that encourage the greatest amount of visual interest, architectural consistency, and high-quality material use. The standards are not intended to limit imagination, innovation, or variety.
- b. **Architectural Design Standards**
 - i. **Building Massing and Scale**
 - a. Rooflines and pitches shall be proportionate to nearby structures so as to provide transition or mitigation of significant changes to scale. Variety in massing can occur through step-backs as a building ascends upward
 - b. Buildings shall maintain a consistent street wall with the longest edge of the buildings oriented parallel to the roadway, where possible.
 - c. Buildings within the same development shall be designed to provide a unified and easily identifiable image. Methods to achieve this include using similar architectural styles and materials, complementary roof forms, signs, and colors.
 - ii. **Façade Variation.**
 - a. Façade articulation or architectural design variations for building walls facing the street are required to ensure that the building is not monotonous in appearance, using the following architectural techniques: Building wall offsets (projections and recesses); cornices, varying building materials or pilasters used to break up the mass of a single building; staggering of vertical walls; recessing of openings; providing upper-level roof overhangs; contrasting compatible building materials; use of variety and rhythm of window and door openings; use of horizontal and vertical architectural elements, use of horizontal bands of compatible colors; and providing changes in roof shape or roof-line.
 - b. Materials shall be selected for suitability to the type of buildings and the architectural design in which they are used.
 - c. Material selection shall be consistent with architectural style in terms of color, shades, and texture, however monotony shall be avoided.

5. **Transparency**

- a. **Intent.** The first floors of all buildings shall be designed to encourage and complement pedestrian-scale activity and crime prevention techniques. It is intended that this be accomplished principally by the use of windows and doors arranged so that active uses within the building are visible from or accessible to the street, and parking areas are visible to occupants of the building.
- b. **Transparency Standards.** These standards apply only to buildings with non-residential uses on the ground floor:
 - 1. Façade transparency shall be defined as the use of glass or transparent material that provides from the building exterior a view into the building of interior habitation and human scale.

Signs covering windows, and the use of tinted, reflective or opaque glass do not meet the definition of façade transparency.

2. The first floors of all buildings shall be designed to encourage and complement pedestrian-scale activity and crime prevention techniques. It is intended that this be accomplished principally by the use of windows and doors arranged so that active uses within the building are visible from or accessible to the street, and parking areas are visible to occupants of the building. The first floor of any front façade facing a right-of-way shall be no less than fifty (50) percent windows and doors, and the minimum transparency for facades facing a parking area shall be no less than thirty (30) percent of the façade.
3. First-floor transparency is measured between two and eight feet above the first-floor elevation.
4. Nothing shall be placed on or inside window to reduce transparency less than the 50% requirement.
5. For multiple tenant buildings, the minimum transparency requirement must be met by each suite or tenant.

6. Landscaping

- a. **Intent.** To incorporate appropriate landscaping to enhance visual appearance, provide transitions between properties, and screen unsightly areas
- b. **Landscaping Standards.**
 1. In addition to the standards set forth in Sec. 2108, the following standards shall be met.
 2. Landscaping shall conform and incorporate existing landscape and topographic features.
 3. Landscaping within courtyards, patios, and pedestrian realm may include hardscape and softscape materials.
 4. Landscaping shall maintain adequate sight lines for visual safety, visibility and efficient security.
 5. Landscaped areas, including landscaped parking islands and medians, shall be separated from vehicular and pedestrian encroachment by curbs and raised planting areas.

8. Loading and Storage Areas

- a. **Intent.** To ensure that loading, storage, and other building utility features are designed to be a part of the overall building as so to reduce the visual impact
- b. **Standards**
 1. **Utilities and Mechanical Screening**
 - a. Utility structures located between the building and the public right-of-way shall be screened as set forth in Article XXI. Screening may include walls, fencing, or landscaping that is consistent with the character and materials of the development.
 - b. Trash enclosures shall be placed adjacent to the rear wall of corresponding buildings or shall be located away from portions of the site which are highly visible from public roadways or private properties with dissimilar improvements. Trash

enclosures shall be screened as set forth in Article XXI with walls, fencing or landscaping that are consistent with the character and materials of the development.

2. Loading

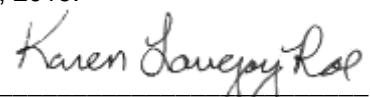
- a. Service areas shall be designated by markings and/or signage to delineate them from pedestrian access and limit conflicts between service/delivery vehicles and patrons (e.g. pedestrians, bicyclists and transit users).
- b. Loading and service areas shall be located on the sides or rears of the buildings.
- c. Loading and service areas shall be screened from the public right-of-way with the use of fencing, landscaping, or walls.

SECTION 4. PUBLICATION. This ordinance shall be published in a newspaper of general circulation as required by law.

SECTION 5. EFFECTIVE DATE: This ordinance shall become effective upon publication in a newspaper of general circulation as required by law.

SECTION 6. REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

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. 2019-487 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on June 18, 2019. The second reading is scheduled to be heard on July 16, 2019.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

BORDER-TO-BORDER TRAIL

BRIDGE ROAD TO SNOW ROAD, GROVE ROAD TRAIL SEGMENT

AGREEMENT

This Agreement ("Agreement"), is entered into as of the 19th day of June, 2019, and memorializes and confirms certain verbal commitments and understandings previously made by the Charter Township of Ypsilanti, a public body corporate, with offices at 7200 Huron River Drive, Ypsilanti, Michigan 48197 ("TOWNSHIP") and the Washtenaw County Parks and Recreation Commission, a public entity, with offices at 2230 Platt Road, Ann Arbor, Michigan 48104 (the "WCPARC").

1.0 ACKNOWLEDGMENTS

1.1 The parties desire to cooperate in the planning, funding, design, construction and development of the Border-to-Border/Iron Belle Trail Segment, a non-motorized trail ("Trail") segments that are approximately 0.5 miles in length running generally adjacent to the south side of Grove Road, between Bridge Road and Snow Road in the Ypsilanti Township (the "Project").

1.2 The WCPARC and the TOWNSHIP may apply for additional funding, such as Iron Belle Trail grants from the Michigan Department of Natural Resources for the Project.

1.3 The Project is to be located within the Grove Road right of ways and land owned by the TOWNSHIP.

1.4 TOWNSHIP shall be the OWNER of the trail upon final acceptance of construction

1.5 TOWNSHIP shall operate, maintain, and repair the Project in accordance with non-motorized trail maintenance standards applied throughout the TOWNSHIP.

NOW, THEREFORE, in exchange for their mutual promises as set forth herein the parties agree as follows:

2.0 FUNDING AND RESPONSIBILITIES OF THE PARTIES

2.1 Project Costs and Funding

2.1.1 The TOWNSHIP shall be responsible for all design project costs for this trail segment, estimated at \$42,000. The TOWNSHIP shall also be responsible for the design cost the trail segments, from North Hydro Park to Grove and along the north side of Grove Road, from Snow Road to Rawsonville Road, the design work is estimated at \$50,000, the Construct of this trail segment will be funded by WCPARC, and is planned for 2020. The cost for construction phase and construction engineering will be fully the responsibility of the WCPARC, less any funds the WCPARC secures from any other private or public funding sources.

2.1.2 Design Phase: TOWNSHIP will entered into a Contract with OHM (Township Engineer) for engineering services consisting of design/preliminary engineering, securing the required permits, and performing the project administration of the Project up to the construction phase. CITY may terminate the design phase of the Project at any time and provide written notice to WCPARC.

2.1.3 Construction Phase: TOWNSHIP will award the construction contract to the approved lowest bid that is a contractor, WCPARC shall be responsible construction engineering and may hire a consultant to serve as the Project Engineer and perform all construction engineering services. These services shall include without limitation inspection; office technician; construction surveying; materials testing and inspection; and generating contractor pay estimates; and providing other construction contract documentation in accordance with MDOT guidelines, standard practices and procedures.

2.1.5 During the construction phase the Project Engineer shall consult with WCPARC and TOWNSHIP regarding any items which may result in an increase to the estimated construction cost. WCPARC will be responsible for any and all actual and necessary construction and Project costs to complete the scope of the Project which WCPARC approved during the design phase. WCPARC shall also pay any additional construction costs incurred due to unforeseen field conditions or payment of field measured unit priced contract items.

2.2 WCPARC Responsibilities

2.2.1 In cooperation with TOWNSHIP, WCPARC will oversee the Project in accordance with MDOT standards and requirements. TOWNSHIP will enter into the necessary contract(s) with the Contractor relating to the Project; coordinate the preparation of construction documents with the TOWNSHIP; secure the required easements or right-of-way for the Project; execute the necessary construction contract(s) for the Project; and WCPARC will administer the Project during construction in accordance with WCPARC's and MDOT's guidelines and standard practices and procedures.

2.3 TOWNSHIP Responsibilities

2.3.1 Project Payments to TOWNSHIP: WCPARC shall promptly make payment upon receipt of invoices issued by TOWNSHIP for construction of the project as described herein.

2.3.2 TOWNSHIP shall be the OWNER of the trail upon final acceptance of construction

2.3.3 TOWNSHIP shall operate, maintain, and repair the Project in accordance with non-motorized trail maintenance standards applied throughout the TOWNSHIP.

AGREEMENT SUMMARY

TRAIL CONSTRUCTION (WCPARC B2B MILLAGE FUNDS)	\$145,000
TRAIL CONSTRUCTION (2017 CONNECTING COMMUNITY FUNDS)	\$125,000
TRAIL CONSTRUCTION (MDNR GRANT)	\$135,000
<u>TRAIL DESIGN (TOWNSHIP)</u>	<u>\$ 92,000</u>
PROJECT TOTAL	\$497,000

IN WITNESS WHEREOF, the parties have set their hands to this Agreement the day and year here written.

WASHTENAW COUNTY PARKS AND RECREATION COMMISSION

Dated: _____, 2019

By: Coy Vaughn
Its: Director

THE CHARTER TOWNSHIP OF YPSILANTI

Dated: June 19, 2019

Brenda L Stumbo
By: Brenda Stumbo
Its: Township Supervisor

Dated: June 19, 2019

Karen Lovejoy Roe
By: Karen Lovejoy Roe
Its: Clerk

CHARTER TOWNSHIP OF YPSILANTI

RESOLUTION 2019-28

A RESOLUTION OF SUPPORT FOR THE IRON BELLE TRAIL IN THE CHARTER TOWNSHIP OF YPSILANTI

WHEREAS, the Charter Township of Ypsilanti recognizes the importance of providing a range of outdoor recreational opportunities to meet the needs of residents; and,

WHEREAS, the Charter Township of Ypsilanti desires to advance the quality of local recreational opportunities by providing facilities that are universally accessible to residents and guests; and,

WHEREAS, the State of Michigan Department of Natural Resources is promoting the Iron Belle Trail which comprises of a hiking route and bicycling route extending from the far western tip of the Upper Peninsula to Belle Isle in Detroit.

WHEREAS, the State of Michigan Department of Natural Resources has designated a portion of the hiking trail route to be in the Charter Township of Ypsilanti; and,

WHEREAS, an engineering firm, PEA, Inc, has evaluated several alternate routes for the Iron Belle Trail to run through the Charter Township of Ypsilanti in an alignment study with the purpose of connecting the Washtenaw County portion of the route with the Lower Huron Metropark in Wayne County; and,

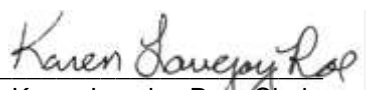
WHEREAS, the Charter Township of Ypsilanti has held an informational meeting regarding the alignment study at Ypsilanti Township Hall on April 11, 2019 and received feedback from residents regarding the potential routes of the trail; and,

THEREFORE, be it resolved that the Charter Township of Ypsilanti supports to further advance the Iron Belle Trail planning and design efforts within the Township; and,

THEREFORE, be it further resolved that the Charter Township of Ypsilanti endorses the route in the eastern half of the Township which extends south from the intersection of Bridge Road and Grove Road to North Hydro Park, then thru North Hydro Park and back north to Grove Road, then extending east along Grove Road, to the intersection of Grove Road and Rawsonville Roads in Washtenaw County; and, **THEREFORE**, be it further resolved that the Charter Township of Ypsilanti recognizes that as the trail planning and design efforts continue, it may be necessary to make modifications to the route of the trail; and,

THEREFORE, be it further resolved that any deviations from the above described route will brought back before the Charter Township of Ypsilanti Board of Trustees for further review and consideration.

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. 2019-28 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on June 18, 2019.


Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti



June 7, 2019

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

RE: Grove Road Pathway Extension – Bridge Road to Snow Road
Proposal for Construction Services

Dear Ms. Stumbo:

OHM Advisors is pleased to submit this proposal for construction services for the Grove Road Pathway Extension project in the Charter Township of Ypsilanti. This project includes new pathway across the Rawsonville School property (Connecting Communities funded), additional rehabilitation of the Rawsonville Elementary School entrance, and rehabilitation of the existing path in front of the Rivergrove Subdivision (potential funding pending).

PROJECT UNDERSTANDING

This project was originally bid in September of 2018; however, it was decided to rebid this again in 2019 due to various factors. We understand a portion of this pathway is included in the Washtenaw County Parks and Recreation Commission's (WCPARC) "Connecting Communities" pathway/sidewalk initiative and that the Township is currently working with the County to receive additional funds for this project. The design and construction of this pathway is being performed in partnership with WCPARC, the Charter Township of Ypsilanti, and the Van Buren School system.

OHM Advisors has coordinated with the Van Buren School system, which included two (2) meetings held on July 11, 2018 and March 20, 2019, resulting in the proposed removal and replacement of their main drive, at their own expense. OHM, as part of this scope, will continue coordination with the School system and conduct a third meeting to finalize the agreement and temporary easement.

OHM Advisors has also been coordinating with DTE on our previous design due to the addition of a new vault located on the southwest corner of Grove Road and Snow Road. This coordination has been necessary to ensure the new pathway design avoids conflicts with both the existing and proposed vaults. Coordination has also been critical to aid DTE's awareness of the proposed pathway location. Plan revisions, as well as coordination, have occurred over the past several months to ensure there is no conflict with the updated bid package or potential conflict with construction of the proposed DTE vault.

OHM Advisors has also been collaborating with the Township throughout the application process for the WCPARC's Connecting Communities Grant and the Border-to-Border (B2B) Grant.

For the project, construction services will be a collaborative effort in conjunction with WCPARC and G2 Consulting Group (G2). OHM Advisors will be responsible for the construction services, including construction engineering, staking and layout, and coordination with WCPARC who will be inspecting and providing limited contract administration. OHM will coordinate with our subconsultant, G2, whom will be responsible for the material and compaction testing, as well as mix design review.



SCOPE

Task 1 – Re-Bid Project and Coordination with WCPARC, DTE, and Van Buren Schools

In order to re-bid the project, OHM Advisors prepared a revised contract book and a revised set of plans for the bidding process. In good faith, OHM has coordinated with Van Buren Schools as well as DTE to modify the design. In addition, OHM also secured new permits with the Washtenaw County Road Commission (WCRC). OHM provided bidding services along with a recommendation of award and moved forward to scheduling meetings with Rawsonville School representatives.

Task 2 – Construction Layout

OHM Advisors will provide construction survey layout services for the placement of the new pathway. This will include initial placement of the stakes per phase and, if removed by the contractor, one (1) additional staking per phase. Note that this project is phased so we anticipate several site visits to stake each phase.

Task 3 – Construction Engineering and Coordination with WCPARC

OHM Advisors will provide construction engineering services for this project. Construction engineering services will include but are not limited to:

- ▶ Assistance with and attendance at one (1) pre-construction meeting.
- ▶ Advising the Township or its designated representative during construction.
- ▶ Reviewing shop drawings and material certification provided by the contractor.
- ▶ Answering Requests for Information (RFIs) from the contractor.
- ▶ Resolving construction conflicts (i.e. mismarked utilities, interpretation of the contract documents, etc.).
- ▶ As needed construction administration assistance limited to WCPARC requests for change orders and estimates.
- ▶ Coordination with Van Buren Schools.
- ▶ Bi-weekly progress meetings after construction commences.
- ▶ All onsite project inspection will be provided by WCPARC and has not been included in this scope of services.

Task 4 – Materials Testing

G2 Consulting Group will provide testing as required. Material testing services include but are not limited to:

- ▶ Proof-rolling observation for applicable subbases.
- ▶ Density testing for subbases and asphalt pavement.
- ▶ Concrete testing.

FEE

OHM Advisors proposes to provide the above outlined professional construction services on an Hourly – Not to Exceed basis, in accordance with our 2019 Rate Schedule. Invoices will be sent monthly as work is performed.

Design & Rebidding	Task 1 - Re-Bid Project Prep	\$ 8,950.00
CE Services	Task 2 - Construction Layout	\$ 6,500.00
	Task 3 - Construction Engineering	\$ 9,300.00
	Task 4 - G2 Services (Materials Testing)	\$ 8,800.00
TOTAL		\$33,550.00 (Hourly - Not to Exceed)

Note that the layout, construction engineering, and materials testing represents approximately 6% of the estimated construction costs. The WCPARC will perform observation and construction administration, which is typically 6 – 8%.



Overall, construction engineering services, staking, materials testing, and construction observation is approximately 15% of the overall project construction cost.

DELIVERABLES

A final pay estimate and final acceptance letter will be issued upon project completion as well as copies of the inspection reports (with sketches) for record information.

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.

OHM ADVISORS
CONSULTANT

Charter Township of Ypsilanti
CLIENT

(Signature)

Brenda Stumbo

Matthew D. Parks, P.E.

(Name)

Ms. Brenda Stumbo

Principal in Charge

(Title)

Township Supervisor

(Date)

June 19, 2019

(Signature)

Karen Lovejoy Roe

(Name)

Ms. Karen Lovejoy Roe

(Title)

Township Clerk

(Date)

June 19, 2019



June 7, 2019

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

RE: Proposal for Grove Road Border-to-Border Pathway
Professional Engineering Design Services
Modified Task 4 per 6-18-19 Board Meeting

Dear Ms. Stumbo:

Thank you for the opportunity to submit this proposal to provide Professional Engineering Design Services for the Grove Road Border-to-Border Pathway. This pathway is part of the Washtenaw County Parks and Recreation Commission's (WCPARC) "Border-to-Border (B2B)" pathway/sidewalk initiative. The design and construction of this pathway is being performed in partnership with the Charter Township of Ypsilanti (Township) and the Washtenaw County Parks and Recreation Commission (WCPARC).

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

PROJECT UNDERSTANDING

The project consists of connecting the pathways at the border of Ypsilanti Township and Van Buren Township, along with an additional pathway that connects pedestrian traffic from Grove Road to the North Hydro Park. The soon to be constructed pathway along Grove Road has recently been selected to become part of the official Border-to-Border (B2B) route.

For the Grove Road B2B pathway, a concrete sidewalk will be constructed at the end of the existing path at the east corner of Rawsonville Elementary School (to be constructed this summer) and extend north across Grove Road and include new pedestrian push-button controls. The existing sidewalk along the north side of Grove Road, from Margery to Nancy Street, will be removed and replaced to conform to current ADA standards as well as potentially widened where possible. A proposed 6-foot wide concrete pathway will be designed from Margery Street to Rawsonville Road with improvements to the Margery intersection. Other existing sidewalk in the north approaches approximate to Rawsonville will also be removed and replaced dependent on ADA compliance and condition of the pavement.

The North Hydro Park path will be constructed from the existing dead-end path within the Park and will connect to the existing pathway on the south side of Grove Road, between Woodale Avenue and the Rawsonville Elementary School main entrance (being rehabilitated this summer). This portion of pathway will be a 10-foot wide asphalt path and will be accompanied with three proposed design concepts.

All pathway design will comply with the current guidelines for pathway construction including the American Association of State Highway Transportation Official's (AASHTO) Guide for the Development of Bicycle Facilities

OHM Advisors
34000 PLYMOUTH ROAD
LIVONIA, MICHIGAN 48150

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



(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 neighboring Grove Road pathway projects as well as with various application assistance efforts. We offer the following scope of services for the completion of the design of this project.

SCOPE

Task 1 – Design Survey/ROW Identification

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.

Task 2 – Engineering Drawing Design

The data gathered in Task 1, along with the conceptual sketches provided during the Design Survey process, will allow us to create a set of design drawings and aerial maps. These drawings and maps will be further developed to show the pathway location. Preliminary design, as well as pedestrian signal design at Snow Road and Grove Road, will be completed at this time. For the pathway at North Hydro Park, three (3) conceptual designs will be proposed for the Township's consideration. The conceptual designs will offer the Township varying degrees of park "experience" and service. The three concepts have been discussed with Mr. Doug Winters who has previously authorized OHM to prepare a Request for Proposal (RFP) for the Rivergrove site. The concepts will take into careful consideration of the previously approved Planned Development plan and either try to avoid proposed infrastructure or "re-imagine" the parcel as a future trailhead to the eastern most leg of the B2B system and Hydro Park. A kick-off meeting will be held to confirm the three concepts prior to final design work commencing.

The plans will include any notes and details necessary for specific design elements as well as cross-sections of the path. These documents will serve as the plans for the project and allow bidders to recognize the overall scope of work. Additionally, these plans will also be reviewed with the Township for feedback with a second meeting. If easements are needed, they will be discussed at this time. Any plan revisions discussed at the meeting will be incorporated into the drawings for the final bid package. This design is assuming two (2) contingency easements will need to be obtained. Additional easements can be prepared for \$950 each.

Geotechnical information will also be gathered at this stage and will be performed by G2 Consulting Group (G2). We anticipate that two soil borings will need to be obtained for the North Hydro Park area, and another two soil borings will be needed for the B2B pathway.

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 reference contractual items, specifically special instructions to bidders, supplemental 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 assess bids on a same class comparison. After completion of the design, the Township will be provided with two (2) 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 Township comments prior to advertising and bidding. OHM will also assist and submit for permits, including an SESC permit and WCRC permit, as part of this task.

Task 4 – Bidding

The final bid package will be provided to the WCPARC to bid per their required method. OHM can participate an onsite pre-bid conference with potential bidders if requested by the Township or WCPARC. OHM will address any questions and/or any Requests for Information (RFI) received by the bidding contractors during the bid phase. OHM will attend a bid opening at upon request with the WCPARC on the date specified in the bid documents. Bids received will be read aloud, tabulated, and reviewed by OHM. A letter of recommendation will then be provided to the WCPARC/Township for their use in awarding the project.

DELIVERABLES

Task	Deliverable
Task 2	Engineering Design Plans and Three Concept Plans
Task 3	Final Bidding Package with Chosen Concept Plan
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. 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
Elliot Smith	Lead Design Engineer	Concepts, Design Development, ADA Issues, & QA/QC
Phil Maly	Construction Engineer	QA/QC
Andrew Schripsema, PE, PS	Surveyor	Design Survey (Control, Topography, & Right-of-Way)
G2 Consulting Group	Geotechnical Engineer	Soils Report Development

ASSUMPTIONS/CLARIFICATIONS

- The design will be limited to the pathway and hard surface around the proposed conceptual routes only. This design will not incorporate any improvements to Grove Road, or potential “park enhancements” on the Rivergrove property beyond the pathway, or other work outside limits not previously mentioned.
- 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. Additional work will not be conducted prior to Township written authorization.
- No construction phase services are 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 12-15% 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 2019 Rate Schedule. Invoices will be sent monthly as work is performed.

Design Tasks	Design Fee
Task 1	\$13,250.00
Task 2	\$18,250.00
Task 3	\$12,650.00
<u>Task 4</u>	<u>\$3,750.00</u>
Total	\$47,900.00

The total fee is estimated to be \$47,900.00. Additional services can be provided on an hourly basis, as requested.

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.

OHM ADVISORS
CONSULTANT

Charter Township of Ypsilanti
CLIENT

(Signature)

Brenda Stumbo

Matthew D. Parks, P.E.

(Name)

Ms. Brenda Stumbo

Principal in Charge

(Title)

Township Supervisor

(Date)

June 19, 2019

(Signature)

Karen Lovejoy Roe

(Name)

Ms. Karen Lovejoy Roe

(Title)

Township Clerk

(Date)

June 19, 2019



June 7, 2019

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

RE: Civic Center Pond Research
Proposal for Geotechnical Services

Dear Ms. Stumbo:

We are pleased to submit a proposal to provide geotechnical services for the Township's Civic Center pond. We understand that the Township desires to perform maintenance and improvements to the existing pond. After discussions with Township staff, it is understood the Township would like the following modifications to the pond: create a 20-foot wide embankment along the building for lawn mowing, configure fountain(s), add peninsula to access fountain, add valve at the pond's outlet, stabilize pond banks with natural stone, waterproof the building wall adjacent to the pond, provide bentonite seal, and place quality topsoil.

It is our recommendation that geotechnical services be provided prior to designing the pond improvements project. This will ensure that the improvements can be completed and within the Township's budget. OHM Advisors will work in conjunction with G2 Consulting Group (G2) to provide six (6) borings with a depth of 20-feet as well as one (1) additional sample at 12-1/2-feet near the bottom of the pond. These services will be provided using a truck rig to access the borings. G2 will provide a full geotechnical report with recommendations including the suitability of existing soils for use as an impermeable earthen berm and assessment of need for liner if sand layers present deeper within the pond. OHM will help coordinate the borings, review the geotechnical report provided by G2, and provide a recommendation on how to proceed. This fee also includes a meeting to review the findings and discuss next steps.

FEE

OHM Advisors will invoice the Charter Township of Ypsilanti for the above stated services as a lump sum fee. The total fee is estimated to be \$6,850.00. Additional services can be provided on a time and material basis, as requested.

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.

OHM ADVISORS
CONSULTANT

Charter Township of Ypsilanti
CLIENT



_____	(Signature)	<u>Brenda Stumbo</u>
<u>Matthew D. Parks, P.E.</u>	(Name)	<u>Ms. Brenda Stumbo</u>
<u>Principal in Charge</u>	(Title)	<u>Township Supervisor</u>
_____	(Date)	<u>June 19, 2019</u>
	(Signature)	<u>Karen Lovejoy Roe</u>
	(Name)	<u>Ms. Karen Lovejoy Roe</u>
	(Title)	<u>Township Clerk</u>
	(Date)	<u>June 19, 2019</u>

CHARTER TOWNSHIP OF YPSILANTI

RESOLUTION 2019-29

Abandoned Tax Delinquent Property

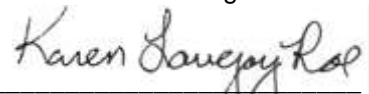
Whereas, the Charter Township of Ypsilanti Board of Trustees has determined that parcels of abandoned tax delinquent property exist; and

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. 2019-29 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on June 18, 2019.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

CHARTER TOWNSHIP OF YPSILANTI

RESOLUTION 2019-30

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 **March 31, 2019** 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 **2019** last revised on **June 4, 2019** (See Exhibit 1) was received by Ypsilanti Township Clerk **Karen Lovejoy Roe** on **June 5, 2019** from Washtenaw County Treasurer McClary which contained *inter alia* the following Ypsilanti Township properties which set forth the amount of unpaid delinquent taxes and are described as follows:

641 Greenlawn

Parcel No.: K-11-11-362-032
Minimum Bid: \$24,974.00
Legal Description:
THAT PART OF LOTS 94 & 95 LYING NLY. OF HWY. RIGHT OF WAY & LOT 96 EASTLAWN SUBDIVISION.

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 2018 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 Board's 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 the aforementioned listed property totals **\$24,974;**

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

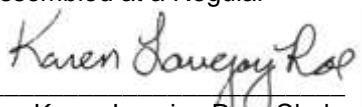
1. That the Township hereby finds and determines that the exercise of its **"First Right of Refusal"** pursuant to the General Property Tax Act as further defined in the Court of Appeals case entitled **"City of Bay City vs Bay County Treasurer"** to purchase the properties hereinabove listed located 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 property under the Township's **"First Right of Refusal"** for the minimum bid of **\$24,974**.

3. That the Township authorizes the payment of **\$24,974.00** for the purpose of acquiring the above listed property 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. 2019-30 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on June 18, 2019.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

Resolution Establishing Authorized Signatories for MERS Contracts and Service Credit Purchase Approvals



1134 Municipal Way Lansing, MI 48917 | 800.767.MERS (6377) | Fax 517.703.9711

www.mersofmich.com

This Resolution is entered into under the provisions of 1996 PA 220 and the Municipal Employees' Retirement System of Michigan ("MERS") Plan Document, as each may be amended.

This resolution applies to reporting unit(s) # 8104 of the participating municipality listed below.

WHEREAS, The Charter Township of Ypsilanti ("Employer") is a participating municipality with the Municipal Employees' Retirement System of Michigan ("MERS") and has adopted one or more retirement, insurance, investment or other post-employment benefit products administered by MERS;

WHEREAS, MERS requires signatures of an authorized representative of the Employer to execute contracts with MERS, the entry of which is authorized by the governing body and permitted under the applicable MERS Plan Document(s);

WHEREAS, the Employer wishes to designate certain job position(s), the holder(s) of which may sign MERS' contracts relating to the adoption, amendment and termination of MERS' products, and defined benefit service credit purchase approvals on behalf of Employer to implement decisions and actions of the governing body;

WHEREAS, this Resolution is not intended to apply to MERS forms or any other MERS document except as specifically mentioned herein,

Therefore, the Governing Body resolves:

The holders of the following job position(s) are hereby *Authorized Officials* that can sign: (1) MERS Adoption Agreements, Resolutions, Participation Agreements, Administrative Services Agreements, Withdrawal Agreements and any other contracts between MERS and the Employer with respect to Employer's participation in any MERS-administered product and any amendments and addendums thereto, and (2) MERS Defined Benefit service credit purchase approvals:

1. Township Supervisor

Optional additional job positions:

2. Township Clerk
3. Township Human Resource Representative

This Resolution may be revoked in writing or amended by the Governing Body at any time, provided that it will not be effective until such writing or amended Resolution is received by MERS. The Governing Body agrees that MERS may rely upon this Resolution as conferring signing authority upon the holders of the above job position(s) to bind Employer with respect to MERS.

Adopted at a regular/special meeting of the Governing Body on June 18, _____, 2019.

Authorized signatory: *Karen Wallin*

Name: Karen Wallin

Title: Human Resource Representative

2019 Tax Rate Request (This form must be completed and submitted on or before September 30, 2019)

MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

Carefully read the instructions on page 2.

This form is issued under authority of MCL Sections 211.24e, 211.34 and 211.34d. Filing is mandatory; Penalty applies.

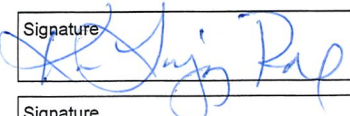
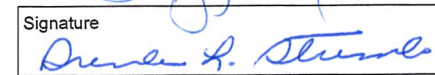
County(ies) Where the Local Government Unit Levies Taxes Washtenaw	2019 Taxable Value of ALL Properties in the Unit as of 5-28-19 TV 1,406,630,502 (TV minus Renaissance Zone 1,380,345,226)
Local Government Unit Requesting Millage Levy Charter Township of Ypsilanti	For LOCAL School Districts: 2019 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties.

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been authorized for levy on the 2019 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Election Charter, etc.	(5) ** 2018 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(6) 2019 Current Year "Headlee" Millage Reduction Fraction	(7) 2019 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(8) Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	(9) Maximum Allowable Millage Levy *	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
Allocated	Gen Op	N/A	1.1160	1.0167	.9899	1.0064	1.0000	1.0064		1.0064	N/A
Voted	Fire Prot	11/8/16	3.1250	3.0962	.9899	3.0649	1.0000	3.0649		3.0649	2020
Voted	Fire Cap	5/8/18	.5000	.5000	.9899	.4949	1.0000	.4949		.4949	2022
Voted	Sld Waste	11/8/16	2.1550	2.1351	.9899	2.1135	1.0000	2.1135		2.1135	2020
Voted	Police	11/8/16	5.9500	5.8952	.9899	5.8356	1.0000	5.8356		5.8356	2020
Voted	Rec/BP	11/8/16	1.0059	.9966	.9899	.9865	1.0000	.9865		.9865	2020
PA345	FPen/HC	N/A						1.3300		1.3300	N/A

Prepared by Javonna Neel	Telephone Number (734) 484-3702	Title of Preparer Accounting Director	Date 6/19/19
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CERTIFICATION: As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 380.1211(3).

<input checked="" type="checkbox"/> Clerk	Signature 	Print Name Karen Lovejoy Roe	Date 6/19/19
<input type="checkbox"/> Secretary			
<input type="checkbox"/> Chairperson	Signature 	Print Name Brenda L. Stumbo	Date 6/19/19
<input checked="" type="checkbox"/> President			

* Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24e must be met prior to levying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

** **IMPORTANT:** See instructions on page 2 regarding where to find the millage rate used in column (5).

Local School District Use Only. Complete if requesting millage to be levied. See STC Bulletin 3 of 2019 for instructions on completing this section.	
Total School District Operating Rates to be Levied (HH/Supp and NH Oper ONLY)	Rate
For Principal Residence, Qualified Ag, Qualified Forest and Industrial Personal	
For Commercial Personal	
For all Other	

**CHARTER TOWNSHIP OF YPSILANTI
2019 BUDGET AMENDMENT #10**

June 18, 2019

AMOUNTS ROUNDED UP TO THE NEAREST DOLLAR

101 - GENERAL OPERATIONS FUND	Total Increase	<u>\$6,115.00</u>
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Request to increase budget for PTO payouts at 75% of the hours requested. This will be funded by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	101-000-000-699.000	\$803.00
		Net Revenues	<u>\$803.00</u>
Expenditures:	Salaries Pay Out - PTO & Sick	101-201-000-708.004	\$746.00
	FICA	101-201-000-715.000	\$57.00
		Net Expenditures	<u>\$803.00</u>

Request to increase budget for the purchase and installation of a cameras the Cliffs. This will be funded by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	101-000-000-699.000	\$5,312.00
		Net Revenues	<u>\$5,312.00</u>
Expenditures:	Neighborhood Camera System	101-970-000-972.000	\$5,312.00
		Net Expenditures	<u>\$5,312.00</u>

212 - BIKE, SIDEWALK, REC, ROADS GENERAL FUND (BSRII)	Total Increase	<u>\$489,950.00</u>
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Request to increase budget for the Grove Road Path - Border to Border Trail (B2B) Project. This project is part of the Iron Belle Trail planning grant in collaboration with the Washtenaw County Parks and Recreation Commission (WCPARC), the Michigan Department of Natural Resources (MDNR), the Huron Waterloo Pathways Initiative (HWPI), Van Buren Schools, and The Charter Township of Ypsilanti. The total project for 2019 is \$489,950 (Best Asphalt \$408,500 and OHM \$81,450). This will be funded by grant funds of \$393,100, a contribution from Van Buren School of \$40,000 and an appropriation of prior year fund balance of \$56,850.

Revenues:	County Grant - Connecting	212-000-000-540-200	\$393,100.00
	Contribution - Local School	212-000-000-581.500	\$40,000.00
	Prior Year Fund Balance	212-000-000-699.000	\$56,850.00
		Net Revenues	<u>\$489,950.00</u>
Expenditures:	Capital Outlay - Pathway	212-970-000-997.007	\$489,950.00
		Net Expenditures	<u>\$489,950.00</u>

Motion to Amend the 2019 Budget (#10)

Move to increase the General Fund budget by \$6,115 to \$10,090,671 and approve the department line item changes as outlined.

Move to increase the Bike, Sidewalk, Rec, Roads, General Fund II budget by \$489,950 to \$2,162,498 and approve the department line item changes as outlined.