CHARTER TOWNSHIP OF YPSILANTI MINUTES OF THE FEBRUARY 4, 2025 REGULAR BOARD MEETING

Board Meetings are audio recorded and posted on the website

Township Supervisor Brenda Stumbo called the meeting to order at 6:01 pm in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township.

Members Present: Supervisor Brenda Stumbo, Clerk Debbie Swanson and Treasurer Stan Eldridge Trustees: Karen Lovejoy Roe, John Newman III, Gloria Peterson, and LaResha Thornton

Legal Counsel: Wm. Douglas Winters

The Pledge of Allegiance was recited followed by a moment of silent prayer.

CONSENT AGENDA

A. MINUTES OF JANUARY 21, 2025 REGULAR MEETING

B. STATEMENTS AND CHECKS

1. STATEMENTS AND CHECKS FOR JANUARY 7, 2025 IN THE AMOUNT OF \$1,994,167.28

A motion was made by Treasurer Eldridge and supported by Trustee Peterson to approve the Consent Agenda.

Clerk Swanson added clarification to January 21, 2025 minutes under the consent agenda noting that attachments will be included with approved minutes. She also noted "see attached" will be added to items 1, 5, 9, 10, 11, 12 and 13 and the resolutions and contracts will be attached.

A motion was made by Trustee Lovejoy Roe and supported by Trustee Thornton to amend the minutes to include additional verbatim comments per email request Trustee Lovejoy Roe sent on Thursday, January 23, 2025.

The motion failed with a vote of 2 in favor and 5 opposed.

A motion to approve the original Minutes with corrections by Clerk Swanson was made by Treasurer Eldridge and supported by Trustee Peterson.

The motion carried.

A motion was made by Treasurer Eldridge and supported by Trustee Peterson to approve the Statement and Checks.

The motion carried unanimously.

ATTORNEY REPORT

A. GENERAL LEGAL UPDATE

Legal update was provided by Attorney Winters. (refer to audio)

NEW BUSINESS

1. AMEND THE TOWNSHIP BOARD RULES

A motion was made by Treasurer Eldridge and supported by Trustee Peterson to approve the amendment to the Township Board Rules. (see attached)

The motion carried unanimously.

2. FIRST AMENDMENT TO REAL ESTATE PURCHASE AGREEMENT WITH UPH YPSILANTI PROPERTY, LLC DBA CULVER'S EXTENDING THE APPROVAL PERIOD THROUGH AUGUST 15, 2025

A motion was made by Trustee Peterson and supported by Clerk Swanson to approve the First Amendment to Real Estate Purchase Agreement with UPH Ypsilanti Property, LLC DBA Culver's extending the approval period through August 15, 2025. (see attached)

The motion carried unanimously.

3. ADOPTION OF INTERLOCAL AGREEMENT FOR WASHTENAW COUNTY TO OPT-OUT OF A DESIGNATED ASSESSOR

A motion was made by Treasurer Eldridge and supported by Trustee Thornton to approve the adoption of Interlocal Agreement for Washtenaw County to Opt-Out of a designated assessor. (see attached)

The motion carried unanimously.

4. RECOMMENDATION TO APPOINT AMY KEHRER TO THE PLANNING COMMISSION WITH A TERM ENDING 12/31/2026

A motion was made by Treasurer Eldridge and supported by Trustee Thornton to approve the recommendation to appoint Amy Kehrer to the Planning Commission with a term ending 12/31/2026.

The motion carried unanimously.

5. BUDGET AMENDMENT #2

Clerk Swanson read Budget Amendment #2.

A motion was made by Clerk Swanson and supported by Trustee Lovejoy Roe to approve Budget Amendment #2. (see attached)

The motion carried unanimously.

AUTHORIZATION AND BIDS

OTHER BUSINESS

1. Park Commission Vacancy

Supervisor Stumbo made trustees aware of a park commission vacancy. The vacancy was created when Star Smith, elected in the November 5th 2024, General Election, failed to take the oath of office prior to January 1st 2025.

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PUBLIC COMMENTS

There were 3 public comments and 1 comment submitted to trustees via email. (refer to audio)

BOARD MEMBER COMMENTS

ADJOURNMENT

A motion to adjourn was made by Trustee Peterson and supported by Treasurer Eldridge.

The motion carried unanimously.

The meeting was adjourned at approximately 6:54PM

Respectfully Submitted,

Brenda L. Stumbo, Supervisor Charter Township of Ypsilanti Debra A. Swanson, Clerk Charter Township of Ypsilanti



CHARTER TOWNSHIP OF YPSILANTI BOARD RULES (amended 02-04-25)

Rule 1. Authority

1.1 These rules are adopted by the Board of the Charter Township of Ypsilanti pursuant to MCL 42.7; and shall be reviewed annually at the 1st meeting in December of each year for updates should they be requested or required. A majority vote of the Board shall allow for updates to the policy.

Rule 2. Meetings

- 2.1 Regular Schedule. The Township Board shall meet on the first and third Tuesday of each month in regular session. The Township Board shall establish the meeting schedule in December of the prior year. The schedule may be altered due to holidays, elections, or lack of agenda items.
- 2.2 Special Meetings. The Charter Township Board shall meet in a Special Session at the call of the Township Clerk upon the written request of the Township Supervisor or two Members of the Township Board. Notice of a Special Meetings shall be given as required by law. Such notices shall be posted at the Township Civic Center and on the Township Website site at least 18 hours prior to the special meeting and include the date, time and location of the Special Meeting. The Township Clerk shall also notify the Township Board Members of the Special Meeting by email at the Board Members Township email address, the purpose, date, time and location of a Special Meeting at least 24 hours before the time established for the meeting. Business shall not be transacted at a Special Meeting unless the business has been stated in the public notice of the meeting. However, if all members of the Board are present at a Special Meeting, then business that might lawfully come before a Regular Meeting of the Board may be transacted at the Special Meeting per MCL 42.7 (4).

- 2.3 Place of Meetings. Regularly scheduled meetings shall be held in the Township Civic Center Board Room. Whenever the regular meeting place of the Township Board appears to be inadequate for members of the Public to attend, the meeting site can be changed to a larger facility located within the Township upon approval by 2 of the 3 Full-Time Elected Township Officials (Supervisor, Clerk, and/or Treasurer). A notice of such a change shall be prominently posted on the door of the regular meeting place. The Township Clerk shall also give notice of such a change in the location of the Township Board meeting by having it posted on the townships' website.
- **2.4 Time of Meeting.** Regularly scheduled meetings shall begin at 6:00 P.M. unless the Board Members, by majority vote, set a different starting time.
- **2.5 Change in Schedule.** Changes to the regular meeting schedule shall not be made except upon a majority vote of the Board Members at a regularly scheduled meeting prior to the change date request.

Rule 3. Public Notice of Meetings

3.1 The Township Clerk shall be responsible for providing the proper legal notice for all meetings of the Township Board. Such notification shall include, but not necessarily be limited to, the following:

A. The newspaper of record, as established by a previous vote of the Township Board.

- **3.2 Regular Meeting.** The Township Clerk shall post a notice prior to December 31 of the preceding year indicating the dates, times, and location(s) of the Board's regular meeting schedule for the upcoming year.
- **3.3** Schedule Change. Whenever the Board shall change its Regular Schedule of meetings, the Township Clerk shall post a notice of the change within 2 days following the meeting in which the change was made.
- **3.4** If the Board shall reschedule a meeting under the provisions of Rule 2.5, or call a Special Meeting under Rule 2.2, the Township Clerk shall post a notice of such

change within 3 days and no meeting, except emergency meetings, shall be held until the notice shall have been posted as required by law. An emergency meeting may be called by the Township Supervisor, who acts as the Township Emergency Management Coordinator, under the Emergency Management Act 390 of 1976.

- **3.5 Emergency Meetings.** If an emergency public meeting is held that does not comply with the 18-hour posted notice requirement, the Township Clerk shall make paper copies of the public notice for the emergency meeting available to the public at that meeting. The notice shall include an explanation of the reason(s) that the public body cannot comply with the 18-hour posted notice requirement. The explanation shall be specific to the circumstances that necessitated the emergency public meeting, and the use of generalized explanations such as "an imminent threat to the health of the public" or "a danger to public welfare and safety" does not meet the explanation requirements of the law. The Township Clerk shall follow the law in posting a notice for the emergency meeting, and all postings and notifications in follow up notices with the Washtenaw County Board of Commissioners.
- **3.6** Notification to Media and Others. The Township Clerk shall notify, without charge, any newspaper or radio station of such a meeting schedule, schedule changes, or special meetings, whenever such a newspaper or radio station has filed with the Township Clerk, a written request for such notice.

Rule 4. Quorum, Attendance, Call of the Township Board

- **4.1 Quorum.** 4 Board Members shall constitute a quorum for the transaction of business at all meetings of the Township Board. However, in the absence of a quorum, 2 Board Members may adjourn a Regular or a Special Meeting to a later date.
- **4.2 Upon the absence** of the Township Clerk or Township Treasurer, their respectively named Deputies may act in the place of the respective Elected Officials, except for the right to vote, to carry out the Officers' business.

Rule 5. Regular Meeting Agenda

- 5.1 Any Board Member desiring to place a matter on the agenda shall notify the Township Clerk of such an item by 12:00 pm on Wednesday preceding the next regularly scheduled Board Meeting. This notification shall also require that the submission be accompanied by <u>ALL</u> information and documents relevant to the request. Once the Board Member has had the opportunity to submit their agenda requests, the Township Clerk shall prepare the agenda of business for all regularly scheduled Township Board Meeting, only after approval of the agenda has been received from 2 of the 3 Full-Time Elected Township Officials (Supervisor, Clerk, and/or Treasurer). The purpose of the approval shall be to ensure that items have all appropriate and relevant information required for consideration by the Board of Trustees. Such items shall be placed under the heading of "New Business" as appropriate. Items that the Township Clerk does not receive by the stated deadline shall not be considered by the Board, except upon the unanimous consent of all the Board Members who are present at the scheduled Board Meeting.
- **5.2 Distribution of Agenda and Materials**. Upon approval and completion of the agenda, the Township Clerk shall have posted on the Township website the agenda and the board packet by 4:30pm on the Friday before the regularly scheduled Board Meeting and no later 18 hours before a Special Board Meeting. The Township Clerk shall notify all Board Members, via email, by 4:30pm on the Friday prior to the scheduled Board Meeting that the agenda and board packet are available on the website.
- **5.3** Order of Business. The agenda shall be arranged in the following order of business:

Determination of Quorum

- 1. Call to Order
- 2. Salute to the Flag Pledge of Allegiance and a moment of Silent Prayer
- 3. Approval of Agenda

4. Consent Agenda

- A. Minutes
- B. Statements and Checks

C. Treasurers Report

- 5. Attorney Report
- 6. Old Business

7. New Business

8. Authorizations and Bids

9. Other Business

10. Public Comments **(Speakers shall be limited to 3 minutes of time, per appearance before the Board of Trustees)

11. Board Member Comments

12. Adjournment

**** Public Comments** shall also be allowed on each agenda item and members of the public may also speak on additional items that may not be listed on the agenda. A request to speak again on the same issue by the same speaker shall only be considered after all people have had an opportunity to speak once on the issue currently before the Board.

Rule 6. Conduct of Meetings

- 6.1 Chairperson. The Township Supervisor shall moderate and chair all meetings of the Township Board. In the absence of the Township Supervisor, the Township Clerk shall assume the duties of the Chair. If both the Township Supervisor and the Township Clerk are absent from the Board Meeting, the Township Treasurer would assume the duties of the Acting Chair.
- 6.2 Board Members wishing to speak shall first obtain the approval of the Township Supervisor, or the Acting Chair, and each person who speaks shall address the Township Supervisor, or the Acting Chair. Other people at the meeting shall not speak unless called on by the Township Supervisor, or the Acting Chair.
- **6.3 Disorderly Conduct at Meetings.** The Township Supervisor, or the Acting Chair, may call to order any person who is being disorderly by speaking, or otherwise disrupting the proceedings by failing to be germane, by speaking longer than the allotted time, by speaking vulgarities or by making personal attacks. Such a person(s)

shall thereupon be seated until the Township Supervisor, or the Acting Chair, shall have determined whether the person(s) has complied and is in order. The Township Supervisor, or the Acting Chair, shall have the authority to remove any disruptive person(s) from meetings who fail to comply, via assistance from Law Enforcement authorities if necessary.

Rule 7. Record of Meetings

- 7.1 Clerk Responsibility. The Township Clerk, or their appointed Deputy, shall be responsible for maintaining the official record and minutes of each meeting of the Board. The minutes shall include all the actions of the Board with respect to motions. The record shall include the names of the mover and seconder and the vote of the Board. The record shall also state whether the vote was by voice vote or by roll call, and when by roll call, the record shall show the yes, or no, for each Board Member.
- 7.2 Record of Discussion. The Township Clerk shall not be responsible for maintaining a written record or summary written record of the discussion or comments of the Board Members, nor of comments made by members of the public. The Township Clerk, however, shall be responsible for making an electronic tape recording of each entire meeting of the Board, and each such recording shall be posted on the Township website within 24 hours of the completion of each Board Meeting.

Rule 8. Closed Session

8.1 The Township Board may meet in a closed session only for the following purposes:

(a) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing.

(b) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement, if either party requests a closed hearing.

(c) To consider the purchase or lease of real property up to the time an option to purchase, or lease, that real property is obtained.

(d) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.

(e) To review and consider the contents of an application for employment or appointment to public office if the candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to the State of Michigan Open Meetings Act.

(f) To consider material exempt from discussion or disclosure by state or federal statute. A Board is not permitted to go into closed sessions to discuss an attorney's oral opinion, as opposed to a written legal memorandum. A closed session must be conducted during an open meeting, it is a meeting or part of a meeting of a public body that is closed to the public. The minutes of the open meeting must include the purpose or purposes for which a closed session is held.

- 8.2 Going into Closed Session. A 2/3 roll call vote of Board Members present is required to call a closed session, except for the closed sessions permitted under Section 8.1 (a) and (b). The roll call vote and the purpose, or purposes, for calling the closed session shall be entered into the minutes of the meeting at which the vote is taken.
- **8.3 Closed Session Minutes.** At each closed session, the Township Clerk shall keep a separate, and full, record of the discussion. This record of minutes shall not be disclosed to the public, except upon a court order. The Township Clerk may destroy minutes after one year and one day has passed following the approval of the minutes of the meeting at which the Board approved the closed session.

Rule 9. Motions and Resolutions

9.1 Statement by Chair, Written Motions and Resolutions. No motion or resolution shall be adopted until the motion, or resolution, is stated by the person chairing the meeting. All motions, except procedural motions, and resolutions may be required to be in writing upon demand of any member. This request should only be made in cases where an original motion has incurred multiple changes from its original format, to ensure that all Board Members present have clarity on what they will be voting on and to also provide transparency to the public as to what the amended motion contains. A request for a short recess, for the purpose of writing out a motion or resolution, shall be in order. Each written motion or resolution in writing shall be read by the Township Clerk before being voted on by the Board Members.

Rule 10. Boards and Commissions

10.1 Appointments. The Township Supervisor shall appoint, with Township Board confirmation, individuals to fill vacancies on all Township boards and commissions.

Rule 11. Voting

- 11.1 Move the Previous Question. The vote on any motion to end debate/discussion by moving the previous question (motion) shall require a majority vote of the Board Members present. If defeated the debate/discussion on the previous motion continues.
- **11.2** No Discussion on Motion to Move Previous Question. After the Township Supervisor, or the Acting Chair, has stated the motion to end debate/discussion and move the previous question/motion, any further debate/discussion is cut off and the vote is taken to end debate/discussion. There is no discussion on the motion to end debate/discussion and move the previous question.
- **11.3 Requirement to Vote**. All Members of the Township Board that are present shall vote on all questions decided by the Board, unless excused by the unanimous consent of the other Board Members present.

Rule 12. Parliamentary Authority

Roberts Rules of Order, Fully Updated 3rd Edition, September 2020, In Brief, 2004, shall govern all questions or procedure that are not otherwise provided by these Township Board rules or by State of Michigan law.

All Township Board Rules and parts of such insofar as they conflict with the provisions of these rules hereby are rescinded.

The Charter Township of Ypsilanti Board Rules shall be reviewed annually at the 1st Board Meeting in December to ensure that they are current with changing laws or policies.

Should a change be requested, and subsequently made, to the Board Rules it shall be reviewed and voted upon at the 1st Board Meeting in December by all Board Members present at the meeting, with a majority vote required to either approve or deny the change request(s), unless the change(s) is/are mandated by State of Michigan or Federal Laws. The change(s) would take effect yearly on January 1st.

FIRST AMENDMENT TO REAL ESTATE PURCHASE AGREEMENT

This First Amendment to Real Estate Purchase Agreement ("<u>First Amendment</u>") is entered into as of the ____ day of January, 2025, by and between The Charter Township of **Ypsilanti**, a Michigan charter township ("<u>Seller</u>") and UPH **Ypsilanti** Property LLC, a Michigan limited liability company ("<u>Buyer</u>").

WHEREAS, Seller and Purchaser entered into a Real Estate Purchase Agreement with an effective date of May 2, 2024 ("<u>Purchase Agreement</u>"), with respect to certain real property located at on the Northwest corner of the intersection of Huron Street and Brinker Way, Ypsilanti Charter Township, Michigan, the terms and conditions of the Purchase Agreement being incorporated herein by reference for all purposes; and

WHEREAS, Purchaser and Seller desire to amend the Purchase Agreement pursuant to the terms and conditions of this First Amendment.

NOW THEREFORE, in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and notwithstanding anything contained in the Purchase Agreement to the contrary, Purchaser and Seller agree as follows (capitalized terms used herein having the same meaning as defined in the Purchase Agreement unless otherwise specified herein):

1. **Recitals**. The parties agree the recitals set forth above are true and correct and incorporated by reference in this First Amendment.

2. **Approval Period**. The Purchase Agreement is hereby amended to extend the Approval Period through August 15, 2025.

3. **Miscellaneous**. The Purchase Agreement, as amended by this First Amendment, constitutes the entire agreement between the parties hereto relating to the subject matter hereof and all prior agreements, proposals, negotiations, understandings and correspondence between the parties in this regard, whether written or oral, are hereby superseded and merged herewith. In the event of a conflict between the terms of this First Amendment and the Purchase Agreement, the terms of this First Amendment shall control. Except as expressly amended by this First Amendment, all terms and conditions of the Purchase Agreement shall remain in full force and effect.

4. **Counterparts**. This First Amendment may be executed simultaneously in counterparts (by facsimile or otherwise), each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

[Signatures on Following Page]

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the date set forth above.

SELLER:

The Charter Township of Ypsilanti,

a Michigan charter township,

By:			
Name:			
Its:			

By:			
Name:			
Its:			

PURCHASER:

UPH Ypsilanti Property LLC,

a Michigan limited liability company

By: ____

Name: Charles Paisley Its: Authorized Signatory

26807006.

Interlocal Agreement for Washtenaw County to Opt Out of a Designated Assessor for an Indefinite Period

Public Act 12 of 2024 amends the General Property Tax Act to allow a county to opt out of the requirement to appoint a Designated Assessor. Accordingly, the following interlocal agreement (herein "AGREEMENT") has been executed by the Board of Commissioners for Washtenaw County and a majority of the assessing districts in Washtenaw County. Washtenaw County and the Assessing Districts are collectively referred to throughout this AGREEMENT as the "Parties".

RECITALS

WHEREAS, The Michigan Constitution of 1963, Article 7, Section 28 permits a political subdivision to exercise jointly with any other political subdivision any power, privilege, or authority which such political subdivisions share in common with each other and which each might exercise separately.

WHEREAS, The Urban Cooperation Act of 1967, being MCL 124.505 *et seq*, and the Intergovernmental Transfer of Functions and Responsibilities Act, give effect to the Constitutional provision by providing that public agencies may enter into interlocal agreements to carry out their respective functions, powers, and authority.

WHEREAS, P.A. 12 of 2024 requires each County to enter into an AGREEMENT that elects to opt out of appointing an individual as the Designated Assessor. That interlocal agreement must be approved by the County Board and a majority of the assessing districts in the County.

WHEREAS, P.A. 12 of 2024 mandates that if a county decides to opt out of the requirement to appoint a Designated Assessor, the State Tax Commission will appoint an individual to serve under the condition that an assessing district is not in substantial compliance per Public Act 660 of 2018 (MCL 211.10g).

WHEREAS, P.A. 12 of 2024 requires that if a county decides to opt out of the requirement to appoint a Designated Assessor and the State Tax Commission appoints a Designated Assessor to serve under the condition that an assessing district is not in substantial compliance, the noncompliant assessing district will be responsible for covering all reasonable expenses related to the Designated Assessor appointed to oversee and manage the annual assessment roll, and no assessing district will be responsible for any expense related to the Designated Assessor unless it is required to appoint one.

NOW, THEREFORE, based on the foregoing Recitals, and in consideration of the terms of this Agreement, the Members agree as follows:

Washtenaw County proposes to opt out of appointing an individual to serve as the Designated Assessor for the following, and for any, assessing districts within Washtenaw County.

Interlocal Agreement for Washtenaw County to Opt Out of a Designated Assessor

Washtenaw County Board of Commissioners Jason Maciejewski hairperson (District 1) Lyte, Chairperson (D)strict 2) Shannon Beeman, Chairperson (District 3) Caroline Sanders, Chairperson (District 4) stin D. Hodge, Chairperson/(District 5) Annie Somerville, Chairperson (District 6)

Andy LaBarre, Chairperson (District 7)

Yousef Rabhi, Charperson (Dis

Katie Scott, Chairperson (District 9)

11/20/2024

Date

11.20.2024 Date

20/2024 П

Date

Date

<u>1120/2024</u> Date <u>11/20/2024</u> <u>11/20/2024</u> <u>11/20/2024</u>

Interlocal Agreement for Washtenaw County to Opt Out of a Designated Assessor

Ypsilanti Township

Authorized Representative

Date

Title

j.

CHARTER TOWNSHIP OF YPSILANTI 2025 BUDGET AMENDMENT # 2

FEBRUARY 4, 2025

AMOUNTS ROUNDED UP TO THE NEAREST DOLLAR

101 - GENERAL OPERATIONS FUND

Request to carryforward the approved fall protection systems from Premier Safety & Service for Hydro and Compost approved 10/14/2024. This will be funded by an appropriation of prior year fund balance.

Revenues:	Prior Year Fund Balance	101-000-699.999	\$25,925.00
		Net Revenues	\$25,925.00
Expenditures:	PPE & First Aid Supplies	101-270-760.000	\$25,925.00
		Net Expenditures	\$25,925.00

226 - ENVIRONMENTAL SERVICES FUND

Request to increase the budget for rubbish, yard waste and recycling, which is based on number of residential pickups. The beginning count for budget calculations for the Waste Management contract was 15,116 and in 2024-2025 the count has increased to 15,318. This has caused a need for an increase to the 2025 budget numbers. This will be funded by an appropriation of prior year fund balance.

Revenues:	Prior Year Fund Balance	226-000-699.999	\$36,998.00
		Net Revenues	\$36,998.00
Expenditures:	Contractual/Rubbish Pickup	226-528-804.001	\$22,680.00
	Contractual/Yardwaste Pickup	226-528-804.003	\$6,238.00
	Recycling Pick-Up Curbside	226-528-804.007	\$8,080.00
		Net Expenditures	\$36,998.00

Total Increase \$36,998.00

Total Increase \$25,925.00

Motion to Amend the 2025 Budget (#2)

Move to increase the General Fund budget by \$25,925 to \$21,055,024 and approve the department line item changes as outlined.

Move to increase the Environmental Services Fund budget by \$36,998 to \$4,295,669 and approve the department line item changes as outlined.