

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE MARCH 15, 2022 REGULAR BOARD MEETING**

Supervisor Stumbo called the meeting to order at approximately 7:00PM in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township. The Pledge of Allegiance was recited followed by a moment of silent prayer.

Members Present: Supervisor Brenda Stumbo, Clerk Heather Jarrell Roe, and Treasurer Stan Eldridge
Trustees: Gloria Peterson, John Newman II, Debbie Swanson and Jimmie Wilson Jr.

Members Absent: None

Legal Counsel: Wm. Douglas Winters

2. PUBLIC COMMENTS

There were no public comments.

3. CONSENT AGENDA

A. MINUTES OF THE MARCH 1, 2022 WORK SESSION AND REGULAR MEETING

B. STATEMENTS AND CHECKS

- 1. STATEMENTS AND CHECKS FOR MARCH 15, 2022 IN THE AMOUNT OF \$911,981.37**
- 2. CIARITY HEALTH CARE DEDUCTIBLE ACH FOR FEBRUARY 2022 IN THE AMOUNT OF \$69,308.98**
- 3. CIARITY HEALTH CARE ADMIN FE FOR FEBRUARY 2022 IN THE AMOUNT OF \$1,308.69**

A motion was made by Clerk Jarrell Roe and supported by Treasurer Eldridge to approve the consent agenda.

The motion passed unanimously.

ATTORNEY REPORT

A. GENERAL LEGAL UPDATE

Attorney Winters discussed the township PILOT tax ordinance with Clark East Towers and that it will expire in February 2028. He stated that he believed it would be a good idea to begin discussions on renewing this in the summer due to rising housing costs.

NEW BUSINESS

- 1. 1st READING OF RESOLUTION 2022-03, PROPOSED ORDINANCE 2022-499 TO AMEND THE FIREWORK ORDINANCE**

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Clerk Jarrell Roe read the resolution into the record.

A motion was made by Clerk Jarrell Roe and seconded by Trustee Peterson to approve the 1st reading of resolution 2022-03, proposed ordinance 2022-499, to amend the township firework ordinance (please see attached).

Supervisor Stumbo stated this was discussed at the Mach 1, 2022 meeting. She added that the language is in line with New Year's Eve and New Year's Day fireworks requirements.

A roll call vote was held. Motion carried unanimously.

2. REQUEST FOR THE BOARD TO CONSIDER THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF YPSILANTI

A motion was made by Clerk Jarrell Roe and seconded by Trustee Wilson to approve an intergovernmental agreement with the City of Ypsilanti (please see attached).

Supervisor Stumbo stated this was the agreement to maintain the bridge area over I-94 and that the city would take of snow removal and the township would mow.

The motion carried unanimously.

3. REQUEST TO APPROVE UPDATED RECREATION DIRECTOR JOB DESCRIPTION AND APPROVE INTERIM DIRECTOR JOHN HINES, TO THE POSITION OF RECREATION DIRECTOR

A motion was made by Clerk Jarrell Roe and seconded by Trustee Peterson to approve the updated recreation director job description and approve interim director John Hines to the position of Recreation director.

Supervisor Stumbo stated this was discussed at the work session and that clarity would be provided as far as working with the Park Commission and work flows.

The motion carried unanimously.

4. REQUEST TO APPROVE YPSILANTI TOWNSHIP CDBG APPLICATION FOR 2022

A motion was made by Trustee Swanson and seconded by Trustee Wilson to approve to approve the Ypsilanti Township CDBG Application for 2022.

Supervisor Stumbo stated this for a Community Development Block Grant that was originally intended to be allocated for Washtenaw Ave. She added these are federal funds that come to the county and are administered through the county.

Supervisor Stumbo said these funds would be used to replace items in the parks.

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The motion carried unanimously.

5. REQUEST TO FORMALLY APPROVE FORBES STAGING SITE AT 1600 DAVIS STREET

A motion was made by Clerk Jarrell Roe and seconded by Treasurer Eldridge to approve the Forbes staging site at 1600 Davis Street.

Supervisor Stumbo stated this is for the old Forbes Dry Cleaners site which is being cleaned up by EGLE and the State of Michigan for equipment to be parked.

The motion carried unanimously.

6. REQUEST TO APPROVE LETTER OF AGREEMENT BETWEEN FIREFIGHTERS LOCAL 1830 AND THE CHARTER TOWNSHIP OF YPSILANTI TO APPOINT STEVE WALLGREN AS TEMPORARY FIRE MARSHAL

A motion was made by Treasurer Eldridge and seconded by Trustee Wilson to approve the letter of agreement between firefighters Local 1830 and the Charter Township of Ypsilanti to appoint Steve Wallgren as temporary fire marshal (please see attached).

Supervisor Stumbo stated she would like to thank Chief Copeland for his leadership to bring regional fire agreements and to bring the high level to the fire marshal position.

The motion carried unanimously.

7. BUDGET AMENDMENT #4

A motion was made Clerk Jarrell Roe and seconded by Trustee Peterson to approve budget amendment #3 (please see attached).

The motion carried unanimously.

OTHER BUSINESS

There was no other business discussed.

BOARD MEMBER UPDATES

Clerk Jarrell Roe stated that the ARPA committee has met several times working to better understand the rules for the funds. She added that they have tentatively scheduled several days for community engagement.

Clerk Jarrell Roe stated the township had given out 15,000 masks with ARPA funds and 16,000 masks from the county. Supervisor Stumbo added there is a letter with the masks letting residents know they can also request test kits.

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Trustee Swanson asked about the possibility of drafting a resolution in regard to the AAATA millage increase and how that would work.

Supervisor Stumbo stated if that was needed that would be something the attorney would be able to do.

Trustee Newman stated he thought withdrawing from AAATA services was mentioned.

Trustee Wilson said he was in agreement with the Board and was not in favor of a tax increase from AAATA.

Trustee Swanson discussed her disappointment with AAATA and other entities that are not working with the township. She also discussed her disappointment with how the township has been portrayed in some instances as not caring about its residents. Trustee Swanson stated that she believed the tax increase proposed by AAATA is not in the best interest of the residents.

Trustee Peterson asked what would happen if the township would withdraw from the contract with the AAATA. Treasurer Eldridge responded that the township could use services that they feel are needed in the same way of Pittsfield and Superior Townships.

Trustee Swanson spoke about the petitions that are being circulated in the township about the zoning ordinance and added that she would like to request the entity who is circulating the petitions to send the language as requested to the Clerk for the referendum.

Attorney Winters stated that he recommended the Board look at passing a resolution about the proposed millage increase by the AAATA. He also referenced the township's contract with AAATA and the wording about negotiations if any side were to propose major changes.

Supervisor Stumbo stated she felt the board was in agreement against the tax increase proposed by AAATA.

Clerk Jarrell Roe added that she was appreciative of the opportunity for the board to be able to discuss this as a group and hear everyone's opinion.

A motion was made by Trustee Wilson and supported by Treasurer Eldridge to Adjourn.

Motion carried unanimously.

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The meeting was adjourned at approximately 7:53pm.

Respectfully Submitted,

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

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

RESOLUTION 2022-04

Amending the Charter Township Code of Ordinances to Amend Section 42-210(b) Entitled “Prohibition on Use of Consumer Fireworks”

Whereas, on ***February 15, 2022*** Ypsilanti Township Supervisor Brenda L. Stumbo sent a Memorandum addressed to the “***Charter Township of Ypsilanti Board of Trustees***” dated ***February 9, 2022*** (a copy of which is attached hereto and incorporated by reference) wherein she requested the Township Board to amend the Township’s “***Fireworks Ordinance***” so as to allow individuals in the Township to discharge fireworks within the Township on ***June 19*** also known as the “***Juneteenth Holiday***,” and

Whereas, Juneteenth is a Federal Holiday which recognizes and celebrates ***June 19, 1866*** which is the first day that African Americans in Texas first learned of the “***Emancipation Proclamation***” which was more than two years from when it was initially issued by President Abraham Lincoln; and

Whereas, the Ypsilanti Township Board of Trustees is in agreement with the recommendation of the Ypsilanti Township Supervisor Brenda L. Stumbo that the Township’s Fireworks Ordinance be amended so as to

allow a person to “...**ignite, discharge or use consumer fireworks within the Township on Juneteenth of each year**” commencing on **June 19, 2022**; and

Whereas, proposed Ordinance 2022-499 adds a new section (6) to Section 42-210(b) so as to allow persons in the Township to “**ignite, discharge or use consumer fireworks within the Township on June 19 after 11:00 a.m. until 1:00 a.m. on June 20,**”

Now Therefore, Be It Resolved that the Charter Township of Ypsilanti Board of Trustees hereby adopts and incorporates by reference the attached Ordinance No. 2022-04 which Ordinance amends Section 42-210(b) of Charter Township of Ypsilanti’s Code of Ordinances entitled “**Fireworks**” so as to allow persons in the Township to “**ignite, discharge or use consumer fireworks within the Township on June 19 after 11:00 a.m. until 1:00 a.m. on June 20.**”

ORDINANCE NO. 2022-499

*An Ordinance Amending the Charter Township of Ypsilanti's Code of Ordinances Entitled "**Fireworks**" and specifically Section 42-210(b) so as to Permit Persons to Ignite, Discharge or Use Consumer Fireworks within the Charter Township of Ypsilanti on June 19 of Each Year Commencing on June 19, 2022 After 11:00 a.m. Until 1:00 a.m. on June 20*

The Charter Township of Ypsilanti hereby **Ordains** that Section 42-210(b) of the Charter Township of Ypsilanti Code of Ordinances entitled "**Fireworks**" is amended as follows:

AMEND paragraph (b) entitled "**Prohibition on Use of Consumer Fireworks**" so as to allow a person to "**ignite, discharge or use consumer fireworks within the Township on Juneteenth of each year commencing on June 19, 2022.**"

ADD new paragraph (6) to section (b) entitled "**June 19 After 11:00 a.m. Until 1:00 a.m. on June 20.**"

Severability

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

Effective Date

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

I, Heather Jarrell Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify approval of the first reading of Proposed Ordinance No. 2022-499 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on March 15, 2022. The second reading is scheduled to be heard on April 19, 2022.



Heather Jarrell Roe, Clerk
Charter Township of Ypsilanti

INTERGOVERNMENTAL AGREEMENT FOR
I-94 PEDESTRIAN OVERPASS MAINTENANCE

This agreement, pursuant to Act 35 of 1951, MCL 124.1 et seq., is by and between the Charter Township of Ypsilanti, a Michigan Charter Township (Township) with offices at ____Huron River Drive, Ypsilanti, MI 48198 and the City of Ypsilanti, a Michigan Home Rule City (City) with offices at 1 South Huron Street, Ypsilanti, MI 48197 (the parties).

Background

Interstate highway I-94 runs east and west and is generally on the municipal boundary between the Township on the south and the City on the north. The parties worked with the Michigan Department of Transportation (MDOT) to have a pedestrian overpass installed over I-94 between the boundary of the parties. The parties have agreed on maintenance items for the overpass, such as snow removal, grass cutting and the like. This agreement sets out the agreement of the parties.

Agreement

1. The Township shall provide weekly grass cutting service of the areas north and south of the Huron Street/Interstate-94 area as depicted on Exhibit A. This agreement shall not require the Township to cut any protected areas as designated by the Michigan Department of Transportation.
2. The City shall provide snow removal within the City limits on the north side of the bridge, on the pedestrian bridge, and south of the bridge to James L Hart Parkway as depicted on Exhibit B.
3. The Township shall be responsible for any other maintenance and repair of the pathway within the Michigan Department of Transportation (MDOT) right of way which is located within the municipal boundaries of the Township, unless otherwise specified by the Michigan Department of Transportation (MDOT).
4. The City of Ypsilanti shall be responsible for any other maintenance and repair of the pathway within the Michigan Department of Transportation (MDOT) right of way which is located within the municipal boundaries of the City, unless otherwise specified by the Michigan Department of Transportation (MDOT).
5. Any costs of repairs and maintenance in which the scope of the repair or maintenance work is within both the City and the Township, shall be shared by both municipalities with each paying the specific cost of the repair and maintenance which occurred within the boundaries of their respective municipality.
6. Insurance. Neither party shall indemnify the other and each party shall obtain and maintain insurance to protect their own interests.

7. Term. The term of this agreement is 25 years and the term may be renewed by the parties for additional terms.
8. Disputes. Any disputes concerning this agreement, terms or enforcement shall first be mediated according to the Michigan Court Rules and the rules of the Washtenaw Circuit Court, before any other action is taken.
9. Notice. All notices concerning this agreement shall be served on the Township Supervisor, the City Manager, Township and City Attorneys and the head of the public service department of each party.

Dated: January ____, 2022

So, Agreed:

Charter Township of Ypsilanti

By: _____
Township Supervisor

By: _____
Township Clerk

City of Ypsilanti

By: _____
Mayor

By: _____
City Clerk

Approved as to form:

John M. Barr, City Attorney

LETTER OF AGREEMENT


(Fire Marshal Promotion - March 3, 2022)

This Letter of Agreement is entered into between Fire Fighters Local 1830 and the Charter Township of Ypsilanti on behalf of Lieutenant Steve Wallgren.


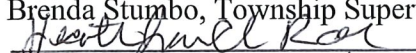
Lieutenant Steve Wallgren is the only applicant for the position of Fire Marshal with the Ypsilanti Township Fire Department and has exceeded the position requirements in the current Local 1830 contract. Lt. Wallgren is to be temporarily assigned to the position of Fire Marshal effective March 5th, 2022. This assignment shall be temporary until Inspector II is passed and all current promotional testing shall be suspended. Upon completion of Inspector II the appointment to Fire Marshal shall be made and all further promotional testing shall be canceled. This assignment will create an open Lieutenant position to be filled off the current promotional list on the same date and become permanent with the appointment to Fire Marshal.

This agreement does not set precedent to future circumstances or other Fire Fighters. The issue of Fire Marshal requirements is to be further discussed in the next negotiations.

YPSILANTI TOWNSHIP FIRE DEPARTMENT, LOCAL 1830


Eric Copeland, Fire Chief

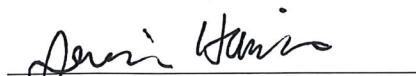
3/17/2022
Date


Brenda Stumbo, Township Supervisor

Heather Sarah Coe, Clerk
FIRE FIGHTERS LOCAL 1830

3/29/2022
Date
3/29/22
3-29-22


Zachary Roland, President

3/22/2022
Date


Jeremiah Hamilton, Treasurer

3/22/2022
Date

CHARTER TOWNSHIP OF YPSILANTI
2022 BUDGET AMENDMENT #4

March 15, 2022

AMOUNTS ROUNDED UP TO THE NEAREST DOLLAR

230- RECREATION FUND

Total Increase \$4,725.00

Request to increase budget for an increase of salary for the newly appointed Recreation Director position upon Board approval. This will be funded by an appropriation of prior year fund balance.

Revenues:	Prior Year Fund Balance	230-000-699.999	\$4,725.00
		Net Revenues	<u>\$4,725.00</u>
Expenditures:	Salary & Wage	230-754-705.000	\$4,203.00
	FICA	230-754-715.000	\$322.00
	MERS	230-754-718.000	\$200.00
		Net Expenditures	<u>\$4,725.00</u>

Motion to Amend the 2022 Budget (#4)

Move to increase the Recreation Fund budget by \$4,725 to \$721,335 and approve the department line item changes as outlined.