

**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE MARCH 2, 2021 REGULAR BOARD MEETING**

Supervisor Stumbo called the meeting to order at approximately 7:00 p.m. done as Zoom Virtual Board meeting.

**Members Present:** Supervisor Stumbo, Clerk Heather Jarrell Roe, and Treasurer Eldridge  
Trustees: John Newman, Gloria Peterson,  
Debbie Swanson, and Jimmie Wilson, Jr.  
(All members stated that they were present in Ypsilanti Township)

**Members Absent:** none

**Legal Counsel:** Wm. Douglas Winters

**PUBLIC COMMENTS (THREE MINUTES PER PERSON) - None**

**CONSENT AGENDA**

**A. MINUTES OF THE FEBRUARY 16, 2021 WORK SESSION AND REGULAR MEETING**

**B. STATEMENTS AND CHECKS**

**1. STATEMENTS AND CHECKS FOR MARCH 2, 2021 IN THE AMOUNT OF \$1,142,589.05**

**A motion was made by Clerk Jarrell Roe, supported by Treasurer Eldridge to Approve the Consent Agenda.**

**The motion carried unanimously.**

**ATTORNEY REPORT**

**A. GENERAL LEGAL UPDATE**

Attorney Winters said that there was a fire in December on Arbor Circle and there was one gentlemen who backed his truck up to assist neighbors who were trapped on balconies helping them to safety. He said the man sustained some injuries in the process. He said we have so many residents in our community who care for one another on a day to day basis and this is one example of that. He said there was another resident recently who came to the aid of a neighbor who was in need of very serious social services and relocation services to move from the environment they were living in. He said this came about when a concerned neighbor noticed packages being left on the porch, mail not taken in and notified the Sheriffs' Department who along with Ypsilanti Townships' OCS Department helped this resident taken to an environment where they were safe and cared for. He said there are many stories like this happening around us where people are performing acts of kindness that are overlooked because the news is filled with tragedies.

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**OLD BUSINESS**

- 1. 2<sup>ND</sup> READING OF RESOLUTION 2021-05, PROPOSED ORDINANCE 2021-494, AN ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 37 LIQUOR (1<sup>ST</sup> READING HELD AT THE FEBRUARY 2, 2021 REGULAR MEETING)**

**A motion was made by Clerk Jarrell Roe, supported by Trustee Wilson to Approve 2<sup>nd</sup> Reading of Resolution 2021-05, Proposed Ordinance 2021-494, an Ordinance Amending the Code of Ordinances Chapter 37 Liquor (1<sup>st</sup> Reading Held at the February 2, 2021 Regular Meeting) (see attached).**

**A motion for a friendly amendment was made by Treasurer Eldridge, supported by Trustee Wilson to remove Section 37-32 and Section 37-33 as discussed in the Work Session.**

Jarrell Roe.....Yes	Eldridge.....Yes	Wilson.....Yes
Swanson.....Yes	Peterson.....Yes	Newman.....Yes
Stumbo.....Yes		

**The motion carried unanimously.**

- 2. REQUEST TO APPROVE UPDATED LIQUOR LICENSE APPLICATION (TABLED AT THE FEBRUARY 2, 2021 REGULAR MEETING)**

**A motion was made by Trustee Wilson, supported by Clerk Jarrell Roe to Remove from Table.**

Jarrell Roe.....Yes	Eldridge.....Yes	Wilson.....Yes
Peterson.....Yes	Swanson.....Yes	Newman.....Yes
Stumbo.....Yes		

**A motion was made by Treasurer Eldridge, supported by Trustee Wilson to Approve the Updated Liquor License Application (Tabled at the February 2, 2021 Regular Meeting) (see attached).**

**The motion was carried unanimously.**

**NEW BUSINESS**

- 1. REQUEST APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE ANN ARBOR YMCA FOR 2021 SUMMER CAMP PROGRAMS**

**A motion was made by Treasurer Eldridge, supported by Trustee Swanson to Approve the Memorandum of Understanding with the Ann Arbor YMCA for 2021 Summer Camp Programs (see attached).**

**The motion was carried unanimously.**

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- 2. REQUEST AUTHORIZATION TO WAIVE THE FINANCIAL POLICY AND PURCHASE A 2021 FORD EXPEDITION THROUGH THE MIDEAL GOVERNMENT FLEET SERVICES FOR THE FIRE DEPARTMENT IN THE AMOUNT OF \$39,471.00 BUDGETED IN LINE ITEM #217-970-000-979-000**

**A motion was made by Trustee Peterson, supported by Treasurer Eldridge to Approve to Waive the Financial Policy and Purchase a 2021 Ford Expedition through the Mideal Government Fleet Services for the Fire Department in the Amount of \$39,471.00 Budgeted in Line Item #217-970-000-979-000.**

**The motion was carried unanimously.**

- 3. REQUEST TO ACCEPT PROPOSAL FROM OHM TO PROVIDE PROFESSIONAL ENGINEERING DESIGN SERVICES FOR PARKING LOT IMPROVEMENTS AT THE HEWITT ROAD FIRE STATION IN A NOT TO EXCEED AMOUNT OF \$12,100.00 BUDGETED IN LINE ITEM #217-970-000-971-008**

**A motion was made by Treasurer Eldridge, supported by Trustee Swanson to Approve Proposal From OHM for Professional Engineering Design Services for Parking Lot Improvements at the Hewitt Road Fire Station in a not to Exceed Amount of \$12,100.00 Budgeted in Line Item #217-970-000-971-008 (see attached).**

**The motion was carried unanimously.**

## **OTHER BUSINESS**

- 1. REQUEST TO APPROVE MEMORANDUM OF UNDERSTANDING FOR COMMUNITY CLEAN UP DAY WITH THE WATER RESOURCE COMMISSION**

**A motion was made by Trustee Wilson, supported by Treasurer Eldridge to Approve Memorandum of Understanding for Community Clean Up Day with the Water Resource Commission (see attached).**

**The motion was carried unanimously.**

## **BOARD MEMBER UPDATES**

Trustee Wilson stated he has been appointed to the Board of Directors for Habitat for Humanity.

Supervisor Stumbo stated she has been appointed to Chair the Capital Campaign for the proposed YMCA.

**A motion was made by Treasurer Eldridge, supported by Clerk Jarrell Roe to Adjourn.**

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**Motion carried unanimously.**

**The meeting was adjourned at approximately 7:19PM**

**Respectfully Submitted,**

**Brenda L. Stumbo, Supervisor  
Charter Township of Ypsilanti**

**Heather Jarrell Roe, Clerk  
Charter Township of Ypsilanti**

# Charter Township of Ypsilanti

## RESOLUTION 2021-05

### Amending Chapter 37 of the Ypsilanti Township Code of Ordinances

**Whereas**, the Township Code of Ordinances, Chapter 37, contains provisions regarding liquor licensing, liquor control enforcement, and liquor inspections; and

**Whereas**, Chapter 37 was last updated and revised in accordance with adoption of Ordinance No. 2005-360 on August 16, 2005; and

**Whereas**, the number of new on-premise liquor licenses available to be approved by the Board of Trustees is limited by a quota system mandated by state law and controlled by state liquor control regulations; and

**Whereas**, the number of on-premise liquor licenses available to be approved by Ypsilanti Township as a local governmental unit of the state is restricted by state law to one license for every 1,500 residents, which currently equates to a total of 36 on-premise liquor licenses based upon 2010 U.S. Census data reporting the Township's population as 53,362 people; and

**Whereas**, to date, the Board of Trustees has approved a total of 31 new on-premise liquor licenses intended to be used by businesses operating in Ypsilanti Township for the benefit of Township residents; and

**Whereas**, an analysis of new on-premise liquor licenses previously approved by the Board of Trustees shows that 17 of 31 new on-premise liquor licenses approved by the Board of Trustees and intended for use in Ypsilanti Township, which equals approximately 55% of all licenses granted to applicants, have been sold by the applicant and transferred for use in other local governmental units within Washtenaw County; and

**Whereas**, in addition to 17 on-premise liquor licenses having been sold and transferred out of Ypsilanti Township, an additional five (5) on-premise liquor licenses in Ypsilanti Township are currently held in escrow and are not being used; and

**Whereas**, the typical monetary value of an on-premise liquor license asset offered for sale on the open market has been reliably reported to be as much as 80

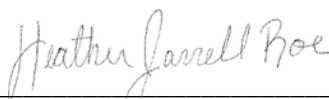
times more than the current license application fee being charged by Ypsilanti Township; and

**Whereas**, the 17 new on-premise liquor licenses approved by the Board of Trustees and transferred out for use in other communities continue to be counted in perpetuity against Ypsilanti Township's quota of on-premise liquor licenses in accordance with state law and regulations with no recourse available to retain or recover such licenses to promote future economic development for the benefit Township residents; and

**Whereas**, in light of the pattern of loss of on-premise liquor licenses and the desire to improve the manner and process used to consider applications for new on-premise liquor licenses, proposed **Ordinance No. 2021-494** attached updates and revises Chapter 37 in its entirety, defines the authority and role of the Township liquor committee, clarifies the application process for various Township departments, updates definitions to align with changes in state law, updates the minimum required contents of a license application, removes application fees and refers to a new fee schedule to be adopted by the Board of Trustees, defines the process and criteria for annual license renewal, and updates the criteria for nonrenewal or revocation of a license.

**Now therefore** be it resolved that **Ordinance No. 2021-494** attached hereto is adopted by reference.

I, Heather Jarrell 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. 2021-05 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on March 2, 2021.



Heather Jarrell Roe, Clerk  
Charter Township of Ypsilanti

# Ordinance No. 2021 – 494

## *An ordinance amending the Code of Ordinances of the Charter Township of Ypsilanti Chapter 37 Liquor*

The Charter Township of Ypsilanti **ordains** that the Charter Township Code of Ordinances is amended as follows:

**Delete** in its entirety **Chapter 37**, entitled “**LIQUOR.**”

**Add** in its entirety the following new **Chapter 37**, entitled “**LIQUOR**” with the following new language:

### **Chapter 37 - LIQUOR**

#### ARTICLE I - IN GENERAL

##### Sec. 37-1. – Liquor Committee.

The township liquor committee is comprised of members recommended by the township supervisor and appointed by the township board. The purpose of the liquor committee is to receive and review applications for new and transferred on-premise liquor licenses and associated permits; to receive recommendations from township departments regarding such applications; and to make recommendations to the township board for approval or denial of such licenses. The liquor committee shall seek to meet with qualified applicants and obtain any information it deems appropriate in order to determine the applicant's suitability to be granted a township liquor license, the suitability of the proposed location and facilities where the license would be used, and the long term viability of the applicant's business plan. The liquor committee shall act in the best interests of the community to promote and preserve public health, safety and welfare; to promote economic development and prevent the economic loss of transferable liquor licenses; and to make recommendations for the equitable use of quota-restricted on-premise liquor licenses and permits available for use in the township through the state liquor control commission.

##### Secs. 37-2 —37-20. – Reserved

#### ARTICLE II. - LICENSES Sec. 37-21. - Title.

This article shall be known and cited as the Charter Township of Ypsilanti Liquor License Ordinance.

##### Sec. 37-22. - Purpose.

The purpose of this chapter is to promote and preserve the public peace, health, safety and welfare through the local regulation of the application, transfer, relocation, review, issuance, renewal, and revocation of liquor licenses for liquor establishments to the fullest extent permissible under state law, based upon a recognition of the impact of liquor licenses upon the well being of the community as a whole.

##### Sec. 37-23. - Required.

No person, firm, corporation, association or partnership (hereinafter "person") shall sell alcoholic liquor or any other beverage defined in section 37-24 below, whether for consumption on or off the premises, within the Charter Township of Ypsilanti (Township), without first obtaining a license as provided by state law. Furthermore, such person shall, in addition to compliance with the requirements of state law, establish compliance with all local building, property maintenance, electrical, mechanical, plumbing, fire, zoning and public health regulations, and obtain a special conditional use permit if required. This shall not apply to special licenses granted by the Michigan Liquor Control Commission for one day events allowed by statute, the procedures for which shall be governed by such statutes.

##### Sec. 37-24. - Definitions.

- (a) *Alcoholic liquor* means any spirituous, vinous, malt, or fermented liquor, powder, liquids, and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing 1/2 of 1% or more of alcohol by volume that are fit for use for food purposes or beverage purposes as defined and classified by the state liquor control commission.

- (b) *Beer* means any beverage obtained by alcoholic fermentation of an infusion or decoction of barley, malt, hops or other cereal in potable water.
- (c) *Wine* means the product made by the normal alcoholic fermentation of the juice of sound, ripe grapes, or any other fruit with the usual cellar treatment, and containing not more than 21% of alcohol by volume, including cider made from apples or pears, or both, which contains at least ½ of 1% of alcohol by volume, or mead, or honey wine made from honey, fermented fruit juices other than grapes, and mixed wine drinks.
- (d) *Spirits* means any beverage which contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, and includes wine containing an alcoholic content of more than 21 percent by volume, except sacramental wine and mixed spirit drink.
- (e) *Alcohol* means the produce of distillation of fermented liquid, whether or not rectified or diluted with water, but does not mean ethyl or industrial alcohol, diluted or not, that has been denatured or otherwise rendered unfit for beverage purposes.
- (f) *Sacramental wine* means wine containing not more than 24 percent of alcohol by volume which is used for sacramental purposes.
- (g) *Brandy* means alcoholic liquor as defined in Federal Regulations, 27 CFR 5.22d (1980).
- (h) *Mixed wine drink* means a drink or similar product marketed as a wine cooler and containing less than seven percent alcohol by volume, consisting of wine and plain, sparkling, or carbonated water and containing any one or more of the following:
  - (1) Nonalcoholic beverages.
  - (2) Flavoring.
  - (3) Coloring materials.
  - (4) Fruit juices.
  - (5) Fruit adjuncts.
  - (6) Sugar.
  - (7) Carbon dioxide.
  - (8) Preservatives.
- (i) *Mixed spirit drink* means a drink produced and packaged or sold by a mixed spirit drink manufacturer or an outstate seller of mixed spirit drink which contains ten percent or less alcohol by volume consisting of distilled spirits mixed with nonalcoholic beverages or flavoring or color materials and which may also contain water, fruit juices, fruit adjuncts, sugar, carbon dioxide, or preservatives.
- (j) *Alcohol vapor device* means any device that provides for the use of air or oxygen bubbled through alcoholic liquor to produce a vapor or mist that allows the user to inhale this alcoholic vapor through the mouth or nose.

Sec. 37-25. - Application for new "on-premises" license.

- (a) In addition to such application as may be required by the state liquor control commission for licensing or permitting by the state, applications shall also be made to the township board for a township license to sell or sample alcoholic liquor, beer, wine, or spirits, etc., for all types of on-premises consumption. Such separate application shall be filed in writing and submitted to the township clerk's office with all required fees. It shall be signed by the applicant if an individual, or by a duly authorized agent if a partnership or corporation, verified by oath, or affidavit, and shall contain, at a minimum the following information:
  - (1) The name, birth date and address of the applicant in the case of an individual; or in the case of any type of partnership, the partners thereof (anyone entitled to share in the profits); in the case of a corporation, the object for which organized, the names and addresses of the officers and directors and of all shareholders holding directly or indirectly five percent or more of the voting stock or shares of the corporation.
  - (2) The citizenship and place of birth of the applicant, and, if a naturalized citizen, the time and place of naturalization.
  - (3) The nature of business that the applicant is engaged in; and in the case of a corporation, the object for which it was formed.
  - (4) The length of time said applicant has been in business of that nature, or, in the case of a corporation, the date when its charter was issued.
  - (5) The location and description of the premises or place of business which is to be operated under such license.
  - (6) A statement whether applicant has ever operated or made application for a similar or other license or permit on any premises other than described in this application, and the disposition of such operation or application.



- (7) A statement indicating whether the applicant has ever had a similar or other license suspended, revoked, or was found responsible for regulatory violations, and the disposition of such suspension, revocation, or regulatory non-compliance.
  - (8) A statement indicating whether the applicant has ever been found guilty, pled guilty, or pled no contest to a criminal charge or any local ordinance violations, and to list any such relevant information; that the applicant is not disqualified to receive a license by reason of any matter or thing contained in this division or the laws of the State of Michigan. Such statements shall be verified, to the extent possible, by the township's designated liquor enforcement officials who shall report the results of such investigation to the township liquor committee prior to any final decision by the township board upon the application.
  - (9) A statement that the applicant will not violate any laws of the State of Michigan or of the United States or any ordinances of the township in the conduct of its business.
  - (10) The application shall be accompanied by building and site plans showing the entire structure and premises and, in particular, the specific areas where the license is to be utilized. The plans shall demonstrate zoning and building code compliance including adequate off-street parking, lighting, refuse disposal facilities, landscaping, and where appropriate, adequate plans for screening and noise control.
  - (11) The application shall be accompanied by a general area plan encompassing a one-quarter mile area showing the proximity of churches and schools (giving distances in lineal feet) to the proposed building.
  - (12) Authorization shall be provided to the township for access to any and all files which may be in the possession of the Michigan Liquor Control Commission regarding that commission's investigation of the transferee as a present licensee, as a previous licensee, or with regard to any license which the transferee has held a partial interest in.
  - (13) A statement that all personal property taxes, all real property taxes, business registration, code enforcement, and inspection fees, and all other obligations due and payable to the township have been paid with regard to the premises for which a license is sought or from which it is being transferred.
  - (14) The liquor committee may require any additional information it deems appropriate in order to make a fully informed recommendation to the township board.
- (b) *Restrictions on licenses:* No license shall be issued to:
- (1) A person whose license, under this division, has been revoked for cause.
  - (2) A person who, at the time of application or renewal of any license issued herein, would not be eligible for such licenses upon a first application.
  - (3) A partnership, regardless of type, unless all of the members of such co-partnership shall qualify to obtain a license.
  - (4) A corporation, if any officer, manager or director thereof, or a stock owner or stockholders owning in the aggregate more than five percent of the stock of such corporation, would not be eligible to receive a license hereunder for any reason.
  - (5) A person whose place of business is conducted by a manager or agent unless such manager or agent possesses the same qualifications required of the licensee.
  - (6) A person who has been convicted or found responsible for a violation of any federal or state law or administrative rule of the state liquor control commission concerning the manufacture, possession or sale of alcoholic liquor or a controlled substance.
  - (7) A person who does not own the premises for which a license is sought or does not have a lease therefore for the full period for which the license is issued, or to a person, corporation, or partnership (of any type) that does not have sufficient financial assets to carry on or maintain the business.
  - (8) Any law enforcing public official or any member of the township board, and no such official shall be interested in any way either directly or indirectly in the manufacture, sale or distribution of alcoholic liquor.
  - (9) For premises where there exists a violation of applicable building, electrical, mechanical, plumbing, fire, or zoning codes, or public health regulations, or any other applicable township ordinance.
  - (10) For any premises not having obtained a special conditional use permit as required by the zoning code.
  - (11) A person who is in default of any personal property taxes, property taxes, real property taxes, or any other obligations due and payable to the township.
  - (12) For premises where it is determined by a majority of the township board that the premises does not, or will not reasonably soon after commencement of operations, fully comply with zoning and site plan requirements including having adequate off-street parking, lighting, refuse disposal facilities, screening, landscaping, noise, or nuisance control; or where a nuisance exists or will exist as a result of approval of a liquor license at the location.

- (13) Where the township board determines, by majority vote, that the proposed location is inappropriate considering the character of the area; the attitude and perspective of adjacent residents and property owners who would be impacted by issuance of a license; traffic safety; accessibility to the site from abutting roads; capacity of abutting roads to accommodate the new commercial activity; distance from public or private schools for minors; proximity of the inconsistent zoning classification; and accessibility from primary roads or state highways.
- (c) *Recommendation from the liquor committee and township departments.* Following receipt of a fully completed application, fees and other information as may be required by the township, such application shall be forwarded to the township liquor committee, the office of community standards, the applicable law enforcement agency, the fire department, the building department, the township treasurer, and such other departments as may be required by the particular case. The applicable departments shall fully investigate the applicant, inspect the site and building where the requested license would be used, and submit recommendations to the liquor committee. The liquor committee, upon receipt and review of all applicable reports and recommendations, shall make an informed final recommendation to the township board for its consideration. The township board may request from the applicant other pertinent information as it deems necessary in order to make a determination. For license applications that also require local governmental approval for a state license, the township clerk's office shall submit the township board's approval or disapproval to the Michigan Liquor Control Commission as required by state law.
- (d) *Application fees.* At the time of filing an application for any type of license or permit required in this division, the applicant shall pay all required fees established by resolution of the township board, some or all of which may be nonrefundable.
- The established fees shall be charged for each license requested; provided, however, that individuals making applications for more than one license for use concurrently at the same location may seek consideration for fee reductions from the township board at the time of deliberation.
- All fees shall be paid in full at the time application is made and prior to dissemination of the application for investigation and recommendation by the liquor committee and applicable township departments.
- (e) *Term of license.* Approval of a license shall be for no more than a period of one year and shall conform to requirements and expiration cycles of state law. Furthermore, approval of a license by the township shall be with the understanding that any necessary remodeling or construction for the use of the license shall be commenced pursuant to required building permits within six (6) months of the action of the township board or final approval by the Michigan Liquor Control Commission. Any unreasonable delay in the completion of such remodeling or construction, or any unreasonable delay in placing the subject license into active use for any reason, as well as any other violation of state or local law, may subject the license to revocation upon notice and hearing as detailed elsewhere herein.
- (f) *License renewal.* Each license approved under this article shall expire each year concurrent with the expiration of the required state license or permit. Each license holder shall apply to the office of community standards to renew their license no later than 90 days prior to its expiration date and shall pay all required license renewal fees in advance. The office of community standards shall review the licensee's regulatory compliance history, public safety response history, and account status for applicable taxes and fees. The office of community standards and the fire marshal shall inspect the licensed premises for compliance with all applicable codes and regulations, shall cite the licensee for code deficiencies, and shall verify compliance prior to the expiration date of the license. The office of community standards shall determine whether there is cause to object to the renewal of the license in accordance with the criteria for nonrenewal or revocation described elsewhere herein. If necessary, the office of community standards shall initiate the procedure for objections as described elsewhere herein. When there is no cause to object, then the license shall automatically renew for a period not to exceed one year. The office of community standards shall report the renewal status of each active township license to the township liquor committee and the township board on an annual basis.
- (g) *Reservation of authority.* No such applicant for a liquor license has the right to the issuance of such license, and the township board reserves the right to exercise reasonable discretion to determine who, if anyone, shall be entitled to the issuance of such license. Additionally, no applicant for a liquor license has the right to have such application processed and the township board further reserves the right to take no action with respect to any application filed with the township board. The township board further reserves the right to maintain a list of all applicants and to review the same when, in its discretion, it determines that the issuance of an additional liquor license is in the best interest of the township at large and for the needs and convenience of its citizens.
- (h) *License hearing.* The township board shall grant a public hearing upon the license application when, in its discretion, the township board determines that the issuance of an additional liquor license is in the best interests of the township at large and for the needs and convenience of its citizens. Following such hearing, the township board shall submit to the applicant a written statement of its findings and determination. The township board's determination will be at a minimum based upon satisfactory compliance with the appropriate requirements and restrictions set forth in subsections (a) and (b) above.
- (i) *Application denied—Reapplication.* No person whose application is denied regardless of the reason, may re-apply for a period of a minimum of one year from the date of such denial, regardless of the proposed location.

All licensees, whether "on-premises" or "off-premises" shall make the licensed premises available for inspection and search by either a state liquor control commission investigator or a local law enforcement officer designated by either the state or the township, during regular business hours or when the licensed premises are occupied by a licensee or a clerk, servant, agent or employee of the licensees. Evidence of a violation discovered pursuant to this subsection may be seized and used in an administrative or court proceeding. Furthermore, all prospective licensees and applicants shall make the premises available for inspection by the township's representatives so as to establish compliance with all applicable building, electrical, mechanical, plumbing, fire, zoning, public health regulations, or any other applicable township ordinance or regulation.

Sec. 37-27. - Revocation/nonrenewal authorized.

Each establishment within the township for which a license or permit is granted, whether for consumption of alcohol "on-premises" or "off-premises" shall be operated and maintained in accordance with all applicable state laws, local ordinances, laws and regulations (in addition to the provisions contained in this article), and in a clean and sanitary manner meeting the approval of applicable township departments and policing agencies. Upon any violation of this division, or such other applicable laws, ordinances and regulations, the township board may, after notice and hearing described below, request the state liquor control commission to refuse renewal, revoke, or take such other action as may be required with regard to such licenses.

Sec. 37-28. - Procedure for objections and request for revocation.

- (a) *Procedure.* If the township receives information that any licensee has committed a violation of state or local law, including but not limited to, the terms and provisions of this article, the liquor enforcement officer involved shall prepare a report in writing specifying (i) the specific factual details of such violation(s); (ii) the particular law or ordinance violated; and (iii) any other information or recommendation relevant to a proper determination by the township board as to the nature of such violation(s) and the appropriate action to be taken by the township.
- (b) The liquor enforcement officer shall file the original report prepared under subsection (a) above with the township board, and serve a copy of such report upon the licensee or its authorized agent or employee, personally or by registered mail.
- (c) Within 20 days from the date such report has been filed with the township board, the township clerk shall set a date for a hearing before the township board on the alleged violation(s) for a determination by the township board as to whether or not the township board shall require and recommend to the state liquor control commission that the commission revoke, or deny the renewal of, any license. Notice of this hearing shall be served by the township clerk upon the licensee or its authorized agent or employee, personally or by registered mail, not less than ten days before the scheduled hearing date, and such notice shall contain the following:
  - (1) Notice of proposed action;
  - (2) Reason for the proposed action;
  - (3) Date, time and place of the hearing;
  - (4) A statement that the license holder may present evidence and testimony and confront adverse witnesses;
  - (5) A statement that the license holder has the right to be represented by legal counsel at the hearing.
- (d) At all such hearings, the licensee shall have the legal right to defend against the allegations made by way of confronting any adverse witnesses, by being allowed to present live witnesses in its own behalf, by being allowed to present other evidence in its own behalf, and by being allowed to present arguments personally or through legal counsel in its own behalf.
- (e) The township board shall prepare a written statement of its findings, which may be formal or informal in nature within a reasonable time, not to exceed 60 days, after the conclusion of all such hearings. Such statement of findings may be embodied in a resolution as described in subsection (f) below, if the township board determines that objections to renewal, or request for revocation of, a license or related permit is appropriate.
- (f) If the township board determines after due notice and proper hearing that competent, material and substantial evidence exists that a violation of state or local law has been committed by a licensee or that, even if no violation has been demonstrated, nevertheless the interests of public health, safety or welfare warrant that the township board object to renewal or request revocation of any existing license issued to such licensee, the township board may adopt a resolution recommending to the state liquor control commission that it deny renewal or revoke any such license to such licensee.
- (g) Within ten days of the township board's final approval of any such resolution, the township clerk shall forward a copy thereof to the state liquor control commission pursuant to MCLA 436.1501 as amended, as the township board's official notice of objection to renewal or request for revocation of any existing license or related permit, a copy of which shall be sent by registered or first class mail to the licensee.
- (h) *Criteria for nonrenewal or revocation.* The township board may recommend nonrenewal or revocation of a license to the state liquor control commission upon a determination by the township board that based upon competent material and substantial evidence presented at the public hearing, any of the following exists:

- (1) Violation of any of the restrictions of licenses set forth in, or any provision of, this article or any other law, ordinance, or state statute or the administrative rules or provisions of the State Liquor Control Act.
- (2) Maintenance of a nuisance upon the premises, including, but not limited to, any of the following:
  - a. Existing violations of building, property maintenance, zoning, health, fire or regulatory codes.
  - b. A pattern of patron conduct upon or in the neighborhood of the licensed establishment which is a violation of the law or which disturbs the peace, order, and tranquility of the neighborhood including, but not limited to, on-street parking congestion, diminished traffic and pedestrian safety, litter, and unreasonable noise.
  - c. Failure to maintain the grounds and exterior of the licensed establishment, including litter, debris, or blowing refuse, or any of these being deposited upon adjoining properties.
  - d. Failure to maintain the safety and security of the licensed premises and exterior grounds free from dangerous or unlawful activity.
  - e. Any advertising, promotions or activity which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinances or laws, or contributes to the disruption of normal activities of those in the neighborhood of the licensed establishment.
- (3) Any condition of delinquency or default in the payment of any tax, fee, charge, utility bill, special assessment, other debt, or unpaid judgment to the township, whether owed by licensee, establishment or property owner.
- (4) Perjury or any material misrepresentation of information in any application required or hearing held pertaining to the grant, renewal, or revocation of any license or permit.
- (5) Any other appropriate reason as determined by the township board.

Sec. 37-29. - Transfer of existing licenses.

The transfer of any existing "on premise" liquor license covered hereunder shall be subject to each of the requirements, criteria and procedure, including fees, set forth in this article for the granting of a new liquor license. Notwithstanding the above, where the requested transfer is for the purpose of transferring the ownership of an existing facility, and no changes or renovations are proposed for the site or to the building, the applicant is not required to provide the building and site information which would otherwise be required for a new license applicant. In addition, the transferee or applicant shall furnish any necessary authorization to permit the township access to any and all files which may be in the Michigan Liquor Control Commission's possession regarding that commission's investigation of the transferee as a present licensee, or as a previous licensee, or with regard to any licensee in which the transferee has held a partial interest.

Sec. 37-30. - Transfer of existing location.

No existing "on premise" license location shall be transferred within or without the township boundaries without proper application to and approval of the township board.

Sec. 37-31. - Penalties.

Any person, whether licensed or not, who furnishes those substances defined in section 37-24 "Definitions" without having obtained the appropriate license therefore as required, shall be guilty of a misdemeanor, punishable by imprisonment in the county jail for not more than 90 days or by a fine of not more than \$1,000 plus court costs, or both, in the discretion of the court. Each day that a violation exists shall constitute a separate offense.

Secs. 37-32—37-50. - Reserved.

ARTICLE III. - LIQUOR INSPECTIONS

Sec. 37-51. - Title.

This article shall be known as and cited as the Charter Township of Ypsilanti Liquor Inspection Ordinance.

Sec. 37-52. - Definitions.

Those definitions enumerated in section 37-24 of this Code shall be and hereby are specifically incorporated herein by reference as if each and every one were more particularly set forth.

Sec. 37-53. - Liquor Control Act of the State of Michigan.

All alcoholic liquor traffic, including but not limited to, the manufacture, sale, offer for sale, consumption, storage for sale, possession and/or transportation thereof within Township of Ypsilanti shall comply within the provision of the Michigan Liquor Control Act, being Public Act 8 of 1933, as amended, and the provisions of this Code.

Sec. 37-54. - Enforcement.

The township ordinance department officers are authorized to enforce the provisions of the Michigan Liquor Control Act, being Public Act 8 of 1933; the rules and regulations of the Michigan Liquor Control Commission adopted pursuant to said Act; and the provisions of this chapter. Any duly sworn law enforcement officer with proper jurisdiction is authorized to enforce the provisions of this chapter.

Sec. 37-55. - Inspection.

The township ordinance department officers shall inspect, on a regular basis, all liquor establishments licensed under the Liquor Control Act of the State of Michigan, and report the results of all inspections promptly to the township board. The township ordinance department officers shall further promptly investigate all complaints received by it concerning violations of the Michigan Liquor Control Act or improper operations and practices concerning alcoholic liquor traffic within the township and report the same to the township board and, where appropriate under the Michigan Liquor Control Act, to the Michigan Liquor Control Commission, for appropriate proceedings against the violator.

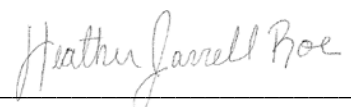
All ordinance department officers enforcing the Michigan Liquor Control Act shall carry appropriate identification issued by the township identifying them as township liquor control inspectors and shall present said identification to the owner or manager of every place inspected by them when making an inspection upon demand for identification by such owner or manager.

Inspectors have the right to inspect any place in the township where alcoholic liquor is manufactured, sold, offered for sale, kept for sale, possessed, or transported, or where the inspector has a reasonable suspicion that the same is being thus manufactured, sold, offered for sale, kept for sale, possessed or transported. Whenever possible, all inspection reports shall be made on liquor law enforcement forms furnished by the Michigan Liquor Control Commission or on forms similar to the forms furnished by the Michigan Liquor Control Commission.

Sec. 37-56. - Penalties.

Any person, whether licensed or not, who shall violate any of the provisions of the Michigan Liquor Control Act or any rule or regulation of the Michigan Liquor Control Commission promulgated thereunder, or who shall violate any of the township's ordinances pertaining to the regulation of alcohol traffic, or any person who shall prohibit or interfere with the authorized inspection by a member of the township ordinance department shall be guilty of a misdemeanor, punishable by imprisonment in the county jail not more than 90 days or by a fine of not more than \$500 or both, in the discretion of the court. Each day that a violation continues to exist shall constitute a separate offense.

I, Heather Jarrell Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify adoption of Ordinance No. 2021-494 by the Charter Township of Ypsilanti Board of Trustees assembled at a Regular Meeting held on March 2, 2021 after first being introduced at a Regular Meeting held on February 2, 2021. The motion to approve was made by member Jarrell Roe and seconded by Wilson YES: Stumbo, Jarrell Roe, Eldridge, Newman, Swanson, Peterson and Wilson ABSENT: None NO: None ABSTAIN: None.



Heather Jarrell Roe, Clerk

Charter Township of Ypsilanti

**Township Liquor Committee**

Stan Eldridge      Township Treasurer  
Debbie Swanson   Township Trustee  
Jimmie Wilson, Jr. Township Trustee



**Charter Township of Ypsilanti**

7200 S. Huron River Drive – Ypsilanti, MI 48197  
(734) 484-4700 \* (734) 484-5155 Fax  
www.ytown.org

**LIQUOR LICENSE APPLICATION PROCESS & FORM**

**LICENSING POLICY:**

This policy establishes an application and review process for the issuance of both new and the transfer of existing licenses into the Charter Township of Ypsilanti, or between or among applicants. The process is intended to insure that the individuals and entities seeking licenses from, or charged with operating licensed establishments within, the Charter Township of Ypsilanti meet certain minimum requirements as to criminal history, past conduct, and ongoing business operations standards. It requires that the Charter Township Liquor Committee’s review of application information in light of certain criteria that is established for purposes of identifying the kinds of facilities that qualify for a license. It reserves to the Charter Township of Ypsilanti any, and all, discretion afforded under applicable law relating to the issuance of licenses.

As a general matter of policy, applicants for a license will need to demonstrate an identifiable benefit to the Charter Township of Ypsilanti and its residents resulting from the granting of the license. While all of the criteria set forth in this policy are relevant to the decision as to whether to grant a license, an applicant must demonstrate in particular that the proposed facility:

1. Will provide a service product, or function that is not presently available within the Charter Township of Ypsilanti, or that would be unique to the Charter Township of Ypsilanti, or to an identifiable area within the Charter Township of Ypsilanti.
2. Is of a character that will foster or generate economic development or growth within the Charter Township of Ypsilanti, or an identifiable area within the Charter Township of Ypsilanti, in a manner consistent with the Charter Township of Ypsilanti’s policies; or,
3. Represents an added financial investment on the part of a long-term business or resident with recognized ties to the Charter Township of Ypsilanti and the local community.
4. Will have a positive impact on surrounding businesses and neighborhoods.
5. Will have an appropriate relationship between area buildings and land uses.
6. Will have a positive impact pedestrian movement, vehicular movement, parking availability and crowd control in the immediate area.
7. Will not create an improper concentration of licenses, concentration and capacity of similar establishments in the same area.
8. Will not create a concentration of drinking establishments and have a negative impact on policing requirements.
9. Will create an overall benefit to the Charter Township of Ypsilanti.
10. Will not create any other factors that may affect health, safety and welfare or the best interests of the community.

The weight to be given to each item of the criteria identified in this application, and the determination whether a particular applicant meets or satisfies those criteria is intended to be within the sole discretion of the Charter Township of Ypsilanti Liquor Committee, and ultimately the Charter Township of Ypsilanti Board of Trustees.

The Township Board of Trustees for the Charter Township of Ypsilanti is responsible to the residents of the township. Therefore, liquor licenses will be granted when it is in the best interest of the citizens of the township to do so. Those applications which indicate substantial benefit to the citizens of the township will receive the highest consideration. The application will indicate the criteria to determine the most eligible applicants.



**REQUIREMENTS AND PROCEDURES:**

1. Complete the Michigan Liquor Control Commission Application. You can contact the M.L.C.C. in Lansing at 517-322-1400, or toll free at 1-866-813-0011.
2. The applicant shall fully complete the Charter Township of Ypsilanti Liquor License Application Form and return to the Charter Township of Ypsilanti Clerk's Office.
3. The applicant shall attach with the Liquor License Application Form a **cover letter** that will provide an overview of the request being made.
4. The applicant shall attach a **non-refundable application fee** of \$2,500.00, plus \$200.00 for each person with a financial or management interest in the application including, but not limited to, partnership partners, corporate officers and directors. Please make the check payable to the Charter Township of Ypsilanti.
5. **\*Site Plan** – (1 copy – signed and sealed by a registered architect/engineer). If the facility is to be located in a proposed building for which the site plan has not yet been obtained, or in an existing building that is to be remodeled, you must submit a conceptual site plan showing the proposed building and the relationship of the building to the surrounding properties and their uses.
6. **Zoning** – The applicant shall provide a copy of the Zoning Permit or Clearance from the Building Director that the proposed location is in compliance with the Charter Township of Ypsilanti Zoning Ordinance.
7. **Certificate of Occupancy** – The applicant shall provide a Certificate of Occupancy, or similar clearance, from the Charter Township of Ypsilanti Building Director that the structure and premises are in compliance with local code provisions.
8. **Taxes** – The applicant shall provide written evidence from the Charter Township of Ypsilanti Treasurer's Office that all real and personal property taxes associated with the premises are paid and that all real and personal property taxes in the name of the applicant are paid.
9. **Adherence Part 1** – The applicant shall provide a written, and signed, statement that they will not violate any laws of the State of Michigan, nor the ordinances of the Charter Township of Ypsilanti, in conducting the business where the liquor license will be used and that a violation on the premises may be cause for the Charter Township of Ypsilanti objecting to renewal of the license or for requesting revocation of the license.
10. **Adherence Part 2** – The applicant shall provide a written statement that they understand that the Charter Township of Ypsilanti has an ordinance prohibiting public nudity, and a violation of the ordinance on the premises where the liquor license is used will be cause for objecting to renewal of the license, or requesting the revocation of the license.
11. **\*Building Façade Plan** – (1 copy – signed and sealed by a registered architect/engineer) – all sides, including signage. If the proposed building final site plan has been previously approved by the Charter Township of Ypsilanti Planning and Community Development Department and there are **no** changes, then please submit a letter of verification stating there will be no such changes along with this application.
12. **\*Interior Plan with seating arrangement** (1 copy – signed and sealed by a registered architect/engineer). If the proposed interior has been previously approved by the Charter Township of Ypsilanti Building Department and there are no changes, then please submit a letter of verification stating there will be **no** such changes along with this application.
13. **Redevelopment Applicants ONLY** – The applicant shall provide documentation that the applicant has invested at least \$100,000 for the rehabilitation or restoration of the building over a period of the preceding five (5) years, or documentation that



the applicant has, or will commit, a capital investment of at least \$100,000 that will be expended for rehabilitation or restoration of the building before the license is issued.

14. **Menu** – The applicant shall provide one (1) full copy of the menu, drink list, etc.

\*No site plan, building façade plan, interior plan or any part thereof, may be changed by the applicant once they have secured approval in conjunction with the Charter Township of Ypsilanti liquor licensing process. The applicant must submit separate plans and fees as required by other Charter Township of Ypsilanti departments and consultants in accordance with standard review procedures, if applicable.

\*Please note that approval of the Charter Township of Ypsilanti Liquor Committee, or the Charter Township of Ypsilanti Board of Trustees DOES NOT take the place of, or avoid, any permitting processes of the Charter Township of Ypsilanti, including, but not limited to Building, Zoning, Fire, ADA, etc. Significant issues with regards to non-conforming uses may arise after the applicant properly submits detailed plans for such construction and/or permits.

**SPECIAL CIRCUMSTANCES:**

Transfers that involve the following circumstances may be placed on a Charter Township Board of Trustees Agenda for consideration without payment of a fee and without the necessity of furnishing the information required for a new license:

- (1) The exchange of the assets of a licensed sole proprietorship, licensed general partnership, or licensed limited partnership for all outstanding shares of stock in a corporation in which the sole proprietor, all members of the general partnership, or all members of the limited partnership are the only stockholders of that corporation.
- (2) The removal of a member of a firm, a stockholder, a member of a general partnership or limited partnership, or association of licensees from a license.
- (3) The occurrence of any of the following events:
  - (a) A corporate stock split of a licensed corporation.
  - (b) The issuance to an existing stockholder of a licensed corporation of a previously unissued stock as compensation for services performed.
  - (c) The redemption by a licensed corporation of its own stock.
  - (d) A corporate public offering.

**OTHER:**

Should an application be denied by the Liquor Committee, or by the Charter Township of Ypsilanti Board of Trustees, the application packet shall be retained by the Charter Township of Ypsilanti per State of Michigan Retention Laws. Once that time frame has expired, the application and any attached documents shall be destroyed.

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**Township Liquor Committee**

Stan Eldridge      Township Treasurer  
Debbie Swanson    Township Trustee  
Jimmie Wilson, Jr. Township Trustee



**Charter Township of Ypsilanti**

7200 S. Huron River Drive – Ypsilanti, MI 48197  
(734) 484-4700 \* (734) 484-5155 Fax  
www.ytown.org

**LIQUOR LICENSE APPLICATION FORM**

Application must be completed, in full, by the Managing Partner / Member, or other Officer authorized in writing to make decisions on behalf of the organization.

**SECTION 1:**

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Home Address: \_\_\_\_\_ Phone: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Position in Company: \_\_\_\_\_ Email Address: \_\_\_\_\_

Name of Business: \_\_\_\_\_

Address of Business: \_\_\_\_\_

Trade Name (DBA) under which the establishment will be operated (if different from above): \_\_\_\_\_

Federal Tax I.D. Number: \_\_\_\_\_

Type of License: (Check One)

Class C     A-Hotel     B-Hotel     Tavern     Club     Re-Development     Class G-1, G-2

Resort     Brewer     Brew-Pub     Micro-Brewery     Wine Tasting Room     Small Winemaker

Small Distiller     Brandy Manufacturer     Transfer

Type of Permits:

Sunday Sales     Add Bar     Entertainment Sales     Outdoor Sales     SDD and/or SDM (incurs no fee)

Before/After Hours for: \_\_\_\_\_     Dance and Entertainment Permit

- 1. Will the Applicant operate the establishment?     Yes     No
- 2. Mailing Address of Establishment (if different from above)

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

3. Form of Business:

Sole Proprietorship     Partnership     Corporation     Limited Liability     Association Company

Club     Other \_\_\_\_\_

Please provide copies of: DBA Certificate, Article of Incorporation, Articles of Organization, Bylaws, and any other written agreements that are applicable, as well as previous three years State sales tax filing.



**SECTION 2:**

- 1. Please briefly describe the type, and name, of establishment (bar, restaurant, lounge, etc.)  
\_\_\_\_\_  
\_\_\_\_\_
- 2. The business has been in operation for \_\_\_\_\_ years.
  - A. Capacity of business for that time period? \_\_\_\_\_  
\_\_\_\_\_
- 3. Primary purpose of business? (Beer / Tavern, Micro Brewery, etc.) \_\_\_\_\_  
\_\_\_\_\_
- 4. Have you ever been granted a Michigan, or other state, liquor license?  Yes  No  
If yes, please explain \_\_\_\_\_  
\_\_\_\_\_
- 5. List the days and hours of operation \_\_\_\_\_
- 6. What is the present, or will be, the patron capacity? \_\_\_\_\_
- 7. What is the square footage of the building? \_\_\_\_\_
- 8. How many employees are on your existing staff? \_\_\_\_\_ How many employees will be on your future staff? \_\_\_\_\_
- 9. What is, or will be, the hours of operation? \_\_\_\_\_
- 10. If the license is granted, will the business stay in the same location?  Yes  No
- 11. Will the business be your fulltime employer?  Yes  No
- 12. Do you presently own the building?  Yes  No

If you do not own the building, please provide the following information, and a copy of the lease agreement, including financials:

Building Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Term of the Lease, with details of the lease: \_\_\_\_\_  
\_\_\_\_\_



13. Please provide Landlord references for the past 10 years, for existing building locations:

A. Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

B. Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

C. Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

14. If you presently own the building, but it is subject to a mortgage or being purchased under a land contract, please answer the following:

Name of the Mortgage / Land Contract Holder: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Balance Owing: \_\_\_\_\_ Repayment Terms (including interest rate): \_\_\_\_\_

15. If the license is granted, will any of the following occur: (If not, you can mark N/A next to each and proceed to #16)

A. Renovation to the building? If yes, explain: \_\_\_\_\_

\_\_\_\_\_

B. Estimated costs of renovations? \_\_\_\_\_

C. Will the patron capacity increase? If yes, by how many \_\_\_\_\_

D. Will the number of employees be increased? If yes, by how many \_\_\_\_\_

16. Have you ever been involved in a lawsuit, legal proceedings, or administrative hearings related to improper training, over-serving customers alcoholic beverages or been cited for any Health Department Violations in any jurisdiction?  Yes  No  
If yes, please explain below in detail (include dates, locations, case numbers and dispositions)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



17. If the business for which the liquor license does not presently exist, please complete the following items:

- A. Location of the proposed site? \_\_\_\_\_
- B. Size of the facility to be built? \_\_\_\_\_
- C. Estimated cost of the facility? \_\_\_\_\_
- D. Expected staff requirements? \_\_\_\_\_
- E. Expected patron capacity? \_\_\_\_\_
- F. Expected parking capacity needed? \_\_\_\_\_
- G. What will be the primary purpose of the business? \_\_\_\_\_
- H. Does the property have the necessary zoning? \_\_\_\_\_
- I. Has a building permit been issued? \_\_\_\_\_
- J. Will the facility be built if a license is not granted? \_\_\_\_\_
- K. Describe the proposed facilities in detail: (Use additional sheets if needed) \_\_\_\_\_  
\_\_\_\_\_

18. Total costs of leaseholder improvements? \_\_\_\_\_

19. Total costs of building improvements? \_\_\_\_\_

20. Total cost of equipment? \_\_\_\_\_

21. Can living quarters be reached from inside of the establishment, without going outside?  Yes  No

22. Are gas pumps on the premises or directly adjacent?  Yes  No

23. Does the business possess a license from the Michigan Bureau of Lottery?  Yes  No

If yes, please attach a copy of the license.

24. Does the business possess any other type of license issued by any other government agency?  Yes  No

If yes, please attach a copy of the license.

**SECTION 3:**

1. As was stated earlier in the application form, the Charter Township of Ypsilanti will use certain criteria in determining the most eligible applicants. Amongst that criteria are the following items:

A. The location of the building should be easily accessible and adjacent to the populated areas of the township.

B. Is the business to be located on, or adjacent, to major traffic arteries?



- C. The size and patron capacity of the facility.
- D. The number of jobs to be created by the business

2. Why do you believe that you should be granted a liquor license? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

3. Have you, or any of the applicants, ever been convicted of a crime, including moral turpitude, violence or alcohol violations? If yes, please explain and include locations, case numbers and disposition:  Yes  No

\_\_\_\_\_  
\_\_\_\_\_

4. Are you disqualified to receive a license by reason, or any matter or thing, contained in the Charter Township of Ypsilanti Liquor License or laws of the State of Michigan?  Yes  No

5. Please provide a statement that you will not violate any of the laws of the State of Michigan, the United States of American, or any Ordinances of the Charter Township of Ypsilanti in the conduct of your business: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

6. Fingerprints of the applicant, manager, and officers in the case of a club, society or corporation must be on file with the Washtenaw County Sherriff's Office prior to your approval. Have you completed this requirement?  Yes  No

If yes, please provide a receipt, or proof, of your adherence.

**SECTION 4: (FOR NEW BUSINESSES ONLY)**

1. Please provide a copy of your franchise agreement, including a copy of all financials (if applicable):

2. What is the total cost of investment? \_\_\_\_\_

3. What is the total cost of equipment? \_\_\_\_\_

4. Please identify all major sources of capital for the business: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

5. Please provide a description of any training or experience related to managing or owning a business, administering a business's finances, or working in a business with a liquor license:

\_\_\_\_\_  
\_\_\_\_\_



- 6. Projected annual food sales: \_\_\_\_\_
- 7. Projected annual liquor sales: \_\_\_\_\_
- 8. How many staff members do you expect to employ: \_\_\_\_\_ Full time \_\_\_\_\_ Part time

**SECTION 5: (FOR EXISTING OR CURRENTLY OWNED BUSINESS ONLY)**

- 1. Please provide a copy of your franchise agreement (if applicable)
- 2. What is the length of time that this business has been in operation? \_\_\_\_\_
- 3. What is the total cost of investment? \_\_\_\_\_
- 4. What is the total cost of the building? \_\_\_\_\_
- 5. What are the annual food sales? \_\_\_\_\_
- 6. What are the projected liquor sales? \_\_\_\_\_
- 7. Does the business have any existing loans or debts?  Yes  No If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 8. How many current full-time / part-time employees do you expect to add if approved for a liquor license?  
Full-Time: \_\_\_\_\_ Part-Time: \_\_\_\_\_ Projected New Employees: \_\_\_\_\_
- 9. Has the business ever had State or Federal Tax Liens filed against it?  Yes  No If yes, please explain:  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION 6:**

- 1. The following questions must be answered by each and every member, partner, or shareholder of greater than 10% of stock, as applicable. (Attach additional pages if necessary)  
First Name: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_  
Position held in the organization: \_\_\_\_\_ Amount of stock owned: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Cell / Home Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_
- 2. Are you a resident of Michigan:  Yes  No If yes, how long have you lived in Michigan? \_\_\_\_\_



- 3. List all previous names, or alias, that you have used at any time: \_\_\_\_\_  
\_\_\_\_\_
- 4. Have you ever filed for personal bankruptcy protection:  Yes  No
- 5. If yes, please provide the dates the bankruptcy action was filed and closed, the disposition of the bankruptcy, and the chapter under which the bankruptcy was conducted:  
\_\_\_\_\_  
\_\_\_\_\_
- 6. Has any company in which you were a sole proprietor, partner, member or owner of more than 10% of stock ever filed for bankruptcy protection?  Yes  No
- 7. If yes, please provide the dates the bankruptcy action was filed and closed, the disposition of the bankruptcy, and the chapter under which the bankruptcy was conducted: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 8. Have you ever had State or Federal Tax Liens filed against you:  Yes  No If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION 7:**

- 1. Please list below **ALL** employer(s) and **ALL** occupations for the past 10 years.  

<u>Employer</u>	<u>Occupation</u>	<u>Date of Service</u>
_____		
_____		
_____		
- 2. Please give the names, addresses and telephone numbers of three (3) citizens who know your reputation in the community in which you have lived and done business during the past 10 years.  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_



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

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

3. Do you or any member of your immediate family hold a license for the sale of alcoholic beverages at the present time, either as an individual, membership of a partnership or LLC or shareholder of at least 10% in a corporation?  Yes  No

If yes, please list the type of license: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Also, please list below the name in which the license is issued and the relationship to you:

Name: \_\_\_\_\_ Relationship to you: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

4. Have you, or any member of your immediate family, previously held a license or any interest in a license for the sale of alcoholic beverages in the State of Michigan, or anywhere else in the United States?  Yes  No If yes, please list below the type of license and also list the name in which the license was issued and the relationship to you:

Name: \_\_\_\_\_ Relationship to you: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Please briefly describe the type of establishment (bar, restaurant, lounge, etc.) in detail: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





**SECTION 8:**

1. Waiver and Release

I (applicant), \_\_\_\_\_, authorize the Charter Township of Ypsilanti to investigate all statements contained in this Application including but not limited to employment and income verification, references, to obtain credit reports and/or criminal history, and to periodically update this information if (name of business establishment here) \_\_\_\_\_ is granted a license for as long as it conducts business in connection with the license in the Charter Township of Ypsilanti, I expressly authorize the Charter Township of Ypsilanti, or the Township’s agent (including a collection agency) to obtain consumer credit reports, and hereby waive any claim against the Charter Township of Ypsilanti incident to obtaining consumer credit reports and release the Charter Township of Ypsilanti from any liability connected therewith.

Signature of Applicant: \_\_\_\_\_

Printed Name of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

2. I (applicant), \_\_\_\_\_, agree that should the Charter Township of Ypsilanti approve my application for the license for which I have applied, that my intent is to operate the business listed in this application within the boundaries of the Charter Township of Ypsilanti, and should I decide to sell my business, cease operations or in any other way I will return the license to the Charter Township of Ypsilanti forthwith at no cost whatsoever to the Charter Township of Ypsilanti.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Printer Name of Applicant: \_\_\_\_\_

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3. I hereby authorize the Charter Township of Ypsilanti, its agents, and employees, to seek information and conduct an investigation into the truth of the statements set forth in this application, and the qualifications of the applicant for the license, and I will execute any waivers or authorizations for the release of information deemed necessary or expedient by the Charter Township of Ypsilanti upon request. I understand that the Charter Township of Ypsilanti may deny this application, or make approval contingent on the completion of one or more additional requirements, which may include providing the Charter Township of Ypsilanti with a personal or business credit card history from a credit reporting agency, executing an agreement restricting the transfer or use of the liquor license applied herein, or any other requirement deemed necessary or expedient by the Charter Township of Ypsilanti.

STATE OF MICHIGAN )  
 ) ss  
 COUNTY OF WASHTENAW )

I, (name of applicant) \_\_\_\_\_, hereby declare under penalty of perjury that the foregoing information in the application is true and correct; that I have fully understood each of the questions; and that I understand any falsification or omission is grounds for denial or if issued a license grounds for revocation or recommendation for non-renewal.

Signature of Applicant: \_\_\_\_\_

Printed Name of Applicant: \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_  
 (Name)

did appear before me, as a Notary Public, in and for said County, and being duly sworn by me, did state (s)he is the applicant of the within application, and that the information contained within the application is true, correct and complete.

\_\_\_\_\_  
 Notary Public

Acting in \_\_\_\_\_ County, Michigan

My Commission expires on: \_\_\_\_\_

4. I hereby certify that the above information and answers in this application are true and correct, and that I have read, and am aware, of the provisions of the Charter Township of Ypsilanti Ordinance #99-211 and #99-212 pertaining to liquor licenses and enforcement:

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant's Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Receipt#: \_\_\_\_\_ Amount: \_\_\_\_\_ Date: \_\_\_\_\_



**FEE SCHEDULE**

**(Effective March, 11<sup>th</sup>, 2020)**

New On-Premises License (such as a Class C, Hotel A, Hotel B, Tavern, etc.)	\$5,000.00
New Manufacturing or Non-Retail License with On-Premise Permit (such as a Micro-Brewer and Wine Maker)	\$5,000.00
Transfer of Location & Ownership of an Existing On-Premise License	\$5,000.00
Transfer of Location and Ownership of an Existing On-Premises License (previously approved outside of the Charter Township of Ypsilanti)	\$5,000.00
Transfer of Location of an Existing On-Premise License (previously approved by the Charter Township of Ypsilanti)	\$2,500.00
Transfer of Ownership of an Existing On-Premise License (previously approved by the Charter Township of Ypsilanti)	\$2,500.00
Other Changes (Stock Ownership, Addition of Space, Deletion of a Partner, etc.)	\$1,500.00
Other Changes, not specified	\$1,500.00
License Renewal Fee (Building Inspection, Fire Inspection, Liquor Control Officer Inspection, etc.)	\$150.00

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**FOR CHARTER TOWNSHIP OF YPSILANTI CLERK'S OFFICE USE ONLY:**

Date Received (Clerk's Office Staff Member's Name): \_\_\_\_\_

Application Packet Received By (Clerk's Office Staff Member's Name): \_\_\_\_\_

Date Fee Paid (Clerk's Office Staff Member's Name): \_\_\_\_\_

Fee Received By (Clerk Office Staff Member's Name): \_\_\_\_\_



**FOR YOUTH DEVELOPMENT  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY**

### **Memorandum of Understanding**

This document constitutes a Memorandum of Understanding between the Ann Arbor YMCA (Tenant) and Ypsilanti Township Recreation Department (Landlord).

#### Goal:

Partnering to co-facilitate affordable, special-interest summer day camp programs that serve youth ages 5-12 in Eastern Washtenaw County. Both parties will strive to provide high quality programs that cater to youth with interests in sports, arts, science and technology. As a pilot program, both Ypsilanti Township Recreation Department and the Ann Arbor YMCA will strive to make this experience positive, and financially sustainable for both parties.

#### Name of Program Covered by this MOU:

YMCA & Ypsilanti Township Recreation Department, Summer Day Camps

#### Brief Description of Program:

The Ann Arbor YMCA and Ypsilanti Township Recreation Department will provide 10 weeks of summer day camps beginning June 14, 2021. The program will end on August 20, 2021. The Ann Arbor YMCA will provide a full day traditional camp experience built around weekly themes which will incorporate large and small group games, STEM activities, sports, arts (theater, dance, arts/crafts), teambuilding, and other enrichment activities. Ypsilanti Township Recreation Department will provide the facility, janitorial services and necessary equipment (furniture) for the program and the Ann Arbor YMCA will provide the staff, program administration, registration function, daily supplies, and will have day-today oversight and responsibility for the delivery of the program. Each organization will provide staff to cover their respective responsibilities.

#### Financial Compensation:

Each organization will assume responsibility for the operational needs of their respective programs, including, but not limited to registration/administrative support, staffing, insurance/general liability and marketing/communication.

The Ann Arbor YMCA will charge \$125/week (based on 8 hours/day, 5 days/week) for its programs and make financial assistance available to anyone that qualifies based on the HUD household income scale. *The Ann Arbor YMCA has agreed to pay Ypsilanti Township Recreation Department 10% of the net program fee revenue or \$300 per week, whichever is greater. Program fee revenue is defined as program fees collected, less any scholarship provided by the YMCA. This payment is to help offset any additional operating costs incurred (utilities, cleaning, basic facility staffing etc.) and the Ann Arbor YMCA will disburse payment for all weeks by September 30, 2021.*

Site(s) Where Program will be located: The program will operate from the Ypsilanti Township Recreation Department Community Center Building (2025 E. Clark Rd., Ypsilanti), and Community Center Park. YMCA programs will be located in rooms #101, 102 & 105, according to the agreed upon schedule (see attached). YMCA camps will operate between 7:30 a.m. and 6:00 p.m. daily Monday-Friday according to the agreed upon program dates. YMCA staff may need to access facilities as early as 7:00 a.m. and as late as 6:30 p.m.

Target Population to be Served (grade levels or subpopulation):

Students ages 5-12 living in Washtenaw County. Capacity of 32 campers/week.

Objectives:

1. To provide enriching programs that connect youth in Eastern Washtenaw County with opportunities to engage with caring adults outside of the school and home life.
2. To provide a space for youth to experience a safe, welcoming and positive environment and provide social and educational experiences to help all youth learn, grow, and thrive.
3. To develop the groundwork for an ongoing collaboration between the YMCA and Ypsilanti Township Recreation Department that strengthens community through youth development, healthy living and social responsibility.

Specifics

*Ypsilanti Township Recreation Department agrees to:*

1. Provide a member of staff that acts as the Program Coordinator in the delivery of the program. Work collaboratively with the Program Coordinator from the YMCA to ensure a safe, high-quality experience for all participants and staff including but not limited to: safe transition of youth from Ypsilanti Township to YMCA camps (and vice versa), communication with Y staff about facility schedules, emergency situations, parent communication, camp schedules etc.
2. Program oversight of programmatic and administrative function of all YTRD camps; collecting revenue from program participants, managing the registration process, and collecting necessary participant waivers and health forms.
3. Cover the cost of expense for any staff positions for camps offered by Ypsilanti Township Recreation Department program staff and associated vendors.
4. Ensure that any staff working with the program are First Aid and CPR certified. Ann Arbor YMCA will provide this training at a reduced rate to all Ypsilanti Township Recreation Department program staff.
5. Meet as necessary with designees of the Ann Arbor YMCA to review project progress and address any issues that may arise
6. Invite Ann Arbor YMCA staff and volunteers to participate in relevant staff training, if applicable.
7. Publicly recognize the work of the Ann Arbor YMCA related to this program. This may be in the form of the Township Magazine, newsletters, website, board meetings, press releases, social media etc.
8. Participate in data collection relevant to the program and will meet with the partner organization in September 2021 to review goals and objectives of the collaboration.
9. Assist the Ann Arbor YMCA with any necessary grant compliance data.
10. Assist the YMCA in identifying qualified individuals to serve in program leadership roles. Provide space to host camp information events, staff hiring

events etc.

11. Assume shared liability for the facility and equipment being used.
12. Provide general cleaning and janitorial services to any rooms/areas being used for YMCA programs, as well as common spaces and bathrooms.

*Ann Arbor YMCA agrees to:*

1. Provide a member of staff that acts as the Program Coordinator in the delivery of the program. Work collaboratively with the Program Coordinator from Ypsilanti Township Recreation Department to ensure a safe, high-quality experience for all participants and staff, including but not limited to: safe transition of youth from Ypsilanti Township to YMCA camps (and vice versa), communication with Y staff about facility schedules, emergency situations, parent communication, camp schedules etc.
2. Program oversight of programmatic and administrative function of all AA YMCA camps; collecting revenue from program participants, managing the registration process, and collecting necessary participant waivers and health forms.
3. Cover the cost of expense for any staff positions for camps offered by Ann Arbor YMCA program staff and associated vendors.
4. Provide First Aid and CPR training to all staff and volunteers working with YMCA camp programs. Staff will be required to gain the certification prior to beginning employment. Make First Aid and CPR training available, at a reduced rate to all Ypsilanti Township Recreation Department program staff.
5. Meet as necessary with designees of the Ypsilanti Township Recreation Department to review project progress and address any issues that may arise
6. Invite Ypsilanti Township Recreation Department staff and volunteers to participate in relevant staff training, if applicable.
7. Publicly recognize the work of the Ypsilanti Township Recreation Department related to this program. This may be in the form of newsletters, website, board meetings, press releases, social media etc.
8. Participate in data collection relevant to the program and will meet with the partner organization by September 2021 to review goals and objectives of the collaboration.
9. Assist Ypsilanti Township Recreation Department with any necessary grant compliance data.
10. Assume shared liability for the facility and equipment being used.

Liability, Insurance and Indemnification:

Tenant's Insurance

Coverages: Tenant shall purchase and maintain in force, at its own cost and expense, from the date Landlord first delivers possession of the Premises, throughout the term of this Lease, and at all times during Tenant's occupancy under this Lease: (i) a policy or policies of insurance with coverage at least as broad as ISO Special Form Coverage insuring risks of physical loss or damage (commonly known as "all risk"), to the extent of one hundred percent (100%) of the insurable full replacement value thereof, all property and fixtures in the Premises owned by Tenant against fire and casualties, including extended coverage insurance, (ii) a policy or policies of commercial general liability insurance, covering bodily, personal injury, and property damage, written on an occurrence basis with respect to the Premises, and the business operated therein by Tenant, including insurance against assumed or contractual liability, with limits for

liability of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) annual aggregate, (iii) workers compensation insurance in amounts required in accordance with applicable laws within the State where work is being performed, (iv) automobile liability insurance covering use of all owned, non-owned, leased and hired automobiles in a minimum amount of One Million Dollars (\$1,000,000) per claim and in the annual aggregate, and (v) other insurance coverages and in amounts required pursuant to Tenant's Licenses. A combination of Commercial General Liability and Umbrella/Excess Liability Insurance may be maintained to meet the required limits of liability.

#### Landlord's Insurance.

Coverages: Landlord shall purchase and maintain in force, at its own cost and expense, at all times during the term of this Lease: (i) a policy or policies of insurance with coverage at least as broad as ISO Special Form Coverage insuring risks of physical loss or damage (commonly known as "all risk") to the Building, to the extent of one hundred percent (100%) of the insurable full replacement value thereof, against fire and casualties, including extended coverage insurance, (ii) a policy or policies of commercial general liability insurance, covering bodily, personal injury, and property damage, written on an occurrence basis with respect to the Building (exclusive of the Premises) and Common Areas, including insurance against assumed or contractual liability, with limits for liability of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) annual aggregate, (iii) workers compensation insurance in amounts required in accordance with applicable laws within the State where work is being performed, (iv) automobile liability insurance covering use of all owned, non-owned, leased and hired automobiles in a minimum amount of One Million Dollars (\$1,000,000) per claim and in the annual aggregate.

#### Coverage Requirements.

The amounts of insurance required to be carried by each party under this Lease shall not be deemed or construed to so limit the liability of such party.

#### Indemnification.

1. Indemnification by Tenant. Tenant shall indemnify, defend, protect, and hold harmless Landlord and all of its ministries, entities, affiliates, employees, agents, directors, officers, successors and assigns, from and against any and all losses, liability, claims, suits, proceedings, damages, claims and allegations of any kind, brought by any third party, including, but not limited to, reasonable attorneys' fees, costs and expenses, arising out of Tenant's (including Tenant's affiliates, employees, servants, agents, directors, officers, successors and assigns) (i) failure to comply with the terms or conditions of this Lease, (ii) negligence or willful misconduct in performing under or in any way connected with this Lease, or (iii) use of the Premises, except those which shall result, in whole or in part, directly or indirectly, from the default or negligence of Landlord, its ministries, entities, agents, employees, successors or assigns.
2. Indemnification by Landlord. Landlord shall indemnify, defend, protect, and hold harmless Tenant and all of its affiliates, employees, agents, directors, officers, successors and assigns, from and against any and all losses, liability, claims, suits, proceedings, damages, claims and allegations of any kind,

brought by any third party, including, but not limited to, reasonable attorneys' fees, costs and expenses, arising out of Landlord's (including Landlord's ministries, entities, affiliates, employees, servants, agents, directors, officers, successors and assigns) (i) failure to comply with the terms or conditions of this Lease, (ii) negligence or willful misconduct in performing under or in any way connected with this Lease, or (iii) use of the Building (exclusive of the Premises) and Common Areas, except those which shall result, in whole or in part, directly or indirectly, from the default or negligence of Tenant, its agents, employees, successors or assigns. Nothing herein shall be construed to waive, limit, or restrict any governmental immunity defense available to landlord (Ypsilanti Township).

3. Where Both Parties Have Responsibility. If both parties have an obligation to the other under the foregoing provisions, tort comparative fault principles shall be applied to allocate payment between the parties.
4. Notifications Regarding Indemnities. Both Landlord and Tenant agree to give the other party notice of any claim or liability which may give rise to indemnification under this section and do so within a commercially reasonable time following such party's receipt of notice of intent or notice of claim.
5. Survival. The terms of each of the insurance, waiver of subrogation, coverage requirements, and indemnification provisions of this Lease shall survive the termination of this agreement.

By signing this document, Ypsilanti Township Recreation Department and the Ann Arbor YMCA agree to abide by the terms and conditions contained in this Partnership Memorandum of Understanding. The Ann Arbor YMCA reserves the right to terminate a partnership at the discretion of appropriate personnel.

\_\_\_\_\_  
Brenda Stumbo, Supervisor (sign)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Heather Jarrell Roe, Clerk (sign)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ann Arbor YMCA Representative (print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ann Arbor YMCA Representative (sign)

Prepared February 23, 2021



**BRENDA L. STUMBO**  
*Clerk*  
**HEATHER JARRELL ROE**  
*Treasurer*  
**STAN ELDRIDGE**  
*Trustees*  
**JOHN P. NEWMAN II**  
**GLORIA PETERSON**  
**DEBBIE SWANSON**  
**JIMMIE WILSON, JR.**



*Charter Township of Ypsilanti*  
*Supervisor*

**Clerk's Office**

7200 S. Huron River  
Drive  
Ypsilanti, MI 48197  
Phone: (734) 484-4700  
Fax: (734) 484-5156

# MEMORANDUM

To: Eric Copeland, Fire Chief

From: Heather Jarrell Roe, Clerk *HJR*

Date: March 3, 2021

Subject: ***Request to Accept the Proposal from OHM to Provide Professional Engineering Design Services for Parking Lot Improvements at the Hewitt Rd. Fire Station***

At the regular meeting held on March 2, 2021 the Charter Township of Ypsilanti Board of Trustees approved the proposal from OHM to provide professional engineering services for parking lot improvements at the Hewitt Rd. Fire Station in a not to exceed amount of \$12,100.00 budgeted in line item #217-970-000-971-008.

Attached is a signed copy of the proposal. Please return a fully executed copy to my office.

Should you have any questions, please contact my office.

Irs

cc: Javonna Neel, Accounting Director  
Brenda Stumbo, Supervisor  
File



February 24, 2021

Mr. Eric Copeland  
Ypsilanti Township Fire Chief  
222 S. Ford Blvd  
Ypsilanti, MI 48198

RE: Proposal for Hewitt Fire Station  
**Professional Engineering Design Services**

Dear Mr. Copeland:

Thank you for the opportunity to submit this proposal to provide Professional Engineering Design Services for the reconstruction of the Hewitt Fire Station parking lot and a portion of the existing drive lane. The existing parking lot and drive lane are at the end of their respective service lives and due to the deteriorating nature, this proposed project will reconstruct failing subbase, remove deteriorated pavement, and place new concrete pavement.

As it relates to previous work done within the 222 S Ford Blvd parking lot project, our team is familiar with fire stations and type of work required. During the previous project, OHM met with the Fire Department and considered making improvements in a "log style" format and working with the contractor selected at the Ford Blvd Station. This did not proceed but OHM kept notes from those discussions and plans to meet to review requests made as part of that effort. The preceding project required extensive concrete reconstruction/rehabilitation on the old lot and driveways. That project was closed out in 2019 and yielded a fantastic product. We understand your expectations for the Hewitt Station and are excited to continue the momentum and success from the Ford Blvd Station into this project.

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

### **PROJECT UNDERSTANDING**

The proposed project consists of reconstruction of the Hewitt Fire Station parking lot/entrance and drive lane located at 20 S. Hewitt Road. The proposed design will include minor expansion of the parking lot/entrance area (alongside Hewitt Road), include expansion of the existing drive lane on the west side of the fire station, and assess the existing concrete slab along the southside of the station for possible removal and replacement.

The total work will include approximately 1,100 square yards of pavement removal, investigative subbase repair, and 1,400 square yards of concrete placement.

The parking lot/entrance and drive lane design will comply with the current Ypsilanti Township engineering standards for construction including, applicable sections of the Americans with Disabilities Act (ADA) where applicable, the National Asphalt Pavement Association (NAPA) Standards, and local Ordinances.

The construction effort will stay on Ypsilanti Township property and no easements are anticipated for this project.



We offer the following scope of services for the completion of the design of this project.

## **SCOPE**

### **Task 1 – Utility Coordination**

OHM Advisors will notify applicable utility agencies, as a representative of the Charter Township of Ypsilanti, with regards to the proposed project. We will request information regarding the existing utilities within the project limits from all necessary utility companies to be incorporated into the construction drawings. OHM will coordinate with the Ypsilanti Fire Department to schedule and hold a utility meeting, if necessary, to resolve any conflicts. If conflicts require relocations of existing utilities, OHM Advisors will coordinate with the Charter Township of Ypsilanti, Ypsilanti Township Fire Department, and the utility company involved.

### **Task 2 – Geotechnical Investigation**

OHM Advisors will coordinate, conduct, and provide geotechnical information for this project using internal resources. It is assumed that we will perform up to four (4) Cores on the existing pavement surfaces. OHM will provide a cross-section on existing subsurface conditions and apply that information for the design. Core information will also be included in the bid package.

### **Task 3 – Preliminary Engineering Drawing Design**

OHM will inspect the site to note existing limits, structures, and deficiencies in this phase. The data gathered in Task 1 and Task 2, along with the site inspection, will facilitate creating a set of design drawings and aerial maps. These drawings and maps will be developed to show the parking lot layout and proposed work. Preliminary design will be completed at this time.

OHM Advisors will develop preliminary plans, specifications, and an engineer's opinion of cost in conformance with the Charter Township of Ypsilanti Engineering Standards and design specifications. The plans will include a cover sheet, detail sheet, note sheet, legend sheet, removal sheets, typical cross sections, plan, and profile sheets. Geometrics will be preliminary and will be used for preparing the preliminary opinion of cost. Two sets of the Preliminary Plan Package will be submitted to the Ypsilanti Township Fire Department for review. OHM will meet with the Fire Department representatives to discuss preliminary plan comments and design items.

### **Task 4 – Specifications and Final Bid Package Assembly**

In order to develop the necessary specifications and will pertain to specific items such as special instructions to bidders (Township requirements), supplemental and technical specifications, and a method of payment for the contractor to follow.

After a virtual meeting with the Township Fire Department, OHM Advisors will further develop plans and special provisions integrating the comments received by all parties. OHM will prepare detailed construction plans at a 1" = 40' scale on 22" x 34" sheets, as well as updating the engineer's opinion of cost and streamlining the specifications.

The bid package will require the necessary bonding, prevailing wage information, and insurance requirements as well as a bid form that will allow the Township to compare bids on an "apples to apples" basis. After completion of the design, the Township will be provided with two hard copies of the package for review along with an updated final engineer's opinion of probable cost. Final adjustments to the package will then be made based on the Township's comments prior to advertising and bidding. A list of permits will also be included in the bid package and all applicable permit applications will also be applied for as part of this task.



### Task 5 – Bidding Assistance

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

### DELIVERABLES

Task	Deliverable
Task 3	Preliminary Engineering Drawings
Task 4	Final Bidding Package (Reviewed by Township Attorney)
Task 5	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. 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 & Public Liaison
Elliot Smith	Lead Design Engineer	Concepts, Design Development, ADA Issues, & QA/QC

### ASSUMPTIONS/CLARIFICATIONS

- ▼ The design will be limited to the parking lot/entrance, drive lane, and hard surface around the limits of the Hewitt Fire Station. This design will not incorporate any improvements to Hewitt Road, Draper Road, or sidewalk pathway.
- ▼ 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, projects like this require approximately 13-15% 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.

### SCHEDULE

As we submit this proposal, the world is still in the midst of the Covid-19 health crises and we believe there is an increased risk for potential schedule impacts. The Scope of Services includes a schedule that is based on operating in a normal environment. The OHM Advisors team is adjusting our workflow logistics and our design teams are working remotely in a very effective manner. However, be aware that schedule impacts from elements such as



field services delays, permitting agencies, utility companies, and key staff illness that OHM Advisors does not have control over are more likely in the current environment. We will communicate proactively, clearly identify project issues as they arise and work with Township staff to develop a plan to deal with the issues.

OHM Advisors intends to start work within three weeks of approval of the proposal. Final plans should be complete within four months. OHM Advisors should be notified immediately of any deadline changes to satisfy the Township's needs, as significant changes in the final project schedule could affect total cost.

**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 2021 Rate Schedule. Invoices will be sent monthly as work is performed.

<b>Design Tasks</b>	<b>Design Fee</b>
Task 1: Utility Coordination	\$900.00
Task 2: Geotechnical Investigation	\$2,000.00
Task 3: Prelim Engineering Drawing Design	\$3,000.00
Task 4: Specification and Final Bid Package Assembly	\$3,000.00
Task 5: Bidding Assistance	\$3,200.00
<b>Total</b>	<b>\$12,100.00</b>

The total fee is estimated to be \$12,100.00. 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

Ypsilanti Township  
CLIENT

\_\_\_\_\_

(Signature)

Brenda L. Stumbo

Matthew D. Parks, P.E.

(Name)

Ms. Brenda Stumbo

Principal in Charge  
03-03-2021

(Title)

Township Supervisor

(Date)

March 3, 2021

(Signature)

Heather Jarrell Roe

(Name)

Ms. Heather Jarrell Roe

(Title)

Township Clerk

(Date)

March 3, 2021

**MEMORANDUM OF UNDERSTANDING FOR  
WEST WILLOW COMMUNITY AREA CLEANUP**

**BETWEEN**

**CHARTER TOWNSHIP OF YPSILANTI, 7200 S. HURON RIVER DRIVE, YPSILANTI, MI  
48197**

**AND**

**THE WASHTENAW COUNTY WATER RESOURCES COMMISSIONER'S OFFICE, 705 N.  
ZEEB ROAD, ANN ARBOR, MI 48103**

This document constitutes a Memorandum of Understanding (MOU) between the Charter Township of Ypsilanti and the Washtenaw County Water Resources Commissioner's Office - Washtenaw County Solid Waste Division starting March 15, 2021 and ending on December 31<sup>st</sup>, 2021 at which time the MOU can be renewed annually for up to two years so long as both parties are in agreement to enter into a Renewal Agreement.

Background:

In order to provide for community clean up, elimination of rodent habitat and to eliminate roadside dumping, Washtenaw County Water Resources Commissioner's Office Solid Waste Division is collaborating with the Charter Township of Ypsilanti to host a neighborhood Cleanup.

Specifics: To help clarify the expectations of the event and to help delineate the roles of each party, it is hereby agreed as follows:

***Ypsilanti Township agrees to:***

1. Allow for the use of parking lot space at the Fire Chief's discretion, located at the Ypsilanti Township Fire Department Headquarters located at 222 S. Ford Blvd, Ypsilanti MI, 48197.
2. Coordinate facilities for the operation of the program, including access to bathrooms for County Staff and, in the case of dangerous weather, temporary shelter for the Staff.
3. Designate a liaison or point of contact for communication, reservations, and logistics. A mutually agreed upon date shall be confirmed in writing through email.
4. The liaison will review logistics, presented by the Solid Waste Division, of the event and address any issues that may arise.
5. To the extent permitted by Michigan law, Ypsilanti Township shall indemnify and hold Washtenaw County and the Washtenaw County Water Resource Commissioner's Office Solid Waste Division harmless from and against all actions, liabilities, demands, costs and expenses, including court costs and attorney fees, which may arise due to Ypsilanti Township's gross negligence and/or intentional acts or omissions under this Agreement. The parties agree that this Indemnity shall not apply to any act or failure to act by any party other than Ypsilanti Township. Nothing herein shall be construed to waive, limit or restrict any governmental immunity defense available to Ypsilanti Township.

***Washtenaw County Water Resources Commissioner's Office: Solid Waste Division agrees to:***

1. Coordinate and hire contractors for collection of Bulky Waste. Contractors must

have general liability insurance at a level meeting or exceeding County Requirements.

2. Provide logistics of the event and address any issues that may arise.
3. Promote the event through social media, webpages, and other County outlets
4. On the day of the event, coordinate residents seeking to dispose of materials
5. Remove all items associated with the event from the parking lot including any incidental materials left at the site until midnight on the day of the event.
6. County staff will remain at the event location until all dumpsters have been removed from the site.
7. To the extent permitted by Michigan law, Washtenaw County shall indemnify and hold the Ypsilanti Township harmless from and against all actions, liabilities, demands, costs and expenses, including court costs and attorney fees, which may arise due to Washtenaw County's gross negligence and/or intentional acts or omissions under this Agreement. The parties agree that this Indemnity shall not apply to any act or failure to act by any party other than Washtenaw County. Nothing herein shall be construed to waive, limit or restrict any governmental immunity defense available to Washtenaw County and the Washtenaw County Water Resource Commissioner's Office – Solid Waste Division.

By signing this document, Washtenaw County and the Washtenaw County Water Resource Commissioner's Office and Ypsilanti Township agree to abide by the terms and conditions contained in this Memorandum of Understanding for the purpose of the Community Area Cleanup. Either party may cancel this MOU upon 30 days' written notice to the Washtenaw County Water Resource Commissioner's Office or to the Ypsilanti Township Clerk which Notice shall be delivered through first class mail, email or facsimile.

ATTESTED TO:

By: \_\_\_\_\_  
Lawrence Kestenbaum (DATE)  
County Clerk/Register

WASHTENAW COUNTY

By: \_\_\_\_\_  
Gregory Dill (DATE)  
County Administrator

APPROVED AS TO CONTENT:

Ypsilanti Township

By: \_\_\_\_\_  
Evan Pratt  
Water Resources Commissioner (DATE)

By: \_\_\_\_\_  
Brenda L. Stumbo (DATE)  
Ypsilanti Township Supervisor

APPROVED AS TO FORM BY

Ypsilanti Township

BY: \_\_\_\_\_  
Michelle Billard (DATE)  
Office of Corporation Counsel

BY: \_\_\_\_\_  
Heather Jarrell Roe (DATE)  
Ypsilanti Township Clerk