1. Council Meeting Agenda

    Documents:

    REVISED 08-01-17 FINAL AGENDA.PDF

2. Council Meeting Packet

    Documents:

    AUGUST 1ST COUNCIL PACKET.PDF

3. Council Action Minutes

    Documents:

    ACTION MINUTES 08-01-17.PDF

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Revised – 7/28/17

CITY OF YPSILANTI
CITY COUNCIL MEETING AGENDA
COUNCIL CHAMBERS - ONE SOUTH HURON STREET
TUESDAY, AUGUST 1, 2017
7:00 P.M.

I. CALL TO ORDER –

II. ROLL CALL –

Council Member Bashert	P A	Council Member Robb	P A
Mayor Pro-Tem Brown	P A	Council Member Vogt	P A
Council Member Murdock	P A	Mayor Edmonds	P A
Council Member Richardson	P A		

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

"I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

V. INTRODUCTIONS –

VI. AGENDA APPROVAL-

VII. AUDIENCE PARTICIPATION –

VIII. PRESENTATIONS –

- Proclamation recognizing Erica Hampton

- Bell/Kramer Update – Beth Ernat, Economic Development Director

IX. REMARKS FROM THE MAYOR –

X. CONSENT AGENDA – Resolution No. 2017-170

1. Resolution No. 2017-171, approving appointment to Boards and Commissions.

2. Resolution No. 2017-172, approving minutes of June 20 and June 27, 2017.

3. Resolution No. 2017-173, approving request for additional brewpub license for 201-203-205 W. Michigan Avenue.

4. Resolution No. 2017-174, approving traffic control orders.

XI. MOTIONS, RESOLUTIONS, DISCUSSIONS –

1. Resolution No. 2017-175, approving City Manager and City Clerk Evaluation Process.

2. Resolution No. 2017-176, approving Contract No. 17-5338 with the Michigan Department of Transportation (MDOT) for the 2017 Major Street Resurfacing Project.

3. Resolution No. 2017-177, approving purchase of one (1) 2018 GMC Sierra 1500 4WD pick- up truck with double cab.

4. Resolution No. 2017-178, approving agreement to transfer $10,000 to the Friends of Rutherford Pool for operation of the pool.

XII. AUDIENCE PARTICIPATION –

XIII. LIASON REPORTS –

A. SEMCOG Update
B. Washtenaw Area Transportation Study
C. Urban County
D. Ypsilanti Downtown Development Authority
E. Eastern Washtenaw Safety Alliance
F. Police-Community Relations/Black Lives Matter Joint Task Force
G. Friends of Rutherford Pool
H. Housing Equity Leadership Team
I. Economic Development Coordinating Committee

XIV. COUNCIL PROPOSED BUSINESS –

XV. COMMUNICATIONS FROM THE MAYOR –

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

Nominations:

Human Relations Commission
Willow Carter (youth member appt.)
410 Maple Street
Ypsilanti, MI 48198

Parks and Recreation Commission *(added)*
Kyle Hunter (new appt.)
109 Ferris, #4
Ypsilanti, MI 48197

XVII. COMMUNICATIONS –

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT –

Resolution No. 2017-179, adjourning the City Council Meeting.

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Revised – 7/31/17

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Council Member Richardson	P A		

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XVII. COMMUNICATIONS –

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT –

Resolution No. 2017-179, adjourning the City Council Meeting.

PROCLAMATION

WHEREAS, the City of Ypsilanti wishes to acknowledge and pay tribute to exceptional individuals who have shown professional excellence and leadership in our community; and

WHEREAS, Erica Hampton was born and raised in Ypsilanti, Michigan and is a graduate of Willow Run High School; and

WHEREAS, Erica served on the Ypsilanti Area Jaycees Board as Vice-President of Community from 2014 until the chapter dissolved in 2016; and

WHEREAS, Erica and former Jaycees formed their own committee to work with the American Legion after the Jaycees stopped operations; and to ensure that the July 4th parade, a great Ypsilanti tradition, would continue, after the Jaycees decided to stop operation; and

WHEREAS, The goals of the committee were to make sure that the July 4th parade, a great Ypsilanti tradition, would continue; to make sure it was diverse, and to make sure it contained a great representation of Ypsilanti as a whole; and

WHEREAS, The goal was successful due in part to the contributions set forth by Erica Hampton as she worked with the Legion to coordinate and plan the entire parade, from participants and volunteers to advertising/marketing and communications; and

WHEREAS, Erica is employed at the General Motors Milford Proving Grounds, is a graduate of Northwood University, a grad student at Eastern Michigan University, and the proud mother of a 9 year old son, Aaiden; and

WHEREAS, Erica would like it to be known that she proud to be from Ypsilanti and to see the city thrive. Her passion comes from being a young girl and watching the parade and all of the wonderful memories it created; and

WHEREAS, Erica is thankful for her Co-Chair, Angel Vanas, who went above and beyond to recruit volunteers and spearheaded parade operations in order to make the event a success.

NOW, THEREFORE, I, AMANDA M. EDMONDS, MAYOR, of the City of Ypsilanti on behalf of City Council and staff does hereby express sincere thanks and appreciation to Ms. Erica Hampton for her leadership and for her service to the Ypsilanti community in the coordination and preservation of the July 4th parade.

Given under my hand and seal of the
City of Ypsilanti, August 1, 2017.

Amanda Maria Edmonds, Mayor

INFORMATION MEMORANDUM

August 1, 2017

To: City Manager, Mayor, Council, and City Attorney

From: Beth Ernat, Director of Community and Economic Development

Date: July 27, 2017

Subject: Bell Kramer Environmental Testing Update

On June 19th, AKT Peerless performed 8 sub-slab soil gas samples and indoor air quality monitoring at two locations. Six of the locations were private residences and two of the locations were City owned-parcels. The testing was done to evaluate the historical use of the nearby property to the south and west.

The City has received six signed agreements from residents in the Bell Kramer neighborhood to allow for environmental testing at their property; 110 Bell, 118 Bell, 124 Bell, 128 Bell, 129 Bell and 11 Kramer.

Each resident that participated in testing was delivered a letter with the results of the sampling and a full lab analysis of the samples.

AKT Peerless installed a dedicated 6-inch stainless steel sampling screen along with dedicated nylon tubing using a hydraulic push probe outside the subject building. After the soil gas well screen was centered inside the borehole, a fine silica sand pack was placed in the annulus around the screen to approximately six inches about the top of the screen. A seal of hydrated bentonite was then placed on the top of the filter pack.

Soil gas samples were collected from each location using a laboratory provided bottle vac. The soil gas screen will remain in place for use in further diagnostic testing, if necessary in the future. Samples were transported to the laboratory under chain of custody documentation.

AKT Peerless compared the analytical laboratory results for the soil gas samples to MDEQ Remediation and Redevelopment Division's Tier 1 vapor intrusion screening levels, dated September 2016. These screening levels are not required to be followed under current Michigan law, however, their use is encouraged by the MDEQ when addressing sites with potential vapor intrusion issues. The soil gas samples were submitted to the laboratory for analysis of volatile organic compounds (VOCs) and methane.

The results of the laboratory analyses did not identify concentrations of target parameters above the MDEQ screening levels and/or laboratory method detection limits (MDLs). Additionally, sub-slab soil gas investigation target parameters were not identified in soil gas at concentrations exceeding MDEQ's vapor intrusion screening levels.

Some properties had isolated hits in specific parameters such as Acetone and Butadiene. These can be carcinogens but are not in exceeding the MDEQ standards and are commonly found throughout Michigan.

Next Steps: Upon the direction of City Council, staff will bring forward a rezoning proposal for the property while exploring what types of restrictive covenants for new builds to require a Phase I and Phase II environmental assessment.

It is anticipated the staff will be able to provide a proposal to the Planning Commission no later than October 2017.

Resolution No. 2017- 170
August 1, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2017-171, approving appointment to Boards and Commissions.

2. Resolution No. 2017-172, approving minutes of June 20 and June 27, 2017.

3. Resolution No. 2017-173, approving request for additional brewpub license for 201-203-205 W. Michigan Avenue.

4. Resolution No. 2017-174, approving traffic control orders.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

Resolution No. 2017 - 171
August 1, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the following individuals be appointed to the City of Ypsilanti Boards and Commissions as indicated below:

NAME	**BOARD**	**TERM EXPIRATION**
Caryn Charter 510 Holmes Ypsilanti, MI 48198 **(Reappointment)**	LDFA	6/30/2022

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

Resolution No. 2017-172
August 1, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of June 20 and June 27, 2017 be approved.

OFFERED BY: ____

SUPPORTED BY:____

YES: NO: ABSENT: VOTE:

DRAFT

CITY OF YPSILANTI
COUNCIL BUDGET MEETING MINUTES
COUNCIL CHAMBERS - ONE SOUTH HURON STREET
TUESDAY, June 20, 2017
7:00 P.M.

I. CALL TO ORDER –

The meeting was called to order at 7:00 p.m.

II. ROLL CALL –

Council Member Bashert	Present	Council Member Robb	Present
Mayor Pro-Tem Brown	Absent	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Edmonds	Present
Council Member Richardson	Present		

Council Member Richardson moved, seconded by Council Member Bashert, to excuse the absence of Mayor Pro-Tem Brown.

On a voice vote, the motion carried, and the absence was excused.

III. INVOCATION –

Mayor Edmonds asked all to stand for a moment of silence.

IV. PLEDGE OF ALLEGIANCE –

"I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

V. INTRODUCTIONS –

Mayor Edmonds introduced the following individuals; City Attorney John Barr, City Clerk Frances McMullan, City Manager Darwin McClary, Economic Development Director Beth Ernat, Police Chief Tony DeGiusti, Fiscal Services Director Marilou Uy, and Accounting Supervisor Rheagan Basabica.

VI. AGENDA APPROVAL-

Council Member Vogt moved, seconded by Council Member Bashert to approve the agenda.

Council Member Robb moved to move Resolution No. 2017-150 from the Consent Agenda to Section XI, Motions/Resolutions/Discussions.

On a voice vote, the motion carried, and the agenda was approved as amended.

VII. AUDIENCE PARTICIPATION –

1. William Armstead, 102 N. Hamilton, stated he is representing Ozone House and works to communicate its mission throughout the County. The property the Ozone House is looking to purchase will be used for the "Stay Safe" program. He stated he is eighteen

and has used Ozone House services which have been a benefit to him and friends he has in the community.

2. Austin Henderson, 102 W. Hamilton, stated the Ozone House has helped numerous people in the community, but needs more space in order to help more community youth.

3. Patrick Gaulier, 1613 Gregory St., stated his home is near the proposed site of the Ozone House and has been part of the Ypsilanti community around seven years. He chose to live in Ypsilanti because of its open and inclusive nature. Having a space to service youth in crisis is a reflection of the values, and the very reason he and his family moved to Ypsilanti. He said he is also employed by Ozone House as the clinical case manager to assist young people seeking housing.

4. Deb Walker, 6180 1st St, Superior Township, supports the Ozone House and her property is directly to the north of the proposed site. Since she does not live in the City and she only just found out about this process. While she supports the work of the Ozone House she is not certain it is the best location for them, and in order to gain support of residents of that neighborhood she asked the process to be slowed.

5. Kyle Hunter, 109 Ferris #4, stated he would like to see effort from City Council and any other Commission of the City to engage in a community hearing to see what can be down about the vacant building on the corner of Ferris and Washington. He said the building has been an eye sore for some time and if enough time passes it will be purchased by an outside corporation and turned into something the surrounding neighborhood might not want.

6. Adam Gainsley, 409 N. Adams, stated Citizens for Ypsi is continuing to campaign in support of the passage of the Water Street Debt Millage. The passage of this millage is still important regardless of the possible International Village proposed for Water Street. Citizensforypsilanti.com is active, which can be visited to request a yard sign.

7. Kerri Pepperman, 202 Wallace Blvd, stated she has been an Ypsilanti resident for ten years and a donor and volunteer of Ozone House. She supports the Ozone House because it gets results and three-fourths of the kids serviced are from this community.

8. Lee Tooson, 107 Middle, stated the Ozone House is important without question and it must be kept safe, and if it cannot be protected there is no reason for it to exist. The residents of Ypsilanti are asking City Council to not decrease the current police contract and extend it until negotiations are finalized. He has worked very hard to get to the Police Department the City presently has. If the City ends up losing seasoned officers the department would lose its leadership base. The level of crime in this City cannot not be stopped if the department decreases, and it will only get worse if it does.

9. Naja Garnel, stated she began working for the Ozone House in September and has done a lot of work youth her age, and has turned her life around. It has taught her to love humanity and its differences, but at the same time understand deep down people are all the same.

10. Gail Wolkoff, 1728 Whittier, stated she understands the concern of having something new in a neighborhood, but as someone who purchased a property in Ypsilanti for teenagers to work toward scholastic achievement there has not been a problem with noise. As someone who knows the Ozone House she would fully without question support this moving into a neighborhood because it is simply teenagers trying to stay safe.

11. Erin Schaffer, 911 Woods, stated she moved to Ypsilanti around five years ago because she loves Ypsilanti. She feels Ozone House would be a phenomenal addition to this community. She is currently a family therapist working at Ozone House to help youth reunify with their families, and 97% of youth they work with reunite with their families. She hopes this is one more way Ypsilanti can help the youth of this community.

12. Kathy Doyle, 1113 Westmoreland, stated she is the Executive Director of Ozone House and they are looking to move to this community to provide services. They are thrilled to be a part of this community and contributing to it.

    Mayor Edmonds asked if the forty staff includes the outreach team and youth staff. Ms. Doyle responded it does not. Ms. Edmonds asked how many youth employees Ozone House has. Ms. Doyle responded this summer twelve youth will be employed and around fifty interns.

VIII. REMARKS FROM THE MAYOR –

- Mayor Edmonds thank all those who spoke, and looks forward to discussing the Ozone House later in the meeting.
- She understands the concerns of the neighbor, and there are many steps before this project is complete with time for public input.
- She noted and agreed the need for keeping the Police Department at an efficient level.
- She told the youth in the Audience about the openings for youth members on City Boards and Commissions. In order to be eligible the individual must be a citizen of the City of Ypsilanti.

IX. PUBLIC HEARING –

1. Approving a 15 year extension to the Smart Zone LDFA. The City does not lose any local tax revenue and has the opportunity to receive state captures to be spent on Economic Development activities. (Community Development)

   A. Resolution No. 2017 - 143, determination

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, in 2001, the Michigan Economic Development Corporation (MEDC) created eleven separate SmartZones throughout the state, including Ann Arbor/Ypsilanti; and

   WHEREAS, the purpose of the Ann Arbor/Ypsilanti SmartZone (LDFA) is to provide capital needed for the facilitation of the commercialization of research products being developed at University of Michigan and Eastern Michigan University and the development of private high technology enterprises that, but for this organization, would be deferred, or located outside of the SmartZone area; and

   WHEREAS, The proposed 15 year extension to the Ann Arbor/Ypsilanti SmartZone LDFA requires the approval of the City of Ypsilanti, City of Ann Arbor, Washtenaw County and the Michigan Economic Development Corporation; and

WHEREAS, The City of Ypsilanti has been approved and is included for state-only tax capture in the proposed 15-year extension.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council hereby approves the Ann Arbor/Ypsilanti SmartZone Agreement Amendment Number 1 for 15 year extension of the Ann Arbor/Ypsilanti SmartZone LDFA.

OFFERED BY: Council Member Vogt
SECONDED BY: Council Member Richardson

Economic Development Director Beth Ernat proposed the City move forward with this amendment because it is time sensitive. The City has been given MEDC approval for tax capture and in order to do so the extension must be approved. Both Phil Tepley and Tom Crawford are present from the LDFA to answer any questions Council might have.

B. Public Hearing

1. Phil Tepley, LDFA Board Member, stated he is very excited to have Beth Ernat on the Board, she brings a wealth of institutional knowledge of the City. He is on his second term and has not been able to spend TIF funds in Ypsilanti and with this change the City will have 10% of the budget. This is not taking money from the school fund, the school fund is reimbursed by the general fund.

C. Resolution No. 2017 – 144, close the public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing for the Ann Arbor/Ypsilanti SmartZone Agreement Amendment Number 1 for 15 year extension be officially closed.

OFFERED BY: Council Member Vogt
SECONDED BY: Council Member Bashert

On a voice vote, the motion carried, and the public hearing was closed.

Mayor Edmonds stated the City has been waiting for three years for MEDC approval. During that time the LDFA has been planning on how to invest the available funds. She said there is great support to improving the overall ecosystem to make it more supportive and attractive overall.

Ms. Ernat stated there is approximately $313,000 on the table, which cannot go into the City's General Fund. It can only be used for technology, including fiber optics, or infrastructure to support technology. She does not want any misconception the City could use these funds to balance its budget. Traditionally, 50% of these funds are earmarked for SPARK East Incubator.

Council Member Murdock stated the LDFA Tax Increment Financing District (TIF) overlaps the DDA's TIF. Ms. Ernat responded it overlaps the original DDA TIF, not the current downtown TIF District. Mr. Murdock asked how it would impact the DDA TIF revenue. Ms. Ernat responded it would not affect the DDA revenue, and explained an LDFA levies the school taxes from the state, not what is captured by the DDA.

On a roll call, the vote to approve Resolution No. 2017-143 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	Yes	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 1 (Brown) VOTE: Carried

2. Granting an Obsolete Property Rehabilitation Exemption for a period of 12 years for 400 N. River. (Community Development)

A. Resolution No. 2017 - 145, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Obsolete Property Rehabilitation Act, Public Act 146 of 2000 (the "Act"), provides for a tax incentive to encourage the redevelopment of obsolete buildings through the establishment of an Obsolete Property Rehabilitation District; and

WHEREAS, pursuant to PA 146 of 2000, the City of Ypsilanti is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and

WHEREAS, the Council of the City of Ypsilanti legally established an Obsolete Property Rehabilitation District that includes parcel #11-11-04-495-024 (400 N. River St.) as part of a broader district including the three DDA districts on June 5, 2012 after a public hearing held on the same date as provided by section 3 of Public Act 146 of 2000; and

WHEREAS, the parcel at 400 N. River St has been certified functionally obsolete by the City Assessor per P.A. 146 in February 2017; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Ypsilanti eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, the owners of the above referenced parcels, The Original and Only Thompson Block, LLC has submitted an application for an obsolete property as defined in section 2(h) of Public Act 146 of 2000 requesting an exemption for a period of 12 years as a function of the Act; and

WHEREAS, the application included all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate; and

WHEREAS, The Original and Only Thompson Block, LLC are not delinquent in any taxes related to the facility; and

WHEREAS, the owners of the above referenced parcel have proposed the rehabilitation of a 2-3 story 33,470 square foot historic, functionally obsolete,

dangerous building situated on a contaminated parcel into a vibrant mixed use property.

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Ypsilanti; and

WHEREAS the rehabilitation includes improvements aggregating approximately 100% of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

WHEREAS, the review committee met on May 18, 2017 and recommends approval of the application for a period of twelve years (2018-2029); and

WHEREAS, the application is not recommended for an extension; and

WHEREAS the completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, increase commercial activity, revitalize urban areas, and increase number of residents in the community in which the facility is situated.

WHEREAS, the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000 on July 20, 2017; and

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council herby grants an Obsolete Property Rehabilitation Exemption for a period of 12 years beginning December 31, 2014 and ending December 30, 2026 for the real property, excluding land, located in the Obsolete Property Rehabilitation District which include parcel #11-11-04-495-024 (400 N. River St) pursuant to the provisions of PA 146 of 2000, as amended, subject to completion of the renovations by within three years of final approval of exemption certificates by the State Tax Commission, and to the taxes on the property being paid on time.

OFFERED BY: Council Member Bashert
SECONDED BY: Council Member Vogt

Ms. Ernat asked Council to consider a friendly amendment to change "July 8, 2014" to "June 20, 2017" in the last "whereas" of the resolution.

Council Members Bashert and Vogt agreed with the friendly amendment.

Ms. Ernat stated this is the last piece to the Thompson Block redevelopment needing to come before Council. This OPRA was previously approved through the last development of the property which was canceled by act of Council. In order to move forward with the Brownfield Plan and Act 381 Plan in OPRA application and approval is required. The last step of this process is for the petitioner to go before the MEDC for the Brownfield Plan.

Mr. McClary asked if the dates of "December 31, 2014 through December 30, 2026" in the resolution are correct. Ms. Ernat responded in the affirmative, and explained those dates refer to when the OPRA district was created.

B. Public Hearing

1. Sam Jones-Darling, The Village, EMU Campus, stated he is a resident of the City of Ypsilanti and a member of the Human Relations Commission and he is deeply concerned. This is a tax abatement and over the next couple of years the City will no longer assess the property. This is an incentive for a developer whom he met with two weeks ago at the County Board of Commissioners. He was told by the developers they would communicate with him but they never made attempts to do so. He asked what the prices would be per square foot of the twenty apartments. He asked why the developer is not present to answer questions posed by the public. Incentives need to be put into place for developers to attend meetings and talk about these issues with the public. He asked Council to communicate with the community about these issues.

C. Resolution No. 2017 – 146, close the public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing for an Obsolete Property Rehabilitation Exemption for 400 N. River for a period of 12 years be officially closed.

OFFERED BY: Council Member Bashert
SECONDED BY: Council Member Vogt

On a voice vote, the motion carried, and the public hearing was closed.

Ms. Ernat stated this is a tax incentive, and abatement would mean no taxes would be collected by the property. An OPRA property would still capture taxes and is located inside a DDA District so the City is not losing possible additional tax revenue. Marilyn Crowley of Kinkaid Henry is here representing the development throughout the process.

Council Member Murdock stated between an OPRA and the Brownfield plan no taxes would go to the City or the DDA for twenty-eight years. Ms. Ernat responded there would be a 5% reserve for the DDA throughout the duration of the twenty-eight years. Mr. Murdock stated there is a lot of pressure on Depot Town parking system, which will require public investment and resources. He said this project is asking for an exemption of parking requirements which will further stress the system. He said twenty-eight years seems ridiculous. Ms. Ernat replied the parcel could not achieve a higher valuation to reduce the number of years of exemption. She added shortly before the developer approached the City with plans for the property she was preparing to ask Council to demolish the building.

Mayor Edmonds stated she agrees with Council Member Murdock's concerns but Council understands the structures challenges. She would rather use this economic development tool to develop the building.

Ms. Ernat added additional jobs in the City will have a positive impact in the City regardless if they pay $13 or $9 an hour. Council Member Murdock asked if the project is successful no one will monitor if the jobs created pay what the developer is claiming, and there is no way to enforce it. Ms. Ernat responded in the affirmative. Mr. Murdock stated there should be a way to monitor to ensure jobs created pay at those rates. Mayor Edmonds asked if there would be an ability for revocation if agreements were not kept. Ms. Ernat responded not through an OPRA, but legal counsel could review the possibility. She said the City could provide a way to monitor pay rates through the Brownfield Plan, put the City would need to ensure the staff was present for that task. Ms. Edmonds asked if the Brownfield Redevelopment Authority could be asked to monitor pay rates. Ms. Ernat responded she can bring that forward for discussion.

Council Member Vogt asked how long this building has been empty. Council Member Robb responded since 2009 when Fantasy Lighting left. Mr. Vogt stated it was greatly underused for decades prior to that. He understands the concerns but the only alternative is to have an empty lot which produces no taxes generating nothing for the City. Overall he is strongly in favor of this project and Council should approve this OPRA.

Council Member Robb stated the City has a policy that if taxes are not paid an OPRA can be revoked, which is not in the enabling legislation. He said because the City was able to add that it is possible it could add additional wording to monitor pay rates. He asked how many parking spots is the developer required for the commercial space. Ms. Ernat responded roughly eight spaces, but the developer will be providing covered bike parking. She added the variance is for twelve spaces. Mr. Robb asked if the City is waving that or is the developer paying the $600 per space. Ms. Ernat replied the Zoning Board of Appeals would make that decision.

Council Member Bashert stated this development will not be completed for a couple of years. Marilyn Crowley responded the development will be open by October of 2019. Ms. Bashert stated there is already a parking issue in Depot Town and this project will put additional stress on that system. She said this problem is going to need to be solved before this projects completion. Council Member Robb asked how this problem is going to be solved. Ms. Ernat responded she is currently seeking funding for a parking analysis study, and the discussions will need to happen in the future. Mr. Robb stated he is excited about this project, but Council is always told discussions need to happen in the future and they never happen. He said in order to build a parking structure parking would be removed from Depot Town to do build that structure. Mayor Edmonds invited Council Member Robb to attend a DDA meeting, which has been discussing parking in the districts. Mr. Robb stated the DDA can perform those studies and have discussions, but ultimately Council creates policy and must have these conversations. Ms. Edmonds responded Council could have a working session later in the year to have these discussions, but the DDA does have the bonding capacity to undertake these projects.

Council Member Richardson agreed with Council Member Murdock that parking is an issue. She assumed the jobs created by this development will be after construction. Ms. Ernat responded in the affirmative. Ms. Richardson stated her concern is who will complete the construction because there are people in this City that need jobs and can perform that work. She asked what is being built into this to ensure Ypsilanti residents will get this work. City Attorney Barr responded he would have to look into the enabling legislation of OPRA to see if that is something that can be built into the agreement.

Council Member Murdock stated there will be considerable capital projects occurring in Depot Town and its TIF will not be able to finance all of these projects. He said the train stop and a parking structure will cost millions and would not have that capacity to pay for those projects completely. He added when a parking study is being completed be certain to include autonomous vehicles.

On a roll call, the vote to approve Resolution No. 2017-145 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	Yes	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 1 (Brown) VOTE: Carried

X. **CONSENT AGENDA –** Resolution No. 2017 - 147

1. Resolution No. 2017-148, approving the minutes of May 23, 2017. (Clerk)

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   THAT the minutes of May 23, 2017 be approved.

2. Resolution No. 2017-149, approving appointments to Boards and Commissions. (Mayor)

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   THAT, the following individuals be appointed to the City of Ypsilanti Boards and Commissions as indicated below:

NAME	BOARD	TERM EXPIRATION
Jake Albers 1533 Collegewood St Ypsilanti, MI 48197 (Reappointment)	**Zoning Board of Appeals**	**5/1/2020**
Francisco Garcia 26 N Huron St. Ypsilanti, MI 48197 (Reappointment)	**Zoning Board of Appeals**	**5/1/2020**
Jennifer Symanns 525 Fairview Cir Ypsilanti, MI 48197 (New appointment)	**Zoning Board of Appeals**	**5/1/2019**
John Bailey 514 Fairview Ypsilanti, MI 48197 (Reappointment, Alternate)	**Zoning Board of Appeals**	**5/1/2018**
Tom Roach 912 Pearl Ypsilanti, MI 48197 (Reappointment, Alternate)	**Zoning Board of Appeals**	**5/1/2019**

OFFERED BY: Council Member Robb
SECONDED BY: Council Member Vogt

On a roll call, the vote to approve Resolution No. 2017-147 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	Yes	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 1 (Brown) VOTE: Carried

3. ~~Resolution No. 2017-150, amending the agreement held with Urban County.~~ (Community Development) **(Moved and Heard During Section XI, Motions/Resolutions/Discussions)**

XI. MOTIONS, RESOLUTIONS, DISCUSSIONS -

1. Resolution No. 2017-151, approving purchase agreement for the Ozone House. (Community Development).

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, the City of Ypsilanti has received a Purchase Agreement from Ozone House, LLC for the purchase and development of the 5 +/- acre property located at the northwest corner of Huron River Drive and Superior Road, Parcel Identification Number 11-11-05-240-003; and

   WHEREAS, the property has been vacant and undeveloped, marketed by the City through Swisher Commercial for the past 7 years, and has no other pending offers or known interest; and

   WHEREAS, Ozone House, LLC., is seeking to purchase the property for $230,000 and plans to develop the property for use as their administrative center, youth job training, short-term emergency placements, and transitional living centers for youth 17-21; and

   WHEREAS, the City Council of the City of Ypsilanti has the authority to enter into a purchase agreement for the sale of the said property and may impose conditions within said purchase agreement and the City attorney has read and reviewed the Purchase Agreement.

   NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council directs it Mayor and Clerk to sign a Purchase Agreement for the sale of the property located at 11-11-05-240-003 with all the conditions identified in said agreement.

   BE IT FURTHER RESOLVED that the legal description of the northern boundary of the easement described in paragraph 14 of the purchase agreement be expanded to include up to the middle line of the Huron River as it currently exists.

OFFERED BY: Council Member Bashert
SECONDED BY: Council Member Murdock

Council Member Murdock asked if sale of property is required to have a public hearing. Mr. DuChene responded the Charter provides that all City property must be sold by resolution with a public hearing, however, this property was sold by ordinance. Mr. Murdock stated he feels it would be wise to hold a public hearing on these type of issues. Council Member Richardson agreed.

Mayor Edmonds stated she is excited to welcome the Ozone House into the City at a greater capacity. She is very supportive of this and will be looking for the Ozone House outreach team to being doing door to door in the City.

Ms. Ernat provided an overview of the purchase agreement and past interest in the properties.

Mayor Edmonds asked if a Planned Unit Development (PUD) would involve a public hearing. Ms. Ernat responded it would involve three separate hearings; one for the Planning Commission and two at Council.

Ozone House Executive Director Kathy Doyle provided a presentation regarding the Ozone House purchase agreement.

Council Member Richardson stated she was once a volunteer at Ozone House and congratulated its success in the community. She asked if the house on Hamilton will still be maintained by Ozone House. Ms. Doyle responded in the affirmative. Ms. Richardson stated when she volunteered at Ozone House it has not a noisy place and does not see it as a concern for neighbors of the proposed site. She will be supporting the resolution and looks forward to seeing what else she can do to help the Ozone House.

Mayor Edmonds asked if some activities will be moved from the walk-in center to the new site. Ms. Doyle responded it does not move much because the job training is currently performed at EMU.

Council Member Bashert stated she will be supporting this because of the long steady track record of Ozone House. It is a cutting edge program that has serviced the youth of this community for years, and it should be kept in this City. Also, the proposed property has not been attractive to other developers and would be a perfect fit for Ozone House.

Council Member Robb stated a few weeks ago a proposition for an international village on Water Street was presented to Council. He stated this resolution is nothing like the one brought for that proposition. Council was asked to approve a letter of intent for the international village, for them to do their due diligence. For this property Council is first being brought a purchase agreement before the Ozone House performs its due diligence, and the property will be sold without additional input from Council. He asked why the normal process is not being followed for this proposition. Ms. Ernat responded she is following institutional history and asked for legal opinion throughout this process, and it is not her intent to create new processes. She added state statutes dictate when a public hearing is necessary and it would not be good practice to hold a public hearing when not required. Mr. Robb stated a letter of intent should proceed a purchase agreement since this is similar to the Water Street proposal, and asked why they are different. Ms. Ernat responded because Council established a different process for Water Street. Mr. Robb stated public hearings are held for the Property Disposition Policy. Ms. Ernat responded that is because staff is selling City property individually and Council should weigh in on that process. Mr. Robb stated the idea of Council holding additional public hearings was brought up at this meeting and the previous meeting. He said the idea of holding additional public hearings or adding an additional layer of a letter of intent is not out of the realm of being burdensome. Ms. Ernat stated she isn't against it but a change in the process would need to be established by Council. If that is done she will work with the Clerk's Office to do so, but she has followed the law and the advice of the Attorney's Office. Mayor Edmonds added Council setup a different process for Water Street because it is different. Council Member Murdock replied there were a couple of Water Street projects that involved less money than this project.

Council Member Murdock stated commercial properties were left out of the Property Disposition Policy to have a process that was more transparent, and would have liked to have a public hearing for this purchase agreement. He said the community would have not known this was on the agenda if he did not post it to Facebook. He asked if it is possible this project could begin prior to the 180 days. Ms. Doyle responded she does not believe the project will need all 180 days to perform due diligence.

> **Council Member Murdock moved, seconded by Council Member Richardson to add an additional Further Resolved stating "that the proceeds from this sale be used to pay off the remaining Water Street Debt that was not refinanced".**

Council Member Robb asked for clarification of the reasoning behind the amendment. Council Member Murdock responded there was one segment of the debt that was not refinanced and this purchase would allow the City to pay that off completely. Mr. Robb replied this is a cash flow issue that current segment of the debt is for $230,000 to be paid over fifteen years, which would amount to around $20,000 a year. He asked would it be more beneficial to keep that as a fund balance rather than pay the entirety of that debt segment. He added the resolution also states it should be used to pay the remaining balance, which is more than the City would receive for this purchase. Mr. Murdock responded he would like the City to pay the remainder of that balance. Fiscal Services Director Marilou Uy stated a payment of $10,000 was recently made leaving a balance of $220,000. Council Member Bashert stated the City will receive around $213,000 net for this purchase. She stated she believes how the funds are allocated should be discussed as part of the budget section of this meeting. Mr. Robb stated it should take place when the property is sold, and the City receives payment. Mayor Edmonds stated as a part of goal sessions Council made a policy decision that revenue created by the sale of property would be used to pay down the Water Street Debt. She said it is an appropriate amendment and aligns with that policy, and asked the City Manager his opinion on the amendment. Mr. Clary responded he does not have concern with this amendment, and paying off this segment will save the City $140,000 over the next fourteen years in interest. Ms. Edmonds stated she will support the amendment.

Council Member Robb stated this decision should wait until the City receives the money. He said this resolution is a letter of intent masquerading as a purchase agreement and the City might not receive this money for six to seven months. Because of this when it is sold will be the time to discuss how to allocate the money. Council Member Murdock responded as was previously stated this will be the last time this is brought before Council. Mr. Robb responded once this money is paid Council can do a budget amendment. Council Member Bashert stated because this budget has required severe cuts this money could be used to reinstate one of the cuts. Council Member Vogt stated his concern is to allocate this to one priority rather than several other priorities, and agrees Council should wait until the funds are received. He added if the millage passes it will make a huge difference in the City's finances, and a better decision can be made on how to allocate those funds. Mr. Murdock responded it would make no difference because the millage does not cover this segment of the debt. He added this money will not provide the City to hire additional police officers because it is not reoccurring funds.

On a roll call, the vote to amend Resolution No. 2017-151 as amended was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	No
Council Member Murdock	No	Mayor Edmonds	Yes
Council Member Richardson	Yes	Council Member Vogt	No
Council Member Bashert	No		

VOTE:

YES: 2 NO: 4 (Murdock, Vogt, Robb, Bashert) ABSENT: 1 (Brown) VOTE: Failed

Council Member Robb stated the next regular scheduled meeting is July 18th can this be reconsidered at that meeting. City Attorney Barr stated he believes the entire resolution will need to be reconsidered not just the amendment.

Council Member Bashert stated she is not against the idea but believes it is the wrong point to make that decision.

Council Member Vogt stated if the Peninsular Dam is removed the river will shrink and asked what happens to the property uncovered by the river. He said he would like the City to retain its property rights. Ms. Ernat responded the purchase agreement provides an easement of twenty-five feet, which would prohibit the Ozone House from claiming that land and the City could approve another easement for the changed shoreline. Mr. Vogt disagreed and said it would depend on the property and where their property ends. He asked can this property be locked into the current metes and bounds and any change in the river goes back to the City. Council Member Bashert asked what the advantage to the City is. Mr. Vogt responded because then the City could decide if it would like to develop it into parkland, a part of the Border to Border Trail, or etcetera, but maintaining the power to make the decision. Mr. DuChene stated the Huron River is provided as one of the metes and bounds.

Mayor Edmonds asked if a change in the easement would occur during another point of this process. Ms. Ernat responded this could be addressed in two different ways; it could be added into the language of this resolution which would allow the City to alter the purchase agreement before being signed.

Council Member Bashert asked if this issue would impact the Ozone House from the purchase of the property in anyway. Ms. Doyle responded no.

> **Council Member Vogt move, seconded by Council Member Robb to amend the resolution by adding to "Be it further resolved that the legal description of the northern boundary of the easement described in paragraph 14 of the purchase agreement be expanded to include up to the middle line of the Huron River as it currently exists".**

On a roll call, the vote to amend Resolution No. 2017-151 as amended was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	Yes	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 1 (Brown) VOTE: Carried

On a roll call, the vote to approve Resolution No. 2017-151 as amended was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	Yes	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 1 (Brown) VOTE: Carried

2. Resolution No. 2017-152, approving a social media policy. (City Manager)

RESOLUTION APPROVING A CITY WIDE SOCIAL MEDIA POLICY

WHEREAS, The City of Ypsilanti is interested in adopting a Social Media Policy; and

WHEREAS, the City of Ypsilanti currently has social media accounts but does not have a formal policy for the use, distribution, or editing of social media; and

WHEREAS, social media has become a dependable means of communication and is an important tool for the City;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI adopt the Social Media Policy as presented.

OFFERED BY: Council Member Richardson
SECONDED BY: Council Member Bashert

City Manager Intern Courtney Marshall provided a presentation on updates made to the policy submitted to Council in May.

Council Member Bashert asked for clarification of the response time in the policy. Ms. Marshall responded the response time was amended from two days to within a business week to allow employees more time to respond. Ms. Bashert responded she believed two days was too slow, and said an initial response does not require a complete answer and should happen within a day except for weekends.

Council Member Robb stated this is a vastly improved policy than originally presented, however, he is concerned with removing Hootsuite because the issue is still automation. He does not want staff to need to make posts in three different places manually, and the point is to make the website the main center for information. He asked when the City would be soliciting commerce that would require the approval of the City Manager. Mayor Edmonds stated when promoting an event and the vendors at the event. Mr. Robb responded if that is the case the section promoting local businesses was removed from the policy previously submitted, specifically for that reason. Ms. Ernat stated the solicitation of commerce is for request of proposals (RFP) and request for quotation (RFQ) and, or soliciting business directly to the City. Mr. Robb stated the policy should be clarified because commerce is broader than those three examples.

Mayor Edmonds stated the policy is an excellent start but with twelve major social media platforms there are some misses. She said what is not addressed is how Facebook is used which must be done by an individual profile, and how that profile is developed. She said the policy needs to set guidelines of how the City posts to outside its own page. Ms. Marshall responded the City has limited access to the neighborhood pages. Mayor Edmonds stated if people are individual members of that page they can post, and posting to those pages are how to get exposure.

Council Member Bashert stated she thinks policy is being confused with tactics. She also has an issue from changing from Hootsuite to Nextdoor, and sees it as less efficient. Ms. Marshall asked if it would be okay to use both Hootsuite and Nextdoor. Mayor Edmonds responded they are two different things.

Mayor Edmonds stated there is an Instagram icon on the front page of the City’s website. Council Member Robb responded because the City does not have an Instagram account. Ms. Edmonds asked why the City does not have an Instagram account and mentioned it would be easier to connect with renters. Mr. Robb responded this is about getting information across. Ms. Edmonds responded she would like to get information to an expanded audience.

Mayor Edmonds suggested striking the section listing the City’s used platforms. Council Member Robb replied he agrees with several of the suggested points of the Mayor, however, he believes they should be addressed through the Non-union Handbook. He added this is why he believes Hootsuite is important and Council needs to answer the question of how much staff time should be devoted to social media. He said he is not entirely sure that is how staff, a limited resource, should spend its time. He sees Nextdoor as a useful tool but it is another manual operation that will take staff time.

Mayor Edmonds proposed that all public hearings, meetings, job postings, RFPs, and planned and unplanned closures are always posted on social media. Council Member Bashert added holiday delays to City services and added the social media platforms do not need to be listed because that will change over time. She said the list of social media sites should be removed from the policy. Council Member Robb responded technically the City Manager can amend the policy and notify Council.

Council Member Robb stated the reason he felt it necessary to have a social media policy is copy write infringement and campaign finance policy violations. He simply wants to limit staff time as much as possible. Mayor Edmonds stated she does not agree that staff should not spend time on social media. She believes staff should work efficiently as possible and use tools to ensure that.

Mayor Edmonds stated she would like the City to use the same username across all platforms, and suggested “YpsiCity”.

Council Member Bashert moved, seconded by Council Member Vogt to add to the policy "all public hearings, meetings, job postings, RFPs, and planned and unplanned closures, and holiday delays" are always posted on social media", remove all listed platforms and tools, set the response time as one business day, and use the same username across all platforms.

Council Member Richardson stated she understands the desire to have prompt answers, but what kind of pressure will this put on staff and who will do that. Mayor Edmonds asked what the expected turnaround for those other forms of query is. Mr. McClary responded the initial response is an acknowledgment of the question with the full response coming a couple of days later. He said the police dictates an employee will be set as a social media administrator, and will ensure staff is complying with the policy. Mr. McClary stated shortly after he began at this position he told staff he would like the response to be one business day.

On a roll call, the vote to amend Resolution No. 2017-152 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	No
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	No	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 4 NO: 2 (Richardson, Robb) ABSENT: 1 (Brown) VOTE: Carried

Council Member Robb stated the question of how the social media accounts will be accessed has not been addressed. Mayor Edmonds asked if Facebook postings were mostly done by individual accounts or by on main account set be the City. Ms. Marshall stated through her experience administrators of the page are set who post from their individual accounts. Mr. McClary stated in some model policies contain language to address the concerns of the Mayor which can be implemented in Ypsilanti.

Mayor Edmonds stated Council can move forward with this policy and return with an amended section relating to how posts are made on the Facebook page.

Council Member Robb stated the way the social media policy is structured after the amendment he would not be able to support. Too much has been added into the policy when it could have simply been introducing RSS feeds. Different boards and commissions do not need their own Facebook page they can have a page on the website and an RSS feed can distribute what is on that page to all the social media sites administered by the City. This has become more time consuming for employees than it needs to be. Mayor Edmonds responded how this is operationalized is up to the City Manager. Mr. Robb stated this process has evolved into a manual process.

On a roll call, the vote to approve Resolution No. 2017-152 as amended was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	No
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	No	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 4 NO: 2 (Richardson, Robb) ABSENT: 1 (Brown) VOTE: Carried

3. Resolution No. 2017-153, approving a City procurement policy. (Attorney)

RESOLUTION APPROVING CITY PROCUREMENT POLICY AND PROCEDURES

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the attached Procurement Policies and Procedures be adopted by the City of Ypsilanti and that staff are directed to implement its provisions in conjunction with the relevant provisions of the Code of Ordinances of the City of Ypsilanti and the laws and regulations of the State of Michigan.

BE IT FURTHER RESOLVED THAT the procurement policy would return to Council in sixty days to approve potential amendments.

OFFERED BY: Council Member Richardson
SECONDED BY: Council Member Bashert

Mr. Barr stated the federal government dictates that if the City receives federal dollars it should create a procurement policy. A month ago the auditor sent a procurement policy to the Fiscal Service Department that was forwarded to the Attorney's Office. He suggested the policy be amended to mesh with current City Ordinances and pass this by the end of the month.

Mayor Edmonds what are the consequences if the policy is not adopted before the end of the month. Mr. Barr responded he is not exactly sure, but it can affect the way the City interacts with the federal government. He added the legislation did not include what the penalty would is. Ms. Edmonds stated she has many proposed amendments and would prefer not to move forward with this tonight, but if it must be approved tonight she would. She said procurement is important, and it is useful when putting the City's values into action in who is being rewarded with contracts. Mr. Barr asked that the policy be approved and allow staff to revisit any changes at a time to be determined.

Council Member Richardson moved, seconded by Council Member Bashert that the policy will be resubmitted to Council in sixty days to propose additional amendments.

On a roll call, the vote to amend Resolution No. 2017-153 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Abstain	Mayor Edmonds	Yes
Council Member Richardson	Yes	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Brown) ABSTAIN: 1 (Murdock) VOTE: Carried

Mayor Edmonds stated she will be suggesting an amendment that employees a tier system with Ypsilanti being first, followed by the 48197 & 48198 area codes, than Washtenaw County, Southeastern Michigan, and Michigan as a whole. Council Member Murdock asked if something has changed since the City Attorney's Office give its opinion that was prohibited. Mr. Barr responded no. Ms. Edmonds stated many municipalities have been using local preference across the country. Ms. Murdock replied Michigan is not across the country. Mr. Barr stated he would review the matter and forward the information to Council.

Council Member Richardson stated the City of Detroit recently adopted a Community Benefits Program, and she would like to sit down with the program director to understand how this can be achieved.

Mr. McClary stated in Section 5.A of the policy it identifies small purchase policy as $100,000 or less and in Section 8 it refers back to the City's purchasing which lists $25,000. Mr. Barr responded on amount covers federal purchases and the other is for local. Mayor Edmonds asked for the policy to be made clearer.

Council Member Richardson approved the friendly amendment.

Mr. McClary stated in Section 5.CV competitive procedures limits professional services to architectural and engineering. He asked if there is a specific reason for that limitation. Mr. Barr responded that is simply the language that was submitted, but architectural and engineering could be removed making it only professional services.

Council Member Richardson approved the friendly amendment.

Mayor Edmonds asked if under Section 6a3F, environmentally friendly, would carry forward in the bidding process. Mr. Barr responded it is not currently in the City's Ordinances. Ms. Edmonds said staff should begin to include that in the bidding process.

On a roll call, the vote to approve Resolution No. 2017-153 as amended was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	No	Mayor Edmonds	Yes
Council Member Richardson	Yes	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 5 NO: 1 (Murdock) ABSENT: 1 (Brown) VOTE: Carried

4. Resolution No. 2017-154, approving the Fiscal Year 2017-2018 Fee Schedule. (Finance)

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the FY 17-18 fee schedule is adopted pursuant to the Ypsilanti City Code, and all other fees relating to various sections of the City Code and activities of the City are hereby established and shall remain the same as the previous fiscal year, and the various City Departments are authorized to charge and collect such fees effective immediately.

OFFERED BY: Council Member Vogt
SECONDED BY: Council Member Bashert

Ms. Uy provided an overview of the proposed Fee Schedule.

Council Member Murdock asked if the proposed Fee Schedule includes the fees suggested by Council Member Robb. Council Member Robb responded no.

Mayor Edmonds stated there is a fee for trash pick-up but not one for recycling. She would like to include that to encourage people to recycle.

Council Member Murdock stated the parking fines on page sixteen have all been increased, and asked if those were not Council Member Robb's suggestions. City Clerk McMullan responded no. Mr. Murdock asked if they are included in the budget. Ms. McMullan responded no, and explained they only increases in the budget are for parking permits. Mr. Murdock stated if the Fee Schedule is adopted the City would have greater revenue. Ms. McMullan responded in the affirmative. Mr. Murdock asked if there is an estimate in the impact the proposed schedule would have on the budget. Ms. McMullan responded there are not estimates on budgetary impact. Council Member Bashert asked if it was not included because it hasn't been passes. Ms. McMullan responded in the affirmative.

Council Member Murdock stated the Fee Schedule increases major street closures from $160 to $1,000. With this any organization that would like to close done a street would cost $1,000, which would be prohibitive to many events. He asked for clarification of why the fee is proposed to increase to that degree. Ms. Ernat responded any regular attended events would be able to submit a Memorandum of

Understanding (MOU) for a set yearly fee. The purpose of the increase is the closure of a major street involves a great deal of the staff and community time. The current process would allow anyone the ability to close a major street if they submit a police department. This would require the notification of the DDA and all businesses that would be effected by the closure. With the reductions in staffing and for efficiency the current process is not ideal, and every time an event is held, aside from the regular events, many business say they do not want the closure. Mr. Murdock asked why the City has the Color Run in the City because it results in several complaints. Ms. Ernat responded each event must be evaluated for its purpose. She explained businesses will be against the closing of any street, which would result in zero street closures. This is why each closure must be properly evaluated. If the fee is increased it incentivizes people to use North Washington, which is deemed as an event space in the Master Plan. North Washington is also easier to close because it does not require the same amount of barriers and notifications. Mr. Murdock stated North Washington is a major street. Ms. Ernat disagreed. Council Member Robb interjected it is a major street, and it is on the snow route ordinance. Ms. Ernat stated the fee structure lists North Washington as a local street and Cross Street as a major street. The purpose of proposing this change is to reduce staff time, to address parking issues and accessibilities.

Mayor Edmonds stated she has concerns about an MOU process because it could result in an event referencing. If the community feels preferential treatment is occurring it could result in litigation increasing cost and staff time. Ms. Ernat responded that is already occurring, and does not see this as a perfect solution but something must be done to address it.

Council Member Bashert asked how many major street closures occur per year. Ms. Ernat responded the City receives a request of around a dozen closures outside of Depot Town and Washington St. Much of the closures have centric events that would be better suited in the parks. Council Member Murdock stated why not set the fee at $5,000 and completely solve the problem. Ms. Ernat responded she would not have an issue with that increase, but that increase would be drastic. Council Member Robb asked if she could provide proof the proposed increase is not drastic. Ms. Ernat responded in the affirmative. Mayor Edmonds stated she did not disagree with the premise of the increase.

Council Member Robb stated the City receives funds through property taxes, income taxes, millages, and fees. The majority of revenue developed by fees is through parking enforcement and building department. He does not understand why the City is not prioritizing updating its fees to match those in other communities and improve its financial situation. He stated the Water Street Debt millage alone will not save the City, which is why the fee schedule must be monitored and updated to be consistent with rates in other municipalities. Mayor Edmonds responded an amendment has not been made providing a different scenario.

Council Member Murdock stated a City audit from a couple of years ago to adjust building fees to pay for the cost, and he does not believe that was completed. Those permits are proposed to increase in this schedule, and in the past there was concerns if the fees were increased it would upset landlords. Council Member Robb responded he understands that, the SEMCOG reports received by the City advise the adjustment of fees and he isn't sure how to get to that point. Mayor Edmonds responded Council could give a policy directive to the City Manager to update fees. Mr. Robb stated there are many items on an agenda that were not policy directives but they are the right thing for the City to do. Ms. Edmonds asked the City Manager to provide a recommendation at the end of the year regarding process and timeline to update the fee schedule. Mr. McClary responded the City should be more active in adjusting fees in accordance to what costs are, and be reviewed each year. Council Member Vogt suggested selected to areas with high return in revenue and have a shorter timeframe for those changes to be made. Ms. Edmonds responded parking fines have already seen significant adjustments. Mr. Vogt felt they could go a little further.

Council Member Murdock stated he wants to understand if the proposed fees are in the budget, and if this is adopted will the budget change. Ms. Uy responded there is a spreadsheet that provides an overview of how the proposed fee schedule would affect the budget. Mayor Edmonds asked if all the proposed fee changes are included in the spreadsheet. Ms. Uy responded most are included except for what would be created through increased parking fines.

Council Member Robb stated he would like to increase $10 tickets to $15, $20 tickets to $25, $25 tickets to $30, $35 tickets to $40, $50 tickets to $60, $100 tickets to $125, and $125 tickets become $150. Remove the $5 incentive to pay an expired meter ticket by the next business day. The tier system would increase $15 after fourteen days and another $15 after thirty days. Mr. Robb stated he has not calculated what revenue would be generated by the Clerk's proposed changes.

Council Member Murdock asked if this would generate $168,000 in additional revenue. Council Member Robb responded in the affirmative. Mr. Robb stated he will not make his amendment and the Fee Schedule can be approved with what is currently included, and he is not certain what additional revenue it would generate.

Council Member Murdock left the meeting at 10:46 p.m.

Council Member Robb stated he thinks this resolution should be postponed until Council is provided with revenue projections. He said Council can vote on the Tax Levy, the agreement with Urban County, and then adjourn to Closed Session. He wants to approve a balanced budget which he does not believe can happen tonight.

Mayor Edmonds stated the budget and Fee Schedule must be passed by the end of June.

> **Council Member Robb moved, seconded by Council Member Vogt to increase $10 tickets to $15, $20 tickets to $25, $25 tickets to $30, $35 tickets to $40, $50 tickets to $60, $100 tickets to $125, and $125 tickets become $150.**

Council Member Robb stated he is not certain how this will affect the budget if the tier increases are different than how he calculated revenue.

On a roll call, the vote to amend Resolution No. 2017-154 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Absent	Mayor Edmonds	Yes
Council Member Richardson	Absent	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 4 NO: 0 ABSENT: 3 (Brown, Murdock, Richardson) VOTE: Carried

On a roll call, the vote to approve Resolution No. 2017-154 as amended was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Absent	Mayor Edmonds	Yes
Council Member Richardson	Absent	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 4 NO: 0 ABSENT: 3 (Brown, Murdock, Richardson) VOTE: Carried

5. ~~Resolution No. 2017 - 155, approving Ordinance 1289 an ordinance entitled, "An Ordinance to Amend Budget Appropriations by Department and Major Organizational Unit for the Fiscal Years 2016-2017 and 2017-2018".~~ ~~**(Second Reading)**~~ ~~(Finance)~~ **(Postponed until June 27th)**

6. Resolution No. 2017-156, approving Ordinance 1290 an ordinance entitled "2017-2018 Tax Levy Ordinance". **(Second Reading)** (Finance)

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   That the proposed ordinance entitled "2017-2018 Tax Levy Ordinance", be approved on Second and Final Reading.

OFFERED BY: Council Member Robb
SECONDED BY: Council Member Vogt

On a roll call, the vote to approve Resolution No. 2017-156 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Absent	Mayor Edmonds	Yes
Council Member Richardson	Absent	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 4 NO: 0 ABSENT: 3 (Brown, Murdock, Richardson) VOTE: Carried

7. Resolution No. 2017-150, amending the agreement held with Urban County. (Community Development)

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, The City of Ypsilanti is a participant in the Washtenaw County Cooperative Agreement; and

   WHEREAS, the Office of Community and Economic Development for Washtenaw County is the fiduciary for all HUD related programs; and

   WHEREAS, three amendments to Urban County agreements to include Emergency Solutions Grant language are required by HUD and must be received and approved by both OCED and the City of Ypsilanti to continue funding.

   NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council directs the Mayor, the highest elected official) to sign the letter agreement with the Office of Community and Economic Development of Washtenaw County dated June 7, 2017, to accept the HUD proposed amendments.

OFFERED BY: Council Member Robb
SECONDED BY: Council Member Bashert

Council Member Robb stated he pulled this off of the Consent Agenda is because it changes a contract and he wanted to know the attorney's position. Mr. Barr responded he feels the amendments are appropriate and has no objection to the approval of this resolution.

Ms. Ernat stated if this is not approved the City could lose its participation in the Community Development Block Grant (CDGB).

On a roll call, the vote to approve Resolution No. 2017-150 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Absent	Mayor Edmonds	Yes
Council Member Richardson	Absent	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 4 NO: 0 ABSENT: 3 (Brown, Murdock, Richardson) VOTE: Carried

Council scheduled a special meeting to approve the budget on June 27, 2017 at 5:00 p.m.

XII. <u>AUDIENCE PARTICIPATION</u> –

1. Sam Jones-Darling, EMU, stated it's unfortunate that there are only four Council members present because you are elected to be here and not walkout during a meeting. When individuals who provide a service to the community present their ideas to purchase City property and developers do not offer the same consideration it is a problem. He stated Council has the ability to form policy different than state law as long as it is not less restrictive. He encouraged Council to do that when it comes to development so community input is mandatory for any development.

XIII. <u>LIASON REPORTS</u> –

A. SEMCOG Update - None
B. Washtenaw Area Transportation Study - None
C. Urban County - None
D. Ypsilanti Downtown Development Authority - None
E. Eastern Washtenaw Safety Alliance - None
F. Police-Community Relations/Black Lives Matter Joint Task Force - None
G. Friends of Rutherford Pool - None
H. Housing Equity Leadership Team - None
I. Economic Development Coordinating Committee - None

XIV. <u>COUNCIL PROPOSED BUSINESS</u> –

<u>Bashert</u>

- She has been receiving continued communication regarding garbage in the downtown.

Mayor Edmonds stated there was a long and productive conversation during the last DDA meeting. She encouraged everyone to take pictures of litter and report it on Ypsi Connect. Council Member Bashert stated she spoke with the City Manager to have the Department of Public Services to address litter before the next "First Friday" event. Mr. McClary responded he has voiced that to the DPS Director. Ms. Edmonds stated the pedestrian.

Council Member Robb moved, seconded by Council Member Bashert to extend the meeting until 12:30 a.m.

On a voice vote, the motion carried, and the meeting was extended.

XV. <u>COMMUNICATIONS FROM THE MAYOR</u> –

None

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

None

XVII. COMMUNICATIONS –

None

XVIII. REMARKS FROM THE MAYOR –

None

XIV. CLOSED SESSION –

— Resolution No. 2017-157, adjourning to Closed Session to discuss Collective Bargaining Strategy for AFSCME, POAM, COAM, and IAFF unions pursuant to MCL 15.268(c).

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the collective bargaining agreements for all four of the City of Ypsilanti's bargaining units expire on June 30, 2017; and

WHEREAS, it is necessary for the City Council and city administration to meet and confer periodically in closed session on collective bargaining strategy;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the City Council does hereby approve convening into closed session pursuant to Section 8(c) of the Michigan Open Meetings Act, Public Act 267 of 1976, being MCL 15.268(c), for the purpose of strategy sessions connected with the negotiation of the AFSCME, POAM, COAM, and IAFF contracts.

OFFERED BY: Council Member Vogt
SECONDED BY: Council Member Bashert

On a roll call, the vote to approve Resolution No. 2017-157 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Absent	Mayor Edmonds	Yes
Council Member Richardson	Absent	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 4 NO: 0 ABSENT: 3 (Brown, Murdock, Richardson) VOTE: Carried

The meeting adjourned to Closed Session.

— Closed Session to discuss Attorney Opinion. *OMA 15.268(h)*

XIX. ADJOURNMENT –

Resolution No. 2017-158, adjourning the City Council Meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.

OFFERED BY: Council Member Bashert
SECONDED BY: Council Member Vogt

The meeting adjourned at 11:35 p.m.

Draft

CITY OF YPSILANTI
CITY COUNCIL
SPECIAL MEETING MINUTES
COUNCIL CHAMBERS - ONE SOUTH HURON STREET
TUESDAY, June 27, 2017
5:00 P.M.

I. CALL TO ORDER –

The meeting called was called to order at 7:00 p.m.

II. ROLL CALL –

Council Member Bashert	Present	Council Member Robb	Present
Mayor Pro-Tem Brown	Absent	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Edmonds	Present
Council Member Richardson	Absent		

III. INVOCATION –

Mayor Edmonds asked all to stand for a moment of silence.

IV. PLEDGE OF ALLEGIANCE –

"I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

V. INTRODUCTIONS –

None

VI. AGENDA APPROVAL-

Council Member Murdock moved, seconded by Council Member Bashert to approve the agenda.

On a voice vote, the motion carried, and the agenda was approved as submitted.

VII. AUDIENCE PARTICIPATION –

1. Les Heddle, Heritage Festival Chair, stated tonight's agenda includes a resolution to reduce street closure fees to FY2016-2017 levels, which he encouraged Council to approve. The Heritage Festival would be particular impacted because the street is closed for three days amounting to $3,000. He added this year's festival will be as large as it has been in a decade and there is not away to increase the size without a street closure. Also, golf carts are going to be used to transport individual with accessibility issues and would not be able to use the tridge. In order for the purpose of the golf carts to be achieved there is a need for road closures. He said this can be solved in two ways; either by getting a fee rollback specific to the Heritage Festival or a general, or the City sponsoring the event. This would solve the issues the Heritage Festival but he still objects to the fee being so large for other events.

VIII. PRESENTATIONS –

None

IX. REMARKS FROM THE MAYOR –

None

X. CONSENT AGENDA –

None

XI. MOTIONS, RESOLUTIONS, DISCUSSIONS -

1. Resolution No. 2017-159, approving appointments to Boards and Commissions.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   THAT, the following individuals be appointed to the City of Ypsilanti Boards and Commissions as indicated below:

NAME	BOARD	TERM EXPIRATION
Evan Dority 908 Pleasant Ypsilanti, MI 48197 (Reappointment)	**Board of Ethics**	**5/1/2022**

OFFERED BY: Council Member Vogt
SECONDED BY: Council Member Bashert

On a roll call, the vote to approve Resolution No. 2017-159 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	Absent	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 2 (Richardson, Brown) VOTE: Carried

2. Resolution No. 2017 – 160, amending the FY 2017-18 Fee Schedule by reducing street closure fees to FY2016-17 levels.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   That the FY 17-18 fee schedule be amended by reducing street closure fees to FY 2016-17 levels and collect such fees effective immediately.

OFFERED BY: Council Member Bashert
SECONDED BY: Council Member Murdock

Council Member Murdock stated this amendment to the fee schedule would adjust fees to the FY2016-17 levels. During the last meeting he stated the recently approved fees would be prohibitive for some events.

Mayor Edmonds stated she thinks the Heritage Festival often has a different set of fees, or would the new fees apply to the festival. Economic Development Director Beth Ernat responded she is uncertain at this time how the fees would be applied to the Heritage Festival. She added this would be a question for the Special Events Coordinator.

Council Member Robb stated the reason for the Fee Schedule is to collect funds to cover costs of providing a service. He said leaving the current fee at $160 does not cover cost, and asked if $1,000 is prohibitive what amount is reasonable. During the last meeting staff told Council it would produce the reasoning behind raising the fee to $1,000, was that completed. Ms. Ernat responded since the fee was approved she did not complete that analysis. Mr. Robb responded it would be useful to understand what would be a reasonable fee.

Council Member Robb stated if the Special Events Policy exempts Washington Street it should also exempt the 0 block of W. Cross and E. Cross. Ms. Ernat responded the biggest issue for Cross is the business community does not support the closure. She explained when a street is closed it requires an hour long consultation with the Police Department, then the closure is sent to the DDA and Community Development to notify every business with frontage on that street and allowing for a five day comment period. All comments staff receives from businesses is to not close the street and then the street is still closed. The notifications required costs postage and staff time to receive the same answer every time these is a request. She stated staff receives no objections to the closing of Washington, plus parking and deliveries are both done at the rear of the building and would not be effected. Her largest issue is sending notices to businesses to get input then closing the street, essentially stating the City does not care about their objections.

Mayor Edmonds asked if the $1,000 would only be applied to Cross, Huron, and Michigan Avenue. Ms. Ernat responded in the affirmative.

Council Member Robb stated he would like to amend the Special Events Fees for parking to $2,500 a spot. Mayor Edmonds asked the City Attorney if it is appropriate amendment. City Attorney John Barr responded in the affirmative.

> **Council Member Robb moved to add increasing the Payment in Lieu of Parking to $2,500 a spot.**

Council Member Murdock asked what the current fee is. Ms. Ernat responded $600. Mr. Murdock asked when it would go into effect. Council Member Robb responded July 1st. Ms. Ernat stated if Council wishes to make this amendment she suggested an annual payment, of $50 to $100 per space. The fees should then be used to create additional parking.

Mayor Edmonds asked if businesses do not have the space or resources to provide parking would they be responsible. Ms. Ernat stated this policy requires a business unable to provide the required parking additional spaces could be purchased. Ms. Edmonds state she sees this as a possible barrier to building owners develop unused space in building's upper floors. Ms. Ernat responded she sees it as an opportunity because this would only apply to new developments, and it should be recognized parking must be supplied if rental space is developed. Council Member Robb stated this policy would allow for additional parking to be installed, and it is more of a barrier to development to not have parking available.

> **Council Member Robb withdrew his amendment.**

Council Member Robb moved, seconded by Council Member Bashert to change the Payment in Lieu of Parking Policy to $150 annual fee per spot.

Council Member Murdock stated many places in the downtown do not have parking, and residents in the downtown have the ability to purchase permits. In Depot Town residents are not required to purchase permits, and asked why. Council Member Robb replied that is a policy decision. Mayor Edmonds responded Depot Town parking lots do not have meters with time limits to necessitate parking passes. Mr. Murdock asked if that creates a commercial advantage for Depot Town. Ms. Ernat stated she is seeking funding to complete a comprehensive parking study to address those concerns. Mr. Robb stated Council could make it illegal to park in downtown lots from 3:00 a.m. to 6:00 a.m. and the same thing can be done in Depot Town; Frog Island Park and the Maple St. lots.

On a roll call, the vote to amend Resolution No. 2017-159 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	Absent	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 2 (Richardson, Brown) VOTE: Carried

Council Member Robb moved, seconded by Council Member Murdock to add a $500 fine for violation of the Truck Route Ordinance.

On a roll call, the vote to amend Resolution No. 2017-159 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	Absent	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 2 (Richardson, Brown) VOTE: Carried

Council Member Robb stated Ms. Ernat brought up a fascinating point that allowing a street to be closed for $160 could potentially lead to Cross St. being closed for an entire weekend. Mayor Edmonds stated Cross Street businesses have a reported substantial losses when the street is closed. Mr. Robb asked for clarification on the Mayor's stance on this topic. Ms. Edmonds responded she is simply concurring with Ms. Ernat regarding the issue of business outcry. She added it makes sense to increase the fee on certain streets with a mechanism in place to navigate around the fee for certain events.

Council Member Murdock stated Cross Street is a major street and if there is an increase would it effectively shut down cruise night. Mayor Edmonds responded there should be a mechanism for people to make case by case arguments for lower fees.

Council Member Bashert suggested a fee between $160 and $1,000, possibly $350. That amount would cover more of City expense and sees certain events receiving less push back.

Council Member Bashert moved, seconded by Council Member Vogt to set street closure fees at $350.

Council Member Robb asked if this will make the Ypsilanti Cruise Night pay $350 a week are $350 for the duration of the summer. Mayor Edmonds responded in general repeating events it is a onetime fee. Mr. Robb replied special exemptions were made for Growing Hope and the Cruise Nights, it is not a policy.

Ms. Ernat proposed a Memorandum of Understanding for reoccurring events and a fee would be set. Council Member Bashert proposed charging Heritage Festival $160 for this year, and next year make that increase because it is not fair to increase it at this point. Mr. Robb replied he is not entirely sure he agrees with that, because it's an opportunity to sponsor an event.

Council Member Robb asked what would be classified as a reoccurring event, would it equate to $350 a month or a summer. Ms. Ernat responded that is a policy decision for Council. Council Member Murdock stated when the Downtown Association of Ypsilanti wanted to hold a reoccurring event they were not able to get a special deal. Ms. Ernat replied reoccurring events would be brought to Council for approval. Council Member Bashert suggested a reoccurring event fee.

Council Member Vogt asked if additional language is needed to indicate closures are subject to Council approval. Council Member Robb responded no.

On a roll call, the vote to amend Resolution No. 2017-159 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	Absent	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 2 (Richardson, Brown) VOTE: Carried

On a roll call, the vote to approve Resolution No. 2017-159 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	Absent	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 2 (Richardson, Brown) VOTE: Carried

3. Resolution No. 2017-155, approving Ordinance No. 1289 an ordinance to amend budget appropriations to by Department and major organizational unit for Fiscal Years 2016-2017 & 2017-2018.

Council Member Robb moved, seconded by Council Member Vogt to remove Resolution No. 2017-155 off the table.

On a voice vote, the motion carried, and Resolution No. 2017-155 was removed from the table.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:
That an ordinance entitled, "An Ordinance to Amend Budget Appropriations by Department and Major Organizational Unit for the Fiscal Years 2016-2017 and 2017-2018", be approved on Second and Final Reading.

OFFERED BY: Council Member Robb
SECONDED BY: Council Member Vogt

Council Member Murdock moved, seconded by Council Member Bashert to incorporated everything in pages one through nine for FY 2016-2017 and FY 2017-18 Budgets as amendments with the following changes; add

membership dues for the Police Accreditation in the amount of $7,000 and $20,000 for the Penn Dam study.

Council Member Vogt asked if the motion included adding a Police Officer. Council Member Murdock responded no, for Police only the body camera program and the police accreditation would be added. Council Member Robb asked if it includes the parking ticket revenue. Mr. Murdock responded it includes the data provided by the City Clerk. City Clerk Frances McMullan responded the projection was decreased by $91,000 because staff felt it best to use 53% collection rate rather than 75%. Mr. Robb stated the City is getting prepared to release a Request for Legislation (RFL) to collected on past due tickets, which is why he felt 75% was reasonable. Mayor Edmonds stated it is better to estimate conservatively and adjust if the revenue produce higher returns. Mr. Robb stated the reason he had a 75% return is because people would need to pay their tickets before renewing their license every four years. Ms. McMullan stated Council Member Robb's data was used however, his returns were based off of a 75% return and staff felt it best to use actual. Mr. Robb stated if it is the goal of the City to collect only 53% it would not be necessary to release an RFP for a collections company. Council Member Bashert agreed with Council Member Robb because the City plans to hire a professional company which will increase revenue. Ms. Edmonds responded it will take time to get that company into place. Ms. McMullan responded it is the decision of Council what return rate it wishes to project.

Mayor Edmonds asked if there are other items Council would like to see in the budget, because Council Member Murdock's amendment will result in a $10,000 surplus.

Council Member Vogt stated he understands Council Member Robb is intent of achieving 75% collection but it would not result in restoring any of the cuts because the possible return is unknown. Council Member Robb replied the problem is about accountability for staff. Ms. McMullan replied accountability for whom because it is up to the customer when they pay. Mr. Robb stated right now the City has a negligent system that does not collect properly if that is fixed it creates additional revenue. Ms. McMullan disagreed that the system is negligent and not accountable. She said the first step has increased revenue from tickets and staff is heading in the right direction. Ms. Edmonds agreed.

City Manager McClary stated he agrees keeping the numbers where they are, and if they appear to be more optimistic adjustments can be made. If revenue estimates are not conservative additional cuts might be required in midyear.

On a roll call, the vote to amend Resolution No. 2017-159 was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	No
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	Absent	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 4 NO: 1 (Robb) ABSENT: 2 (Richardson, Brown) VOTE: Carried

On a roll call, the vote to approve Resolution No. 2017-159 as amended was as follows:

Mayor Pro-Tem Brown	Absent	Council Member Robb	No
Council Member Murdock	Yes	Mayor Edmonds	Yes
Council Member Richardson	Absent	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

YES: 4 NO: 1 (Robb) ABSENT: 2 (Richardson, Brown) VOTE: Carried

XII. AUDIENCE PARTICIPATION –

None

XIII. LIASON REPORTS –

A. SEMCOG Update
B. Washtenaw Area Transportation Study
C. Urban County
D. Ypsilanti Downtown Development Authority
E. Eastern Washtenaw Safety Alliance
F. Police-Community Relations/Black Lives Matter Joint Task Force
G. Friends of Rutherford Pool
H. Housing Equity Leadership Team
I. Economic Development Coordinating Committee

XIV. COUNCIL PROPOSED BUSINESS –

Robb

- Asked that they City Manager and Clerk provide Council with their accomplishments by the end of July for evaluation.

XV. COMMUNICATIONS FROM THE MAYOR –

Nomination

Downtown Development Authority
Adam Gainsley
409 N Adams
Ypsilanti, MI 48197
(Reappointment)

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- Provided an update on the hiring of a Human Resources Manager.
- Stated City administrative offices will be closed for the July 4th Holiday.
- Updates on the train station project.
- Cross Street two way configuration research update.
- And information regarding the Towne Center.

XVII. COMMUNICATIONS –

- Stated she performed her 75th wedding this morning.

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT –

Resolution No. 2017-161, adjourning the City Council Meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.

OFFERED BY: Council Member Bashert
SECONDED BY: Council Member Vogt

On a voice vote, the motion carried, and the meeting adjourned at 6:02 p.m.

REQUEST FOR LEGISLATION
August 1, 2017

FROM: Andrew Hellenga, Deputy City Clerk

SUBJECT: Request additional Brewpub License for BKB Tap Inc.

SUMMARY & BACKGROUND:

During the May 4th meeting Council approved a Specially Designated Merchant License for the Tap Room, located at 201 W. Michigan, as listed on the application. However, the application should have included 201, 203, and 205 W. Michigan. As a result of this error the Michigan Liquor Control Commission denied the application.

This resolution will amend that error and list 201, 203, and 205 W. Michigan allowing BKB Tap Inc. to be granted the license.

RECOMMENDED ACTION:

Approval

ATTACHMENTS: Resolution
Application

COUNCIL AGENDA DATE: August 1, 2017

CITY MANAGER COMMENTS:

CITY MANAGER APPROVAL: ______________________________________

FINANCE DIRECTOR APPROVAL: __________________________________

Resolution No. 2017 - 173
August 1, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, BKB Tap Inc. has applied to the City of Ypsilanti and Michigan Liquor Control Commission requesting the following:

Adding a Brew Pub License, as defined by MCL 436.1105(12), is a license issued in conjunction with a Class C, Tavern, B-Hotel, or A-Hotel license that authorizes the licensee to brew up to 18,000 barrels of beer per calendar year for sale on the premises and off the premises with a Specially Designated Merchant license., at 201, 203, and 205 W. Michigan Ave, Ypsilanti, MI 48197, Washtenaw County; and

WHEREAS, a public hearing to consider the proposed Brew Pub License BKB Tap Inc. was duly noticed and held on May 4, 2017; and

NOW, THEREFORE, BE IT RESOLVED THAT the request of BKB Tap Inc. for the property located at 201, 203, and 205 W. Michigan Ave. be approved.

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

Notice of Deficiency – Withholding Investigation
(Authorized by R436.1103 (2) & MCL436.1529)

July 20, 2017

Brian Brickley
c/o B.K.B Tap, Inc.
brian@brianbrickley.com

Request ID #868808

Re: New Brewpub License in conjunction with existing Class C License located at 201-203-205 W Michigan Ave., Ypsilanti, MI 481997, Washtenaw County

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Investigation of your application is being withheld until you send the items listed below:

- Local Government Approval – Form LCC-106 and requires a recommendation for new Brewpub License – **must state complete address 201-203-205 W Michigan Ave., Ypsilanti not just 201 W Michigan Ave., Ypsilanti**

- Local approval for new Outdoor Service (2nd Area) must be approved for B.K.B Tap, Inc. to have their new Outdoor Service (2nd Area) on municipal property

Administrative rule R 436.1103(2) requires that "an applicant for a license shall provide the commission or representative of the Commission, all information necessary for investigation and processing of the application."

To check the status of your request, visit www.michigan.gov/lcc and click on "Online Services". Scroll down to Liquor Control Commission and click on "Online Status Check." Enter your request id number (RID) to check on your application 24 hours a day.

To obtain forms visit www.michigan.gov/lcc and click on "forms" then "licensing"; this will take you to the "General Licensing Forms" page. Here you will be able to download licensing forms to assist you with your application.

Return a copy of this notice with the documents/fees requested so it can be joined to your request.

All information can be mailed to the address listed at the bottom of this page, faxed to Licensing Division at (517) 763-0059 or (517) 763-0063. **However** i**f fees are accompanying this reques**t, **then you must fax the fees and documents to (517) 373-4202 (Secured Fax Line for Revenue Services)** Please contact the Licensing Division at 866-813-0011 if you have questions.

bls

City of Ypsilanti
Office of the City Clerk

APPLICATION FOR NEW
OR
TRANSFER LIQUOR LICENSE

Full Name: BKB Tap Inc, Brian Brickley **Date of Birth:** 12/8/1960

Home address: 17655 Trolz Rd **Apt.#:**

City/State/Zip code: Manchester MI 48158

Home phone: (734) 260-2119 **Business Phone:** (734) 482-5320

Email address (optional): Brian@BrianBrickley.com

NAMES OF ALL PARTNERS OF THE APPLICANT, IF ANY:

Brian Brickley
Lisa Brickley

IF THE APPLICANT IS A CORPORATION: Supply a copy of the Articles of Incorporation, current corporation records disclosing the identity, address of all Directors, Officers, and Shareholders.

Address of place for a Liquor License: 201 west Michigan
(Attach legal description of the premises)

Name and Address of Premise Owner: Brickley Properties
201 west Mich. Ypsilanti MI
Address **City/State/Zip code**

TYPE OF LICENSE APPLIED FOR (Class C, Tavern, B-Hotel, etc.):

SPECIAL PERMITS APPLIED FOR (Dance, Entertainment, etc.):

Brew Pub

SUPPLY WRITTEN EVIDENCE: That the Applicant has the right to possess the premises from the property owner.

SUPPLY ZONING PERMIT OR CLEARANCE FROM THE ZONING ADMINISTRATOR: That the location is in compliance with the Zoning Ordinance.

SUPPLY CERTIFICATE OF OCCUPANCY OR SIMILAR CLEARANCE FROM THE BUILDING OFFICIAL: That the structure and premises is in compliance with local code provisions.
SUPPLY WRITTEN EVIDENCE FROM THE CITY TREASURER: That all real and personal property taxes and City utility bills associated with the premises are paid and that all real and personal property taxes and City utility bills in the name of the applicant are paid.

SUPPLY A WRITTEN STATEMENT: That the applicant will not violate any laws of the State of Michigan or the ordinances of the City of Ypsilanti in conducting the business where the liquor license will be used and that a violation on the premises may be caused for the City objecting to renewal of the license or requesting revocation of the license.

SUPPLY A WRITTEN STATEMENT: That the applicant understands that the City 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 caused for objecting to renewal of the license, or for requesting revocation of the license.

SUPPLY DOCUMENTATION (REDEVELOPMENT APPLICANTS ONLY): That the applicant has invested at least $75,000 for the rehabilitation or restoration of the building over a period of the preceding five years, or documentation that the applicant has or will commit a capital investment of at least $75,000 that will be expended for rehabilitation or restoration of the building before the license is issued.

My signature acknowledges the following:

- I have read the above application and am submitting this completed application for consideration of a new or transfer liquor license in the City of Ypsilanti.

- I have (either in hardcopy or on line) received a copy of ordinance number 926, (as amended and codified in section 6-31 et sec) and have read and understand the City's ability to request revocation of the license upon violation of the ordinance terms, and/or breach of any agreement with the City.

- Council Approval **DOES NOT** take the place of or avoid any permitting process of the City, including, but not limited to Building, Zoning, Fire, ADA, etc. Significant issues with regards to non-conforming uses may arise after applicant properly submits detailed plans for such construction and/or use permits.

- Redevelopment Applicants:
  - I affirm that I have attempted to purchase an available on-premise escrowed license or quota license within the city, and that one was not readily available as defined in the Liquor Control Code (MCL 436.1521a).
  - I affirm that the premises described above will be a dining, entertainment, or recreation business open at least 5 days per week and open to the general public at least 10 hours a day.
  - I affirm that I have invested $75,000 in the real property within the last 5 years, or I will invest $75,000 prior to issuance of the license. This provision may be enforced

by the City as a breach of contract. In the event I fail to make the required investment and the City is required to enforce this provision, I agree to pay the City's actual attorney fees arising from the breach of contract.

- I affirm that at least $75,000 was invested or will be invested in the property by ____________________, and that the liquor license may issue on or after that date.

Signature of Applicant:[redacted]

Signature of Applicant:____

Signature of Applicant:____

IF THIS IS A LIQUOR LICENSE TRANSFER REQUEST, THE SIGNATURE OF THE CURRENT LICENSE HOLDER IS REQUIRED.

Signature of Current License Holder:______________________________________
Date

For the City Clerk's Office Staff only:

Date application submitted:________________________ Staff's Initials:____________

Routed for approval by the following departments: Date:________________

For Department Approval:

______Building	______Zoning	______Fire Dept.	______ Police Dept.
______Assessor	______Treasurer	______City Attorney	______ DDA/DTDDA

Departments: Please conduct the appropriate review to ensure that the applicant does not have any outstanding issues within your department area. When you have completed your review, please report your findings to the City Clerk's Office, and initial on the line provided for your department.

March 16th 2017

To: The City of Ypsilanti

From: Tap Room 201 W. Michigan Ave Ypsilanti MI

We have applied for a brew pub permit through the State of Michigan LCC. Our goal is to offer in house brewed beer along with our current selections of beer, wine, liquor and food.

We are simply adding a permit to an existing liquor license that has been in good standing with the State and City since 1993.

We are owners of the building through our LLC, Brickley Properties LLC.

The buildings, 201-205 West Michigan currently have certificates of occupancy or similar.

Zoning is in compliance as the premise is currently being used as a tavern.

We will not violate any laws of the state of Michigan or any ordinances of the City of Ypsilanti.

All property taxes are or will be paid at approval of the request.

Since 1994. Lisa and I have worked to continually improve our business and the downtown area. We are excited about brewing excellent beer at The Tap Room and in Down Town Ypsilanti.

Please contact me if you have questions.

[redacted]

Brian Brickley

734-260-2119

CITY OF YPSILANTI

REC#: 00048016   3/17/2017   12:41 PM
OPER: RW   TERM: 002
REF#: 20469

TRAN: LIQUR   LIQUOR LICENSE
LIQUOR LICENSE-TAP ROOM
S.S.R. LIQUOR LICEN   500.00CR

TENDERED: 500.00 CHECK
APPLIED: 500.00-

CHANGE: 0.00

Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Toll Free: 866-813-0011 • www.michigan.gov/lcc

Business ID: ______________
Request ID: ______________
(For MLCC use only)

Local Government Approval

(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a Regular (regular or special) meeting of the Ypsilanti City Council (township, city, village) council/board called to order by ______________ on May 4th (date) at 7pm (time) the following resolution was offered:

Moved by Council Member Bashert and supported by Council Member Murdock

that the application from BKB Tap Inc (name of applicant)

for the following license(s): Brew Pub License (list specific licenses requested)

to be located at: 201-203-205 West Michigan Avenue Ypsilanti as licensed. (Mailing address per application is 201 W. Michigan)

and the following permit, if applied for:

☐ Banquet Facility Permit Address of Banquet Facility: ______________

It is the consensus of this body that it recommends (recommends/does not recommend) this application be considered for approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are ______________

Vote

Yeas: 6
Nays: 0
Absent: 1

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the ______________ (township, city, village) council/board at a ______________ (regular or special) meeting held on ______________ (date)

______________ Print Name of Clerk ______________ Signature of Clerk ______________ Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:
Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909
Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933
Fax to: 517-763-0059

REQUEST FOR LEGISLATION
August 1, 2017

FROM: Chief Tony DeGiusti

SUBJECT: Truck Route Traffic Control Orders

Summary and Background: The City Council of Ypsilanti passed an ordinance regulating the use of certain roads by trucks. The result is a delineated truck route within the City of Ypsilanti. In order to enforce the ordinance proper signage and approval of Traffic Control Orders by the City Council is required.

Action Requested: Approval of Traffic Control Orders 2017-01 through 08.

City Manager Approval:______________________________ Council Agenda Date:__________________

City Manager Comments:

Finance Director Approval:____________________________

Resolution No. 2017-174
August 1, 2017

RESOLVED BY THE CITY COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City Council of Ypsilanti passed an ordinance for the regulated use of certain roads by trucks in the city, and

WHEREAS, in order to enforce the ordinance there must be proper signage and approval of the Traffic Control Orders for those signs by the City Council

THEREFORE BE IT RESOLVED, that the City Council approves Traffic Control Orders 2017-01 through 2017-08.

OFFERED BY:____

SUPPORTED BY:____

YES: NO: ABSENT: VOTE:

CITY OF YPSILANTI
TRAFFIC CONTROL ORDER

DATE: May 15, 2017 **ORDER NO:** **2017-01**

LOCATION: **South Grove and Emerick, east side of street facing northbound traffic.**

ORDER: **Post "No Thru Trucks" sign**

REASON: **Truck Route Ordinance**

Approved by: ___________________________________
Darwin P. McClary, City Manager

Prepared by: A. DeGiusti, Chief of Police

Date Completed:_______________ By:____________________

---

cc: Darwin P. McClary, City Manager
Max Anthouard, YFD
Janice Beckett, DPS

Traffic Review Committee:
Nan Schuette, Committee Chair
Stan Kirton, DPS
Bonnie Wessler, Planning
Tony DeGuisti, YPD

CITY OF YPSILANTI
TRAFFIC CONTROL ORDER

DATE: May 15, 2017 **ORDER NO: 2017-02**

LOCATION: **Forest and Osband**

ORDER: **Post No Trucks sign R5-2 on the north side of Forest across from Osband facing westbound traffic.**

REASON: **Truck Route Ordinance**

Approved by: ________________________________
Darwin P. McClary, City Manager

Prepared by: A. DeGiusti, Chief of Police

Date Completed:______________ By:___________________

---

cc: Darwin P. McClary, City Manager
Max Anthouard, YFD
Janice Beckett, DPS

Traffic Review Committee:
Nan Schuette, Committee Chair
Stan Kirton, DPS
Bonnie Wessler, Planning
Tony DeGuisti, YPD

CITY OF YPSILANTI
TRAFFIC CONTROL ORDER

DATE: May 15, 2017 **ORDER NO: 2017-03**

LOCATION: **Prospect and Holmes**

ORDER: **Post two (2) No Truck sign R5-2 on S/W corner one facing northbound traffic and one facing westbound traffic.**

REASON: **Truck Route Ordinance**

Approved by: ___________________________________
Darwin P. McClary, City Manager

Prepared by: A. DeGiusti, Chief of Police

Date Completed:_______________ By:____________________

---

cc: Darwin P. McClary, City Manager
Max Anthouard, YFD
Janice Beckett, DPS

Traffic Review Committee:
Nan Schuette, Committee Chair
Stan Kirton, DPS
Bonnie Wessler, Planning
Tony DeGuisti, YPD

CITY OF YPSILANTI
TRAFFIC CONTROL ORDER

DATE: May 15, 2017 **ORDER NO:** **2017-04**

LOCATION: **Prospect and Maus**

ORDER: **Post "No Thru Trucks" sign on N/E corner facing northbound traffic.**

REASON: **Truck Route Ordinance**

Approved by: ___________________________________
Darwin P. McClary, City Manager

Prepared by: A. DeGiusti, Chief of Police

Date Completed:_______________ By:____________________

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cc: Darwin P. McClary, City Manager
Max Anthouard, YFD
Janice Beckett, DPS

Traffic Review Committee :
Nan Schuette, Committee Chair
Stan Kirton, DPS
Bonnie Wessler, Planning
Tony DeGuisti, YPD

CITY OF YPSILANTI
TRAFFIC CONTROL ORDER

DATE: May 15, 2017 **ORDER NO: 2017-05**

LOCATION: **Prospect and Michigan Avenue**

ORDER: **Post No Truck sign R5-2 on N/E corner facing westbound traffic.**
Post No Truck sign R5-2 on S/W corner facing eastbound traffic.

REASON: **Truck Route Ordinance**

Approved by: ___________________________________
Darwin P. McClary, City Manager

Prepared by: A. DeGiusti, Chief of Police

Date Completed:_______________ By:____________________

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cc: Darwin P. McClary, City Manager
Max Anthouard, YFD
Janice Beckett, DPS

Traffic Review Committee:
Nan Schuette, Committee Chair
Stan Kirton, DPS
Bonnie Wessler, Planning
Tony DeGuisti, YPD

CITY OF YPSILANTI
TRAFFIC CONTROL ORDER

DATE: May 15, 2017 **ORDER NO:** **2017-06**

LOCATION: **River and Holmes**

ORDER: **Post No Truck sign R5-2 on west side of Forest facing southbound traffic.**

REASON: **Truck Route Ordinance**

Approved by: ______________________________________
Darwin P. McClary, City Manager

Prepared by: A. DeGiusti, Chief of Police

Date Completed:________________ By:______________________

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cc: Darwin P. McClary, City Manager
Max Anthouard, YFD
Janice Beckett, DPS

Traffic Review Committee:
Nan Schuette, Committee Chair
Stan Kirton, DPS
Bonnie Wessler, Planning
Tony DeGuisti, YPD

CITY OF YPSILANTI
TRAFFIC CONTROL ORDER

DATE: May 15, 2017 **ORDER NO: 2017-07**

LOCATION: **River and Michigan Avenue**

ORDER: **Post "No Thru Trucks" sign on the N/E corner facing northbound traffic.**

REASON: **Truck Route Ordinance**

Approved by: ___________________________________
Darwin P. McClary, City Manager

Prepared by: A. DeGiusti, Chief of Police

Date Completed:_______________ By:____________________

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cc: Darwin P. McClary, City Manager
Max Anthouard, YFD
Janice Beckett, DPS

Traffic Review Committee:
Nan Schuette, Committee Chair
Stan Kirton, DPS
Bonnie Wessler, Planning
Tony DeGuisti, YPD

CITY OF YPSILANTI
TRAFFIC CONTROL ORDER

DATE: May 15, 2017 **ORDER NO: 2017-08**

LOCATION: **South Grove and Spring Street**

ORDER: **Post "No Thru Trucks" sign on N/E corner facing northbound traffic. Post "No Thru Trucks" on S/W corner facing southbound traffic.**

REASON: **Truck Route Ordinance**

Approved by: ___________________________________
Darwin P. McClary, City Manager

Prepared by: A. DeGiusti, Chief of Police

Date Completed:_______________ By:____________________

---

cc: Darwin P. McClary, City Manager
Max Anthouard, YFD
Janice Beckett, DPS

Traffic Review Committee:
Nan Schuette, Committee Chair
Stan Kirton, DPS
Bonnie Wessler, Planning
Tony DeGuisti, YPD

REQUEST FOR LEGISLATION
August 1, 2017

From: Stan Kirton, Public Services Director

Subject: Michigan Department of Transportation Contract No. 17-5338 for 2017 Major Street Resurfacing Project

SUMMARY & BACKGROUND:

Federal Surface Transportation Program - Urban funding has been programmed in the Washtenaw County Transportation Improvement Program for resurfacing of Summit Street between Michigan Ave. and Washtenaw Ave.; Congress Street between Elm Street easterly to Michigan Ave.; Michigan Ave. from Congress Street southerly for approximately 293 feet and Hamilton Street from Washtenaw Ave. northerly to Cross Street in the 2017 construction season. This project is anticipated to include HMA cold milling, micro surfacing, concrete side walk ramps, pavement marking work and all together with necessary related work.

The total project cost is estimated at $618,200, less $479,900 Federal Funds, the City's estimated share will be $138,300 which includes $31,900 in non-participating costs.

The FY 2016-2017 budget allocated funding for the design engineering and the FY 2017-2018 budget includes funds for construction and construction engineering services needed for this project. Funding for this project will be expended from Account #202-7-9060-975-00.

RECOMMENDED ACTION: Approval

ATTACHMENTS: MDOT Contract No. 17-5338, Resolution

CITY MANAGER APPROVAL: ______________________ AGENDA DATE: August 1, 2017

CITY MANAGER COMMENTS: ______________________

FISCAL SERVICES DIRECTOR APPROVAL: ______________________

City of Ypsilanti
Pride. Diversity. Heritage.

Resolution No. 2017-176
August 1, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Federal Surface Transportation Program - Urban funding has been programmed in the Washtenaw County Transportation Improvement Program for the 2017 Major Street Resurfacing Program; and

WHEREAS, work for this project includes the resurfacing of Summit Street between Michigan Ave. and Washtenaw Ave.; Congress Street between Elm Street easterly to Michigan Ave.; Michigan Ave. from Congress Street southerly for approximately 293 feet and Hamilton Street from Washtenaw Ave. northerly to Cross Street in the 2017 construction season. This project is anticipated to include HMA cold milling, micro surfacing, concrete side walk ramps, pavement marking work and all together with necessary related work.

WHEREAS, it is necessary to enter into a contract with the Michigan Department of Transportation for the implementation of this project;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the Michigan Department of Transportation Contract No. 17-5338; and

THAT the Mayor and City Clerk are authorized to sign this contract and any change orders, subject to approval by the City Attorney, to facilitate the completion of this work.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

STP

DA

Control Section	STU 81000
Job Number	132695A
Project	STP 1781(022)
Federal Item No.	HK 1590
CFDA No.	20.205 (Highway Research Planning & Construction)
Contract No.	17-5338

PART I

THIS CONTRACT, consisting of PART I and PART II (Standard Agreement Provisions), is made and entered into this date of ______________________, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF YPSILANTI, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in agreeing to the following improvements, in the City of Ypsilanti, Michigan, hereinafter referred to as the "PROJECT" and estimated in detail on EXHIBIT "I", dated June 20, 2017, attached hereto and made a part hereof:

PART A – FEDERAL PARTICIPATION
Hot mix asphalt cold milling, micro surfacing, and other applicable treatment work along Summit Street from Michigan Avenue northerly to Washtenaw Avenue, along Congress Street from Elm Street easterly to Michigan Avenue, along Michigan Avenue from Congress Street southerly for approximately 293 feet, and along Hamilton Street from Washtenaw Avenue northerly to Cross Street; including concrete sidewalk ramp and pavement marking work; and all together with necessary related work.

PART B – NO FEDERAL PARTICIPATION
Parking and sprinkler head installation work within the limits as described in PART A; and all together with necessary related work.

WITNESSETH:

WHEREAS, pursuant to Federal law, monies have been provided for the performance of certain improvements on public roads; and

WHEREAS, the reference "FHWA" in PART I and PART II refers to the United States Department of Transportation, Federal Highway Administration; and

WHEREAS, the PROJECT, or portions of the PROJECT, at the request of the REQUESTING PARTY, are being programmed with the FHWA, for implementation with the use of Federal Funds under the following Federal program(s) or funding:

SURFACE TRANSPORTATION PROGRAM

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written contract.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties hereto shall undertake and complete the PROJECT in accordance with the terms of this contract.

2. The term "PROJECT COST", as herein used, is hereby defined as the cost of the physical construction necessary for the completion of the PROJECT, including any other costs incurred by the DEPARTMENT as a result of this contract, except for construction engineering and inspection.

No charges will be made by the DEPARTMENT to the PROJECT for any inspection work or construction engineering.

The costs incurred by the REQUESTING PARTY for preliminary engineering, construction engineering, construction materials testing, inspection, and right-of-way are excluded from the PROJECT COST as defined by this contract.

3. The DEPARTMENT is authorized by the REQUESTING PARTY to administer on behalf of the REQUESTING PARTY all phases of the PROJECT including advertising and awarding the construction contract for the PROJECT or portions of the PROJECT. Such administration shall be in accordance with PART II, Section II of this contract.

Any items of the PROJECT COST incurred by the DEPARTMENT may be charged to the PROJECT.

4. The REQUESTING PARTY, at no cost to the PROJECT or to the DEPARTMENT, shall:

A. Design or cause to be designed the plans for the PROJECT.

B. Appoint a project engineer who shall be in responsible charge of the PROJECT and ensure that the plans and specifications are followed.

C. Perform or cause to be performed the construction engineering, construction materials testing, and inspection services necessary for the completion of the PROJECT.

The REQUESTING PARTY will furnish the DEPARTMENT proposed timing sequences for trunkline signals that, if any, are being made part of the improvement. No timing adjustments shall be made by the REQUESTING PARTY at any trunkline intersection, without prior issuances by the DEPARTMENT of Standard Traffic Signal Timing Permits.

5. The PROJECT COST shall be met in accordance with the following:

PART A
Federal Surface Transportation Funds shall be applied to the eligible items of the PART A portion of the PROJECT COST at the established Federal participation ratio equal to 81.85 percent. The balance of the PART A portion of the PROJECT COST, after deduction of Federal Funds, shall be charged to and paid by the REQUESTING PARTY in the manner and at the times hereinafter set forth.

PART B
The PART B portion of the PROJECT COST is not eligible for Federal participation and shall be charged to and paid 100 percent by the REQUESTING PARTY in the manner and at the times hereinafter set forth.

Any items of PROJECT COST not reimbursed by Federal Funds will be the sole responsibility of the REQUESTING PARTY.

6. No working capital deposit will be required for this PROJECT.

In order to fulfill the obligations assumed by the REQUESTING PARTY under the provisions of this contract, the REQUESTING PARTY shall make prompt payments of its share of the PROJECT COST upon receipt of progress billings from the DEPARTMENT as herein provided. All payments will be made within 30 days of receipt of billings from the DEPARTMENT. Billings to the REQUESTING PARTY will be based upon the REQUESTING PARTY'S share of the actual costs incurred less Federal Funds earned as the PROJECT progresses.

7. Upon completion of construction of the PROJECT, the REQUESTING PARTY will promptly cause to be enacted and enforced such ordinances or regulations as may be necessary to prohibit parking in the roadway right-of-way throughout the limits of the PROJECT.

8. The performance of the entire PROJECT under this contract, whether Federally funded or not, will be subject to the provisions and requirements of PART II that are applicable to a Federally funded project.

In the event of any discrepancies between PART I and PART II of this contract, the provisions of PART I shall prevail.

Buy America Requirements (23 CFR 365.410) shall apply to the PROJECT and will be adhered to, as applicable, by the parties hereto.

9. The REQUESTING PARTY certifies that a) it is a person under the Natural Resources and Environmental Protection Act, MCL 324.20101 et seq., as amended, (NREPA) and is not aware of and has no reason to believe that the property is a facility as defined in the NREPA; b) the REQUESTING PARTY further certifies that it has completed the tasks required by MCL 324.20126 (3)(h); c) it conducted a visual inspection of property within the existing right of way on which construction is to be performed to determine if any hazardous substances were present; and at sites on which historically were located businesses that involved hazardous substances, it performed a reasonable investigation to determine whether hazardous substances exist. This reasonable investigation should include, at a minimum, contact with local, state and federal environmental agencies to determine if the site has been identified as, or potentially as, a site containing hazardous substances; d) it did not cause or contribute to the release or threat of release of any hazardous substance found within the PROJECT limits.

The REQUESTING PARTY also certifies that, in addition to reporting the presence of any hazardous substances to the Department of Environmental Quality, it has advised the DEPARTMENT of the presence of any and all hazardous substances which the REQUESTING PARTY found within the PROJECT limits, as a result of performing the investigation and visual inspection required herein. The REQUESTING PARTY also certifies that it has been unable to identify any entity who may be liable for the cost of remediation. As a result, the REQUESTING PARTY has included all estimated costs of remediation of such hazardous substances in its estimated cost of construction of the PROJECT.

10. If, subsequent to execution of this contract, previously unknown hazardous substances are discovered within the PROJECT limits, which require environmental remediation pursuant to either state or federal law, the REQUESTING PARTY, in addition to reporting that fact to the Department of Environmental Quality, shall immediately notify the DEPARTMENT, both orally and in writing of such discovery. The DEPARTMENT shall consult with the REQUESTING PARTY to determine if it is willing to pay for the cost of remediation and, with the FHWA, to determine the eligibility, for reimbursement, of the remediation costs. The REQUESTING PARTY shall be charged for and shall pay all costs associated with such remediation, including all delay costs of the contractor for the PROJECT, in the event that remediation and delay costs are not deemed eligible by the FHWA. If the REQUESTING PARTY refuses to participate in the cost of remediation, the DEPARTMENT shall terminate the

PROJECT. The parties agree that any costs or damages that the DEPARTMENT incurs as a result of such termination shall be considered a PROJECT COST.

11. If federal and/or state funds administered by the DEPARTMENT are used to pay the cost of remediating any hazardous substances discovered after the execution of this contract and if there is a reasonable likelihood of recovery, the REQUESTING PARTY, in cooperation with the Department of Environmental Quality and the DEPARTMENT, shall make a diligent effort to recover such costs from all other possible entities. If recovery is made, the DEPARTMENT shall be reimbursed from such recovery for the proportionate share of the amount paid by the FHWA and/or the DEPARTMENT and the DEPARTMENT shall credit such sums to the appropriate funding source.

12. The DEPARTMENT'S sole reason for entering into this contract is to enable the REQUESTING PARTY to obtain and use funds provided by the Federal Highway Administration pursuant to Title 23 of the United States Code.

Any and all approvals of, reviews of, and recommendations regarding contracts, agreements, permits, plans, specifications, or documents, of any nature, or any inspections of work by the DEPARTMENT or its agents pursuant to the terms of this contract are done to assist the REQUESTING PARTY in meeting program guidelines in order to qualify for available funds. Such approvals, reviews, inspections and recommendations by the DEPARTMENT or its agents shall not relieve the REQUESTING PARTY and the local agencies, as applicable, of their ultimate control and shall not be construed as a warranty of their propriety or that the DEPARTMENT or its agents is assuming any liability, control or jurisdiction.

The providing of recommendations or advice by the DEPARTMENT or its agents does not relieve the REQUESTING PARTY and the local agencies, as applicable of their exclusive jurisdiction of the highway and responsibility under MCL 691.1402 et seq., as amended.

When providing approvals, reviews and recommendations under this contract, the DEPARTMENT or its agents is performing a governmental function, as that term is defined in MCL 691.1401 et seq., as amended, which is incidental to the completion of the PROJECT.

13. The DEPARTMENT, by executing this contract, and rendering services pursuant to this contract, has not and does not assume jurisdiction of the highway, described as the PROJECT for purposes of MCL 691.1402 et seq., as amended. Exclusive jurisdiction of such highway for the purposes of MCL 691.1402 et seq., as amended, rests with the REQUESTING PARTY and other local agencies having respective jurisdiction.

14. The REQUESTING PARTY shall approve all of the plans and specifications to be used on the PROJECT and shall be deemed to have approved all changes to the plans and specifications when put into effect. It is agreed that ultimate responsibility and control over the PROJECT rests with the REQUESTING PARTY and local agencies, as applicable.

15. The REQUESTING PARTY agrees that the costs reported to the DEPARTMENT for this contract will represent only those items that are properly chargeable in accordance with this contract. The REQUESTING PARTY also certifies that it has read the contract terms and has made itself aware of the applicable laws, regulations, and terms of this contract that apply to the reporting of costs incurred under the terms of this contract.

16. Each party to this contract will remain responsible for any and all claims arising out of its own acts and/or omissions during the performance of the contract, as provided by this contract or by law. In addition, this is not intended to increase or decrease either party's liability for or immunity from tort claims. This contract is also not intended to nor will it be interpreted as giving either party a right of indemnification, either by contract or by law, for claims arising out of the performance of this contract.

17. The parties shall promptly provide comprehensive assistance and cooperation in defending and resolving any claims brought against the DEPARTMENT by the contractor, vendors or suppliers as a result of the DEPARTMENT'S award of the construction contract for the PROJECT. Costs incurred by the DEPARTMENT in defending or resolving such claims shall be considered PROJECT COSTS.

18. The DEPARTMENT shall require the contractor who is awarded the contract for the construction of the PROJECT to provide insurance in the amounts specified and in accordance with the DEPARTMENT'S current Standard Specifications for Construction and to:

A. Maintain bodily injury and property damage insurance for the duration of the PROJECT.

B. Provide owner's protective liability insurance naming as insureds the State of Michigan, the Michigan State Transportation Commission, the DEPARTMENT and its officials, agents and employees, the REQUESTING PARTY and any other county, county road commission, or municipality in whose jurisdiction the PROJECT is located, and their employees, for the duration of the PROJECT and to provide, upon request, copies of certificates of insurance to the insureds. It is understood that the DEPARTMENT does not assume jurisdiction of the highway described as the PROJECT as a result of being named as an insured on the owner's protective liability insurance policy.

C. Comply with the requirements of notice of cancellation and reduction of insurance set forth in the current standard specifications for construction and to provide, upon request, copies of notices and reports prepared to those insured.

19. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto and upon the adoption of the necessary resolutions approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

CITY OF YPSILANTI

By____________________________
Title:

By____________________________
Title:

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By____________________________
Department Director MDOT

RDB
7/6/17

7/13/17
AM

APPROVED BY:

[redacted]

Administrator Date
Real Estate

June 20, 2017

EXHIBIT I

CONTROL SECTION	STU 81000
JOB NUMBER	132695A
PROJECT	STP 1781(022)

ESTIMATED COST

CONTRACTED WORK

	PART A	PART B	TOTAL
Estimated Cost	$586,300	$31,900	$618,200

COST PARTICIPATION

GRAND TOTAL ESTIMATED COST	$586,300	$31,900	$618,200
Less Federal Funds	$479,900	$ -0-	$479,900
BALANCE (REQUESTING PARTY'S SHARE)	$106,400	$31,900	$138,300

NO DEPOSIT

PART II

STANDARD AGREEMENT PROVISIONS

SECTION I

COMPLIANCE WITH REGULATIONS AND DIRECTIVES

A. To qualify for eligible cost, all work shall be documented in accordance with the requirements and procedures of the DEPARTMENT.

B. All work on projects for which reimbursement with Federal funds is requested shall be performed in accordance with the requirements and guidelines set forth in the following Directives of the Federal-Aid Policy Guide (FAPG) of the FHWA, as applicable, and as referenced in pertinent sections of Title 23 and Title 49 of the Code of Federal Regulations (CFR), and all supplements and amendments thereto.

1. Engineering

    a. FAPG (6012.1): Preliminary Engineering

    b. FAPG (23 CFR 172): Administration of Engineering and Design Related Service Contracts

    c. FAPG (23 CFR 635A): Contract Procedures

    d. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments–Allowable Costs

2. Construction

    a. FAPG (23 CFR 140E): Administrative Settlement Costs-Contract Claims

    b. FAPG (23 CFR 140B): Construction Engineering Costs

    c. FAPG (23 CFR 17): Recordkeeping and Retention Requirements for Federal-Aid Highway Records of State Highway Agencies

    d. FAPG (23 CFR 635A): Contract Procedures

    e. FAPG (23 CFR 635B): Force Account Construction

    f. FAPG (23 CFR 645A): Utility Relocations, Adjustments and Reimbursement

g. FAPG (23 CFR 645B): Accommodation of Utilities (PPM 30-4.1)

h. FAPG (23 CFR 655F): Traffic Control Devices on Federal-Aid and other Streets and Highways

i. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments–Allowable Costs

3. Modification Or Construction Of Railroad Facilities

a. FAPG (23 CFR 140I): Reimbursement for Railroad Work

b. FAPG (23 CFR 646B): Railroad Highway Projects

C. In conformance with FAPG (23 CFR 630C) Project Agreements, the political subdivisions party to this contract, on those Federally funded projects which exceed a total cost of $100,000.00 stipulate the following with respect to their specific jurisdictions:

1. That any facility to be utilized in performance under or to benefit from this contract is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities issued pursuant to the requirements of the Federal Clean Air Act, as amended, and the Federal Water Pollution Control Act, as amended.

2. That they each agree to comply with all of the requirements of Section 114 of the Federal Clean Air Act and Section 308 of the Federal Water Pollution Control Act, and all regulations and guidelines issued thereunder.

3. That as a condition of Federal aid pursuant to this contract they shall notify the DEPARTMENT of the receipt of any advice indicating that a facility to be utilized in performance under or to benefit from this contract is under consideration to be listed on the EPA List of Violating Facilities.

D. Ensure that the PROJECT is constructed in accordance with and incorporates all committed environmental impact mitigation measures listed in approved environmental documents unless modified or deleted by approval of the FHWA.

E. All the requirements, guidelines, conditions and restrictions noted in all other pertinent Directives and Instructional Memoranda of the FHWA will apply to this contract and will be adhered to, as applicable, by the parties hereto.

SECTION II

PROJECT ADMINISTRATION AND SUPERVISION

A. The DEPARTMENT shall provide such administrative guidance as it determines is required by the PROJECT in order to facilitate the obtaining of available federal and/or state funds.

B. The DEPARTMENT will advertise and award all contracted portions of the PROJECT work. Prior to advertising of the PROJECT for receipt of bids, the REQUESTING PARTY may delete any portion or all of the PROJECT work. After receipt of bids for the PROJECT, the REQUESTING PARTY shall have the right to reject the amount bid for the PROJECT prior to the award of the contract for the PROJECT only if such amount exceeds by ten percent (10%) the final engineer's estimate therefor. If such rejection of the bids is not received in writing within two (2) weeks after letting, the DEPARTMENT will assume concurrence. The DEPARTMENT may, upon request, readvertise the PROJECT. Should the REQUESTING PARTY so request in writing within the aforesaid two (2) week period after letting, the PROJECT will be cancelled and the DEPARTMENT will refund the unused balance of the deposit less all costs incurred by the DEPARTMENT.

C. The DEPARTMENT will perform such inspection services on PROJECT work performed by the REQUESTING PARTY with its own forces as is required to ensure compliance with the approved plans & specifications.

D. On those projects funded with Federal monies, the DEPARTMENT shall as may be required secure from the FHWA approval of plans and specifications, and such cost estimates for FHWA participation in the PROJECT COST.

E. All work in connection with the PROJECT shall be performed in conformance with the Michigan Department of Transportation Standard Specifications for Construction, and the supplemental specifications, Special Provisions and plans pertaining to the PROJECT and all materials furnished and used in the construction of the PROJECT shall conform to the aforesaid specifications. No extra work shall be performed nor changes in plans and specifications made until said work or changes are approved by the project engineer and authorized by the DEPARTMENT.

F. Should it be necessary or desirable that portions of the work covered by this contract be accomplished by a consulting firm, a railway company, or governmental agency, firm, person, or corporation, under a subcontract with the REQUESTING PARTY at PROJECT expense, such subcontracted arrangements will be covered by formal written agreement between the REQUESTING PARTY and that party.

This formal written agreement shall: include a reference to the specific prime contract to which it pertains; include provisions which clearly set forth the maximum reimbursable and the basis of payment; provide for the maintenance of accounting records in accordance with generally accepted accounting principles, which clearly document the actual cost of the services provided; provide that costs eligible for reimbursement shall be in accordance with clearly defined cost criteria such as 49 CFR Part 18, 48 CFR Part 31, 23 CFR Part 140, OMB Circular A-87, etc. as applicable; provide for access to the department or its representatives to inspect and audit all data and records related to the agreement for a minimum of three years after the department's final payment to the local unit.

All such agreements will be submitted for approval by the DEPARTMENT and, if applicable, by the FHWA prior to execution thereof, except for agreements for amounts less than $100,000 for preliminary engineering and testing services executed under and in accordance with the provisions of the "Small Purchase Procedures" FAPG (23 CFR 172), which do not require prior approval of the DEPARTMENT or the FHWA.

Any such approval by the DEPARTMENT shall in no way be construed as a warranty of the subcontractor's qualifications, financial integrity, or ability to perform the work being subcontracted.

G. The REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, shall make such arrangements with railway companies, utilities, etc., as may be necessary for the performance of work required for the PROJECT but for which Federal or other reimbursement will not be requested.

H. The REQUESTING PARTY, at no cost to the PROJECT, or the DEPARTMENT, shall secure, as necessary, all agreements and approvals of the PROJECT with railway companies, the Railroad Safety & Tariffs Division of the DEPARTMENT and other concerned governmental agencies other than the FHWA, and will forward same to the DEPARTMENT for such reviews and approvals as may be required.

I. No PROJECT work for which reimbursement will be requested by the REQUESTING PARTY is to be subcontracted or performed until the DEPARTMENT gives written notification that such work may commence.

J. The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of the work it agrees to undertake and perform.

K. The REQUESTING PARTY shall pay directly to the party performing the work all billings for the services performed on the PROJECT which are authorized by or through the REQUESTING PARTY.

L. The REQUESTING PARTY shall submit to the DEPARTMENT all paid billings for which reimbursement is desired in accordance with DEPARTMENT procedures.

M. All work by a consulting firm will be performed in compliance with the applicable provisions of 1980 PA 299, Subsection 2001, MCL 339.2001; MSA 18.425(2001), as well as in accordance with the provisions of all previously cited Directives of the FHWA.

N. The project engineer shall be subject to such administrative guidance as may be deemed necessary to ensure compliance with program requirement and, in those instances where a consultant firm is retained to provide engineering and inspection services, the personnel performing those services shall be subject to the same conditions.

O. The DEPARTMENT, in administering the PROJECT in accordance with applicable Federal and State requirements and regulations, neither assumes nor becomes liable for any obligations undertaken or arising between the REQUESTING PARTY and any other party with respect to the PROJECT.

P. In the event it is determined by the DEPARTMENT that there will be either insufficient Federal funds or insufficient time to properly administer such funds for the entire PROJECT or portions thereof, the DEPARTMENT, prior to advertising or issuing authorization for work performance, may cancel the PROJECT, or any portion thereof, and upon written notice to the parties this contract shall be void and of no effect with respect to that cancelled portion of the PROJECT. Any PROJECT deposits previously made by the parties on the cancelled portions of the PROJECT will be promptly refunded.

Q. Those projects funded with Federal monies will be subject to inspection at all times by the DEPARTMENT and the FHWA.

SECTION III

ACCOUNTING AND BILLING

A. Procedures for billing for work undertaken by the REQUESTING PARTY:

1. The REQUESTING PARTY shall establish and maintain accurate records, in accordance with generally accepted accounting principles, of all expenses incurred for which payment is sought or made under this contract, said records to be hereinafter referred to as the "RECORDS". Separate accounts shall be established and maintained for all costs incurred under this contract.

   The REQUESTING PARTY shall maintain the RECORDS for at least three (3) years from the date of final payment of Federal Aid made by the DEPARTMENT under this contract. In the event of a dispute with regard to the allowable expenses or any other issue under this contract, the REQUESTING PARTY shall thereafter continue to maintain the RECORDS at least until that dispute has been finally decided and the time for all available challenges or appeals of that decision has expired.

   The DEPARTMENT, or its representative, may inspect, copy, or audit the RECORDS at any reasonable time after giving reasonable notice.

   If any part of the work is subcontracted, the REQUESTING PARTY shall assure compliance with the above for all subcontracted work.

   In the event that an audit performed by or on behalf of the DEPARTMENT indicates an adjustment to the costs reported under this contract, or questions the allowability of an item of expense, the DEPARTMENT shall promptly submit to the REQUESTING PARTY, a Notice of Audit Results and a copy of the audit report which may supplement or modify any tentative findings verbally communicated to the REQUESTING PARTY at the completion of an audit.

   Within sixty (60) days after the date of the Notice of Audit Results, the REQUESTING PARTY shall: (a) respond in writing to the responsible Bureau or the DEPARTMENT indicating whether or not it concurs with the audit report, (b) clearly explain the nature and basis for any disagreement as to a disallowed item of expense and, (c) submit to the DEPARTMENT a written explanation as to any questioned or no opinion expressed item of expense, hereinafter referred to as the "RESPONSE". The RESPONSE shall be clearly stated and provide any supporting documentation necessary to resolve any disagreement or questioned or no opinion expressed item of expense. Where the documentation is voluminous, the REQUESTING PARTY may supply appropriate excerpts and make alternate arrangements to conveniently and reasonably make that documentation available for review by the DEPARTMENT. The RESPONSE shall refer to and apply the language of the contract. The REQUESTING PARTY agrees that failure to submit a RESPONSE within the sixty (60) day period constitutes agreement with any disallowance of an item of expense and authorizes the DEPARTMENT to finally disallow any items of questioned or no opinion expressed cost.

The DEPARTMENT shall make its decision with regard to any Notice of Audit Results and RESPONSE within one hundred twenty (120) days after the date of the Notice of Audit Results. If the DEPARTMENT determines that an overpayment has been made to the REQUESTING PARTY, the REQUESTING PARTY shall repay that amount to the DEPARTMENT or reach agreement with the DEPARTMENT on a repayment schedule within thirty (30) days after the date of an invoice from the DEPARTMENT. If the REQUESTING PARTY fails to repay the overpayment or reach agreement with the DEPARTMENT on a repayment schedule within the thirty (30) day period, the REQUESTING PARTY agrees that the DEPARTMENT shall deduct all or a portion of the overpayment from any funds then or thereafter payable by the DEPARTMENT to the REQUESTING PARTY under this contract or any other agreement, or payable to the REQUESTING PARTY under the terms of 1951 PA 51, as applicable. Interest will be assessed on any partial payments or repayment schedules based on the unpaid balance at the end of each month until the balance is paid in full. The assessment of interest will begin thirty (30) days from the date of the invoice. The rate of interest will be based on the Michigan Department of Treasury common cash funds interest earnings. The rate of interest will be reviewed annually by the DEPARTMENT and adjusted as necessary based on the Michigan Department of Treasury common cash funds interest earnings. The REQUESTING PARTY expressly consents to this withholding or offsetting of funds under those circumstances, reserving the right to file a lawsuit in the Court of Claims to contest the DEPARTMENT'S decision only as to any item of expense the disallowance of which was disputed by the REQUESTING PARTY in a timely filed RESPONSE.

The REQUESTING PARTY shall comply with the Single Audit Act of 1984, as amended, including, but not limited to, the Single Audit Amendments of 1996 (31 USC 7501-7507).

The REQUESTING PARTY shall adhere to the following requirements associated with audits of accounts and records:

a. Agencies expending a total of $500,000 or more in federal funds, from one or more funding sources in its fiscal year, shall comply with the requirements of the federal Office of Management and Budget (OMB) Circular A-133, as revised or amended.

The agency shall submit two copies of:

The Reporting Package
The Data Collection Form
The management letter to the agency, if one issued by the audit firm

The OMB Circular A-133 audit must be submitted to the address below in accordance with the time frame established in the circular, as revised or amended.

b. Agencies expending less than $500,000 in federal funds must submit a letter to the Department advising that a circular audit was not required. The letter shall indicate the applicable fiscal year, the amount of federal funds spent, the name(s) of the Department federal programs, and the CFDA grant number(s). This information must also be submitted to the address below.

c. Address: Michigan Department of Education
Accounting Service Center
Hannah Building
608 Allegan Street
Lansing, MI 48909

d. Agencies must also comply with applicable State laws and regulations relative to audit requirements.

e. Agencies shall not charge audit costs to Department's federal programs which are not in accordance with the OMB Circular A-133 requirements.

f. All agencies are subject to the federally required monitoring activities, which may include limited scope reviews and other on-site monitoring.

2. Agreed Unit Prices Work - All billings for work undertaken by the REQUESTING PARTY on an agreed unit price basis will be submitted in accordance with the Michigan Department of Transportation Standard Specifications for Construction and pertinent FAPG Directives and Guidelines of the FHWA.

3. Force Account Work and Subcontracted Work - All billings submitted to the DEPARTMENT for Federal reimbursement for items of work performed on a force account basis or by any subcontract with a consulting firm, railway company, governmental agency or other party, under the terms of this contract, shall be prepared in accordance with the provisions of the pertinent FHPM Directives and the procedures of the DEPARTMENT. Progress billings may be submitted monthly during the time work is being performed provided, however, that no bill of a lesser amount than $1,000.00 shall be submitted unless it is a final

or end of fiscal year billing. All billings shall be labeled either "Progress Bill Number _______", or "Final Billing".

4. Final billing under this contract shall be submitted in a timely manner but not later than six months after completion of the work. Billings for work submitted later than six months after completion of the work will not be paid.

5. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with Federal monies, the DEPARTMENT will act as billing agent for the REQUESTING PARTY, consolidating said billings with those for its own force account work and presenting these consolidated billings to the FHWA for payment. Upon receipt of reimbursement from the FHWA, the DEPARTMENT will promptly forward to the REQUESTING PARTY its share of said reimbursement.

6. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with non-Federal monies, the DEPARTMENT will promptly forward to the REQUESTING PARTY reimbursement of eligible costs.

B. Payment of Contracted and DEPARTMENT Costs:

1. As work on the PROJECT commences, the initial payments for contracted work and/or costs incurred by the DEPARTMENT will be made from the working capital deposit. Receipt of progress payments of Federal funds, and where applicable, State Critical Bridge funds, will be used to replenish the working capital deposit. The REQUESTING PARTY shall make prompt payments of its share of the contracted and/or DEPARTMENT incurred portion of the PROJECT COST upon receipt of progress billings from the DEPARTMENT. Progress billings will be based upon the REQUESTING PARTY'S share of the actual costs incurred as work on the PROJECT progresses and will be submitted, as required, until it is determined by the DEPARTMENT that there is sufficient available working capital to meet the remaining anticipated PROJECT COSTS. All progress payments will be made within thirty (30) days of receipt of billings. No monthly billing of a lesser amount than $1,000.00 will be made unless it is a final or end of fiscal year billing. Should the DEPARTMENT determine that the available working capital exceeds the remaining anticipated PROJECT COSTS, the DEPARTMENT may reimburse the REQUESTING PARTY such excess. Upon completion of the PROJECT, payment of all PROJECT COSTS, receipt of all applicable monies from the FHWA, and completion of necessary audits, the REQUESTING PARTY will be reimbursed the balance of its deposit.

2. In the event that the bid, plus contingencies, for the contracted, and/or the DEPARTMENT incurred portion of the PROJECT work exceeds the estimated cost therefor as established by this contract, the REQUESTING PARTY may be advised and billed for the additional amount of its share.

C. General Conditions:

1. The DEPARTMENT, in accordance with its procedures in existence and covering the time period involved, shall make payment for interest earned on the balance of working capital deposits for all projects on account with the DEPARTMENT. The REQUESTING PARTY in accordance with DEPARTMENT procedures in existence and covering the time period involved, shall make payment for interest owed on any deficit balance of working capital deposits for all projects on account with the DEPARTMENT. This payment or billing is processed on an annual basis corresponding to the State of Michigan fiscal year. Upon receipt of billing for interest incurred, the REQUESTING PARTY promises and shall promptly pay the DEPARTMENT said amount.

2. Pursuant to the authority granted by law, the REQUESTING PARTY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its obligations as specified in PART I and PART II. If the REQUESTING PARTY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the REQUESTING PARTY and the State Treasurer of the State of Michigan or such other state officer or agency having charge and control over disbursement of the Michigan Transportation Fund, pursuant to law, of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, said State Treasurer or other state officer or agency is then authorized and directed to withhold from the first of such monies thereafter allocated by law to the REQUESTING PARTY from the Michigan Transportation Fund sufficient monies to remove the default, and to credit the REQUESTING PARTY with payment thereof, and to notify the REQUESTING PARTY in writing of such fact.

3. Upon completion of all work under this contract and final audit by the DEPARTMENT or the FHWA, the REQUESTING PARTY promises to promptly repay the DEPARTMENT for any disallowed items of costs previously disbursed by the DEPARTMENT. The REQUESTING PARTY pledges its future receipts from the Michigan Transportation Fund for repayment of all disallowed items and, upon failure to make repayment for any disallowed items within ninety (90) days of demand made by the DEPARTMENT, the DEPARTMENT is hereby authorized to withhold an equal amount from the REQUESTING PARTY'S share of any future distribution of Michigan Transportation Funds in settlement of said claim.

4. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT and upon completion of the PROJECT, payment of all items of PROJECT COST, receipt of all Federal Aid, if any, and completion of final audit by the DEPARTMENT and if applicable, by the FHWA, shall make final accounting to the REQUESTING PARTY. The final PROJECT accounting will not include interest earned or charged on working capital deposited for the PROJECT which will be accounted for separately at the close of the State of Michigan fiscal year and as set forth in Section C(1).

5. The costs of engineering and other services performed on those projects involving specific program funds and one hundred percent (100%) local funds will be apportioned to the respective portions of that project in the same ratio as the actual direct construction costs unless otherwise specified in PART I.

SECTION IV

MAINTENANCE AND OPERATION

A. Upon completion of construction of each part of the PROJECT, at no cost to the DEPARTMENT or the PROJECT, each of the parties hereto, within their respective jurisdictions, will make the following provisions for the maintenance and operation of the completed PROJECT:

1. All Projects:

Properly maintain and operate each part of the project, making ample provisions each year for the performance of such maintenance work as may be required, except as qualified in paragraph 2b of this section.

2. Projects Financed in Part with Federal Monies:

a. Sign and mark each part of the PROJECT, in accordance with the current Michigan Manual of Uniform Traffic control Devices, and will not install, or permit to be installed, any signs, signals or markings not in conformance with the standards approved by the FHWA, pursuant to 23 USC 109(d).

b. Remove, prior to completion of the PROJECT, all encroachments from the roadway right-of-way within the limits of each part of the PROJECT.

With respect to new or existing utility installations within the right-of-way of Federal Aid projects and pursuant to FAPG (23 CFR 645B): Occupancy of non-limited access right-of-way may be allowed based on consideration for traffic safety and necessary preservation of roadside space and aesthetic quality. Longitudinal occupancy of non-limited access right-of-way by private lines will require a finding of significant economic hardship, the unavailability of practicable alternatives or other extenuating circumstances.

c. Cause to be enacted, maintained and enforced, ordinances and regulations for proper traffic operations in accordance with the plans of the PROJECT.

d. Make no changes to ordinances or regulations enacted, or traffic controls installed in conjunction with the PROJECT work without prior review by the DEPARTMENT and approval of the FHWA, if required.

B. On projects for the removal of roadside obstacles, the parties, upon completion of construction of each part of the PROJECT, at no cost to the PROJECT or the DEPARTMENT, will, within their respective jurisdictions, take such action as is necessary to assure that the roadway right-of-way, cleared as the PROJECT, will be maintained free of such obstacles.

C. On projects for the construction of bikeways, the parties will enact no ordinances or regulations prohibiting the use of bicycles on the facility hereinbefore described as the PROJECT, and will amend any existing restrictive ordinances in this regard so as to allow use of this facility by bicycles. No motorized vehicles shall be permitted on such bikeways or walkways constructed as the PROJECT except those for maintenance purposes.

D. Failure of the parties hereto to fulfill their respective responsibilities as outlined herein may disqualify that party from future Federal-aid participation in projects on roads or streets for which it has maintenance responsibility. Federal Aid may be withheld until such time as deficiencies in regulations have been corrected, and the improvements constructed as the PROJECT are brought to a satisfactory condition of maintenance.

SECTION V

SPECIAL PROGRAM AND PROJECT CONDITIONS

A. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the acquisition of right-of-way must be under construction by the close of the twentieth (20th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that right-of-way.

B. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the performance of preliminary engineering must be under construction by the close of the tenth (10th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that preliminary engineering.

C. On those projects funded with Federal monies, the REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, will provide such accident information as is available and such other information as may be required under the program in order to make the proper assessment of the safety benefits derived from the work performed as the PROJECT. The REQUESTING PARTY will cooperate with the DEPARTMENT in the development of reports and such analysis as may be required and will, when requested by the DEPARTMENT, forward to the DEPARTMENT, in such form as is necessary, the required information.

D. In connection with the performance of PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract.

E. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.

2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.

3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.

5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the contractor's commitments under this Appendix.

6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.

8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.

9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Revised June 2011

APPENDIX B
TITLE VI ASSURANCE

During the performance of this contract, the contractor, for itself, its assignees, and its successors in interest (hereinafter referred to as the "contractor"), agrees as follows:

1. **Compliance with Regulations**: For all federally assisted programs, the contractor shall comply with the nondiscrimination regulations set forth in 49 CFR Part 21, as may be amended from time to time (hereinafter referred to as the Regulations). Such Regulations are incorporated herein by reference and made a part of this contract.

2. **Nondiscrimination**: The contractor, with regard to the work performed under the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the contractor covers a program set forth in Appendix B of the Regulations.

3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment**: All solicitations made by the contractor, either by competitive bidding or by negotiation for subcontract work, including procurement of materials or leases of equipment, must include a notification to each potential subcontractor or supplier of the contractor's obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

4. **Information and Reports**: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and facilities as may be determined to be pertinent by the Department or the United States Department of Transportation (USDOT) in order to ascertain compliance with such Regulations or directives. If required information concerning the contractor is in the exclusive possession of another who fails or refuses to furnish the required information, the contractor shall certify to the Department or the USDOT, as appropriate, and shall set forth the efforts that it made to obtain the information.

5. **Sanctions for Noncompliance**: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Department shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to, the following:

    a. Withholding payments to the contractor until the contractor complies; and/or

    b. Canceling, terminating, or suspending the contract, in whole or in part.

6. **Incorporation of Provisions**: The contractor shall include the provisions of Sections (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Department or the USDOT may direct as a means of enforcing such provisions, including sanctions for non-compliance, provided, however, that in the event a contractor becomes involved in or is threatened with litigation from a subcontractor or supplier as a result of such direction, the contractor may request the Department to enter into such litigation to protect the interests of the state. In addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Revised June 2011

APPENDIX C

TO BE INCLUDED IN ALL FINANCIAL ASSISTANCE AGREEMENTS WITH LOCAL AGENCIES

Assurance that Recipients and Contractors Must Make (Excerpts from US DOT Regulation 49 CFR 26.13)

A. Each financial assistance agreement signed with a DOT operating administration (or a primary recipient) must include the following assurance:

> The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any US DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of US DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26 and as approved by US DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

B. Each contract MDOT signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

> The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of US DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

City of Ypsilanti
Capital Project/Equipment Request

1A. Capital Project Request

Project Title: Major Road Resurfacing Program Department: Public Services
Prepared by: Stan Kirton Date Prepared: 7/26/2017
CIP ID#________ Anticipated Start Date: Fall 2017

1B. Project Description: Provide a brief (1-2) paragraph description of the project

Resurfacing of Summit Street between Michigan Ave. and Washtenaw Ave.; Congress Street between Elm Street easterly to Michigan Ave.; Michigan Ave. from Congress Street southerly for approximately 293 feet and Hamilton Street from Washtenaw Ave. northerly to Cross Street in the 2017 construction season. This project is anticipated to include HMA cold milling, micro surfacing,

1C. Planning Context: Is the project part of an adopted program, policy or plan?

☐ NO
☑ YES(must identify): Transportatipn Asset Management Program

Must list the adopted program or policy, and how this project directly or indirectly meets these objectives:

The main objective of TAMP is maintain the quality of all city streets and to preserve the investment r

1D. Planning Context: Is the City legally obligated to perform this service?

☑ NO
☐ YES Please describe the City's legal obligation:

1E. Project Time line:

Estimated Start Date:	September 2017	Estimated Completion Date	November 2017

1F. Coordination: Please identify if the project is dependent upon one or more other CIP Projects and describe the relationship:

1G. Project Priority: low, medium, high
Priority within department: high Priority Community-wide: high

1H. Prior Approval:

☐ NO
☑ YES ☑ City Council ☑ Prior Year Budget ☐ Other________

1I. Basis of Cost Estimate: Check one of the Following

☐ Cost of comparable Facility/Equipment
☐ Rule of thumb Indicator/ Unit Cost
☐ Ball Park "Guesstimate"
☑ Cost Estimate from Engineer/Architect
☐ Preliminary Estimate

1J. Total Estimated Cost: $________

	FY 1	FY 2	FY 3	FY 4	FY 5
Cost per Year	50,000 DE	210,000 Con. C			

Revenue Source	FY 1	FY 2	FY 3	FY 4	FY 5
Operating Revenue					
Fund Balance	202-7-9060-97	201-7-9060-97			
Bond Issue					
Grant					
Special Assessment					
Millage		WCPRC 0.50			
Lease Purchase or Installment Loan					
Others		STPU			

2A. Equipment Request

Equipment:______________________ Date Prepared:______________________

Department:______________________ Anticipated Purchase Date:______________________

2B. Form of Acquisition

☐ Purchase ☐ Rental/Lease

Number of Units Requested:______________________

Estimated Service Life(Years):______________________

2C. Total Estimated Cost: ______________________

Direct Cost	Per Unit($)	Total Cost
Purchase Price/Annual Rent/Lease		
Plus: Installation or Related Charges		
Plus: Annual Operational Costs		
Less: Annual Operational Savings		
Less: Trade-in, Salvage Value, Discount		
Net Purchase Cost/ Annual Rent/Lease		

2D. Purpose of Expenditure: Please check Appropriate Box(es)

☐ Scheduled replacement
☐ Expanded service life
☐ Present equipment obsolete
☐ New operation
☐ Other______________________
☐ Replace worn-out equipment
☐ Increased safety
☐ Reduce Personnel Time
☐ Improved service to community, procedures, etc.

2E. Replaced Item(s):

Item	Make	Age (in years)	Prior Year's Maintenance Cost	Prior Year's Rental Cost

2F. Total Estimated Cost: $______________________

	FY 1	FY 2	FY 3	FY 4	FY 5
Cost per Year					

Revenue Source	FY 1	FY 2	FY 3	FY 4	FY 5
Operating Revenue					
Fund Balance					
Bond Issue					
Grant					
Special Assessment					
Millage					
Lease Purchase or Installment Loan					
Other					

R E Q U E S T   F O R   L E G I S L A T I O N

FROM: Stan Kirton, Director of Public Services   DATE: August 1, 2017

SUBJECT: Purchase of One (1) 2018 GMC Sierra 1500 4WD Pick-Up Truck with Double Cab

----

Summary and Background:

The 2017-2018 fiscal year budget includes funds of $26,250 to purchase a pick-up truck with a double cab. This truck will be used by the General Superintendent for Public Services Operations.

This truck will replace vehicle #101, a 2008 Ford F-150 Truck, put in service in fall of 2007 with 56,485 odometer miles.

The Department of Public Services has received a purchase proposal of $26,206 (state purchase) from Todd Wenzel Buick - GMC, 35100 Ford Road, Westland, MI 48185 for a 2018 GMC Sierra 1500 4WD Double Cab Pick-Up Truck.

ATTACHMENTS: Resolution, Tom Wenzel Buick - GMC Purchase Proposal/Invoice

RECOMMENDATION: APPROVAL

==

DATE RECEIVED: July 25, 2017   AGENDA ITEM NO: 2017-177

CITY MANAGER COMMENTS: ____

FINANCE DIRECTOR APPROVAL: ____

FOR AGENDA OF: August 1, 2017

COUNCIL ACTION TAKEN: ____

Resolution No. 2017-177
August 1, 2017

A RESOLUTION OF THE CITY OF YPSILANTI:

WHEREAS, a state purchase proposal was received from Tom Wenzel Buick - GMC, Westland, Michigan for the purchase of a 2018 GMC Sierra 1500 4WD Pick-Up Truck with double cab for use in the Department of Public Works- for a total amount of $26,206.00; and

WHEREAS, the state purchase price of $26,206.00 is very favorable and in the best interest of the city to purchase this vehicle; and

NOW THEREFORE, BE IT RESOLVED THAT, the Ypsilanti City Council approves the purchase of one 2018 GMC Sierra 1500 4WD Pick-Up Truck with double cab.

FURTHER, that the $26,206.00 to purchase this vehicle be expended from the $26,250.00 budgeted in account 641-7-9320-987-10;

THAT the City Manager is authorized to sign the purchase proposal and any change orders, subject to approval by the City Attorney, to complete the purchase of this vehicle.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

City of Ypsilanti
Capital Project/Equipment Request

1A. Capital Project Request

Project Title:______________________ Department:______________________
Prepared by:______________________ Date Prepared:______________________
CIP ID#______________________ Anticipated Start Date:______________________

1B. Project Description: Provide a brief (1-2) paragraph description of the project

1C. Planning Context: Is the project part of an adopted program, policy or plan?

☐ NO
☐ YES(must identify):______________________

Must list the adopted program or policy, and how this project directly or indirectly meets these objectives:

1D. Planning Context: Is the City legally obligated to perform this service?

☐ NO
☐ YES Please describe the City's legal obligation:

COMPLIANCE WITH THE CONSENT DECREE ASSOCIATED WITH CIL

1E. Project Time line:

Estimated Start Date:		Estimated Completion Date	

1F. Coordination: Please identify if the project is dependent upon one or more other CIP Projects and describe the relationship:

1G. Project Priority: low, medium, high

Priority within department:______________________ Priority Community-wide:______________________

1H. Prior Approval:

☐ NO
☐ YES ☐ City Council ☐ Prior Year Budget ☐ Other______________________

1I. Basis of Cost Estimate: Check one of the Following

☐ Cost of comparable Facility/Equipment
☐ Rule of thumb Indicator/ Unit Cost
☐ Ball Park "Guesstimate"
☐ Cost Estimate from Engineer/Architect
☐ Preliminary Estimate

1J. Total Estimated Cost: $______________________

	FY 1	FY 2	FY 3	FY 4	FY 5
Cost per Year					

Revenue Source	FY 1	FY 2	FY 3	FY 4	FY 5
Operating Revenue					
Fund Balance					
Bond Issue					
Grant					
Special Assessment					
Millage					
Lease Purchase or Installment Loan					
Others					

2A. Equipment Request

Equipment: 2018 GMC Sierra 1500 4WD P/U Truck Date Prepared: July 25, 2017

Department: Public Services Anticipated Purchase Date: Fall 2017

2B. Form of Acquisition

☑ Purchase ☐ Rental/Lease

Number of Units Requested: 1 (one)

Estimated Service Life(Years): 7 (seven)

2C. Total Estimated Cost: ____________

Direct Cost	Per Unit($)	Total Cost
Purchase Price/Annual Rent/Lease	$26,205	$26,205
Plus: Installation or Related Charges	Emergency Lights	$1,500
Plus: Annual Operational Costs		
Less: Annual Operational Savings		
Less: Trade-in, Salvage Value, Discount	7,000-8,000 Auction	-$7,500
Net Purchase Cost/ Annual Rent/Lease		$20,205

2D. Purpose of Expenditure: Please check Appropriate Box(es)

- ☑ Scheduled replacement
- ☐ Expanded service life
- ☐ Present equipment obsolete
- ☐ New operation
- ☐ Other ____________
- ☑ Replace worn-out equipment
- ☑ Increased safety
- ☑ Reduce Personnel Time
- ☑ Improved service to community, procedures, etc.

2E. Replaced Item(s):

Item	Make	Age (in years)	Prior Year's Maintenance Cost	Prior Year's Rental Cost
2008 P/U Truck	Ford F-150	9 (nine)		

2F. Total Estimated Cost: $____________

	FY 1	FY 2	FY 3	FY 4	FY 5
Cost per Year					

Revenue Source	FY 1	FY 2	FY 3	FY 4	FY 5
Operating Revenue					
Fund Balance	Motor Pool				
Bond Issue					
Grant					
Special Assessment					
Millage					
Lease Purchase or Installment Loan					
Other					

Prepared For:
John Sherwood
City of Ypsilanti
Ypsilanti, MI 48197
Phone: (734) 485-1319
Email: jsherwood@cityofypsi
lanti.com

Prepared By:
Paul Roop
Todd Wenzel Buick GMC
35100 Ford Rd
Westland, MI 48185
Phone: (734) 713-1064
Fax: (734) 721-1780
Email: paul_roop@hotmail.com

2018 Fleet/Non-Retail GMC Sierra 1500 4WD Double Cab 143.5" TK15753

PRICING SUMMARY

PRICING SUMMARY - 2018 Fleet/Non-Retail TK15753 4WD Double Cab 143.5"

Oakland County / City of Ypsilanti

Price	**$26,206.00**

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

Prepared For:
John Sherwood
City of Ypsilanti
Ypsilanti, MI 48197
Phone: (734) 485-1319
Email: jsherwood@cityofypsi
lanti.com

Prepared By:
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Westland, MI 48185
Phone: (734) 713-1064
Fax: (734) 721-1780
Email: paul_roop@hotmail.com

2018 Fleet/Non-Retail GMC Sierra 1500 4WD Double Cab 143.5" TK15753

SELECTED MODEL & OPTIONS

SELECTED MODEL - 2018 Fleet/Non-Retail TK15753 4WD Double Cab 143.5"

Code	Description
TK15753	2018 GMC Sierra 1500 4WD Double Cab 143.5"

SELECTED VEHICLE COLORS - 2018 Fleet/Non-Retail TK15753 4WD Double Cab 143.5"

Code	Description
-	Interior: Dark Ash seats with Jet Black interior accents
-	Exterior 1: Summit White
-	Exterior 2: No color has been selected.

SELECTED OPTIONS - 2018 Fleet/Non-Retail TK15753 4WD Double Cab 143.5"

CATEGORY Code	Description
EMISSIONS	
FE9	EMISSIONS, FEDERAL REQUIREMENTS
ENGINE	
L83	ENGINE, 5.3L ECOTEC3 V8, WITH ACTIVE FUEL MANAGEMENT, DIRECT INJECTION
TRANSMISSION	
MYC	TRANSMISSION, 6-SPEED AUTOMATIC, ELECTRONICALLY CONTROLLED
GVWR	
C5Z	GVWR, 7200 LBS. (3266 KG)
AXLE	
GU6	REAR AXLE, 3.42 RATIO
PREFERRED EQUIPMENT GROUP	
1SA	WORK TRUCK PREFERRED EQUIPMENT GROUP
WHEELS	

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

Prepared For:
John Sherwood
City of Ypsilanti
Ypsilanti, MI 48197
Phone: (734) 485-1319
Email: jsherwood@cityofypsi
lanti.com

Prepared By:
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Phone: (734) 713-1064
Fax: (734) 721-1780
Email: paul_roop@hotmail.com

2018 Fleet/Non-Retail GMC Sierra 1500 4WD Double Cab 143.5" TK15753

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2018 Fleet/Non-Retail TK15753 4WD Double Cab 143.5"

CATEGORY		
	Code	**Description**
WHEELS		
	RD6	WHEELS, 17" X 8" (43.2 CM X 20.3 CM) PAINTED STEEL
TIRES		
	RBZ	TIRES, P255/70R17 ALL-SEASON, BLACKWALL
PAINT SCHEME		
	ZY1	SOLID PAINT
PAINT		
	GAZ	SUMMIT WHITE
SEAT TYPE		
	AE7	SEATS, FRONT 40/20/40 SPLIT-BENCH
SEAT TRIM		
	H2Q	DARK ASH SEATS WITH JET BLACK INTERIOR ACCENTS, VINYL SEAT TRIM
RADIO		
	IOB	AUDIO SYSTEM, 7" DIAGONAL COLOR TOUCH SCREEN WITH GMC INFOTAINMENT SYSTEM, AM/FM
ADDITIONAL EQUIPMENT		
	KNP	COOLING, AUXILIARY EXTERNAL TRANSMISSION OIL COOLER
	___	BATTERY, HEAVY-DUTY 720 COLD-CRANKING AMPS/80 AMP-HR, MAINTENANCE-FREE
	R9Y	FLEET FREE MAINTENANCE CREDIT.
	VQ1	FLEET PROCESSING OPTION

OPTIONS TOTAL

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

REQUEST FOR LEGISLATION

FROM: Marilou Uy, Finance Director

SUBJECT: Transfer of Rutherford Pool Funds

Date: August 1, 2017

SUMMARY & BACKGROUND:

Washtenaw County is supportive of the Friends' Group and has recently contributed $30,000 to the City for operational support. Rutherford Pool requested that Ten Thousand Dollars ($10,000) of the funds be transferred this year for operation of the pool. Washtenaw County intends to continue support for the pool, $10,000 per year, through FY 2019-2020. Friends' have requested that the City transfer the funds, as received, for cost of operation.

Recommendation: That City Council adopts the Resolution to transfer the funds ($10,000), earmarked for the pool as received so long as Friends are not in default to City.

Attachment: Agreement between the City and Friends of Rutherford Pool

---

CITY MANAGER APPROVAL: ______________________________

COUNCIL AGENDA DATE: ___August 1, 2017___________________

CITY MANAGER COMMENTS: ______________________________

FINANCE DIRECTOR APPROVAL: ___________________________

Resolution No. 2017-178
August 1, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Washtenaw County is supportive of the Friends' Group and has recently contributed $30,000 to the City for cost of operation; and

WHEREAS, Rutherford Pool requested that Ten Thousand Dollars ($10,000) of the funds be transferred this year for the operation of the pool; and

WHEREAS, Washtenaw County intends to continue support for the pool, $10,000 per year, for three years, through FY 2019-2020; and

WHEREAS, Friends' have requested that City transfer the funds, as received, for cost of Rutherford Pool operation; and

NOW, THEREFORE, BE IT RESOLVED that the City Manager is authorized to sign the agreement, and on behalf of, the City of Ypsilanti.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

CITY OF YPSILANTI AND FRIENDS OF RUTHERFORD POOL, INC.

Agreement regarding Washtenaw County Support of Pool Operations

The parties to this agreement are the City of Ypsilanti, a Michigan Municipal Home Rule City of 1 South Huron Street, Ypsilanti, MI 48197 (City) and Friends of Rutherford Pool, a Michigan nonprofit, federally tax exempt 501(c)(3) corporation of 975 North Congress, Ypsilanti, MI 48197 (Friends).

General Recitals

City owns Rutherford Pool, a swimming pool and related building and equipment (pool). The pool is a community resource and benefit to youth and citizens of the City. Friends were instrumental in raising funds and securing grants to rebuild the pool. Friends lease the pool from the city and operate it under agreement with the City. Washtenaw County is supportive of the pool and has recently contributed funds to the City for support of operation of the pool and other purposes. Ten Thousand Dollars ($10,000) of the funds are earmarked this year for operation of the pool. Washtenaw County intends to continue support for the pool, $10,000 per year, for several years. Friends have requested that City transfer the funds, as received, to Friends for costs of operation. City is agreeable to the transfers.

Agreement

The parties agree:

1. As City receives funds from Washtenaw County for Rutherford Pool operation yearly, the funds shall be transferred to the pool, provided Friends are not in default with their agreement with City.
2. City has received funds in 2017 from Washtenaw County. Ten Thousand Dollars ($10,000) of said funds are earmarked for Rutherford Pool operation.
3. Friends has requested the funds be transferred to Friends for payment of operation costs.
4. Friends agree to use the funds for pool operation and expenses and continue to open and operate the pool during the 2017 season and continue to honor the agreement(s) with City.
5. City agrees to transfer the funds ($10,000) forthwith, and any other funds from Washtenaw County, earmarked for the pool as received so long as Friends are not in default to City.

Dated: _____, 2017

FRIENDS OF RUTHERFORD POOL, INC.

By____________________________________

CITY OF YPSILANTI

By_____________________________________

Darwin McClary, City Manager

Approved as to form:

____

John M. Barr, Ypsilanti City Attorney

F:\USER\FINANCE\RFL\Rutherford Pool\Agreement to transfer $10000 to pool received from county 071917.docx

Resolution No. 2017-179
August 1, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

Print

Citizen Advisory Boards and Commissions Participation Resume - Submission #264

Date Submitted: 4/26/2017

The people of Ypsilanti are involved in their City government and are an important part of the community's achievements. Individuals interested in receiving more information in regards to serving on an advisory board or commission are invited to contact the City Clerk's Office at 734-483-1100. Alternatively, citizens who would like to participate can submit their information in the form below.

Name*

Willow Krupin-Carter

Email Address*

willowcarter3@gmail.com

Address

410 Maple st

City

Ypsilanti

State

MI

Zip Code

48198

Phone Number*

7342623991

Fax Number

Number of Years in the Community

10 years

Ward You Live In

Education

Washtenaw International High School

Occupation

Employer

I would like to be considered and could devote sufficient time to serve on the following board or commission:

- [ ] Review and Tax Assessment Board
- [x] Board of Ethics
- [ ] Fire Civil Service Commission
- [ ] YCUA
- [ ] Ypsilanti Downtown Development Authority
- [ ] Economic Development Corporation/Brownfield Redevelopment Authority
- [x] Historic District Commission
- [ ] Ypsilanti Housing Commission
- [ ] Human Relations Commission
- [ ] Sidewalk Review Board
- [ ] Planning Commission
- [ ] Non-motorized Advisory Committee
- [ ] Property Maintenance Construction Board of Appeals
- [x] Parks and Recreation Commission
- [ ] Ann Arbor Area Transit Authority
- [ ] Police and Fire Pension Board
- [x] Huron River Watershed Council
- [x] Sustainability Commission

Why are you interested in serving on these boards/commissions?*

I want to go into law or public policy as my career, and I think this would be an excellent opportunity to get experience in these fields and as a way to learn more about what being part of these would mean to me. Furthermore, I need service hours to fulfill the IB requirement that my school has and I think this would be an interesting way to get those hours. But, most importantly, I want to be part of my community and my city in a way that I haven't been before. I have always wanted to help people and I think this would be an incredible first step in achieving this life-long dream. I want to make someone's life better and if I could make that happen as a high schooler, I think that would be a remarkable opportunity that I might not have had otherwise. I think this opportunity could lead to others and would enhance my life and allow me to learn more about the city that I've been living in for most of my life.

Work/volunteer experience related to the board or commission:

I understand that appointment to a City of Ypsilanti board or commission requires regular attendance at board meetings.

- [x] Yes

I hereby certify that all of the information above is true.

- [x] Yes

Frances McMullan

From:	Amanda Edmonds <amandaforypsi@gmail.com>
Sent:	Thursday, July 27, 2017 8:04 AM
To:	Frances McMullan
Subject:	Fwd: Meeting about your interest in City of Ypsi boards/commissions

Please add Willow as a youth seat nomination to HRC.

Sent from my iPhone

Begin forwarded message:

> **From:** Willow Carter <willowcarter3@gmail.com>
> **Date:** July 26, 2017 at 6:20:21 PM EDT
> **To:** Amanda Edmonds <amandaforypsi@gmail.com>
> **Subject: Re: Meeting about your interest in City of Ypsi boards/commissions**
>
> Hello Amanda,
>
> I'm so sorry about the delayed response.
>
> I was unable to attend the meetings like you suggested but I have thought extensively about it and I think the Human Relations Commission would be the best fit for me, assuming the spot is still available. I think it would be the most beneficial for what I hope to go into when I grow up and while I do think Parks and Rec would be a valuable experience, I think this one sounds more interesting and important for me to be part of.
>
> Thank you for this opportunity and I'm sorry again about how long this took,
> Willow
>
> On Tue, Jun 20, 2017 at 7:46 PM, Willow Carter <willowcarter3@gmail.com> wrote:
>> Thank you so much for your accommodations and help with this process, I appreciate it a lot.
>>
>> On Tue, Jun 20, 2017 at 9:48 AM, Amanda Edmonds <amandaforypsi@gmail.com> wrote:
>>> Great-- Just let them know you're there to meet with me when you get to City Hall and they'll buzz you up. My cell is 734-330-7576 if you nee to reach me-- text works best. Just let me know who it is first. :) Amanda
>>>
>>> On Tue, Jun 20, 2017 at 8:00 AM, Willow Carter <willowcarter3@gmail.com> wrote:
>>>> Hello Amanda,
>>>>
>>>> I'm available and looking forward to this meeting.
>>>>
>>>> See you soon,
>>>> Willow
>>>>
>>>> Le 19 juin 2017 à 21:47, Amanda Edmonds <amandaforypsi@gmail.com> a écrit :

Hi Willow,

Thanks so much for applying for service to the city! I am so sorry for the delay-- there was a mix up in communication.

Would you be available to meet at 4 pm next Friday-- June 30-- at City Hall to talk about your interest? I would love to see which commission could be the best fit for you.

Best,
Amanda

--

Amanda Maria Edmonds

"It is better to light a candle than to curse the darkness" - Eleanor Roosevelt

For City of Ypsilanti business: mayor@cityofypsilanti.com
For Growing Hope business: amanda@growinghope.net

--

Amanda Maria Edmonds

"It is better to light a candle than to curse the darkness" - Eleanor Roosevelt

For City of Ypsilanti business: mayor@cityofypsilanti.com
For Growing Hope business: amanda@growinghope.net

City of Ypsilanti
Pride. Diversity. Heritage.

CITY OF YPSILANTI
BOARDS AND COMMISSIONS
CITIZEN PARTICIPATION RESUME

**Note: You must be a registered voter and a city resident to be eligible to serve on a City of Ypsilanti Board or Commission.

NAME: Kyle Hunter

ADDRESS: 109 Ferris St., Apt. 4
Ypsilanti, MI 48197

Number of years in the community: 29

HOME PHONE: ______ Call: A.M. or P.M. (please circle)

CELL PHONE: 734-945-5393 WORK PHONE: ______

EMAIL ADDRESS: LooseleaF88@gmail.com

EDUCATION: Washtenaw Community College

CURRENT OCCUPATION: Concert House Manager / Sound Engineer / Musician

CURRENT EMPLOYER: Kerrytown Concert House / Neutral Zone

I would like to be considered and could devote sufficient time to serve on the following Board(s) or Commission(s) in order of preference:

1. Human Relations Commission 2. ______

Please indicate experience and/or qualifications that would help make you an effective member of each board for which you have applied.

WORK/VOLUNTEER EXPERIENCE: · Dedicated to Make a Change, LLC
· Neutral Zone · Food Gatherers · National Guard
· Telling It (Riverside Arts Center) ·

I understand that appointment to a City of Ypsilanti Board or Commission requires regular attendance at board meetings.

SIGNATURE: ______ DATE: 06/27/17

(Return completed form to: City Clerk's Office, 1 S. Huron Street, Ypsilanti, MI 48197)

ACTION MINUTES

CITY OF YPSILANTI
CITY COUNCIL MEETING ACTION MINUTES
COUNCIL CHAMBERS - ONE SOUTH HURON STREET
TUESDAY, AUGUST 1, 2017
7:00 P.M.

I. CALL TO ORDER –
The meeting was called to order at 7:00 p.m.

II. ROLL CALL –

Council Member Bashert	Present	Council Member Robb	Present
Mayor Pro-Tem Brown	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Edmonds	Present
Council Member Richardson	Present		

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

"I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

V. INTRODUCTIONS –

VI. AGENDA APPROVAL-

The agenda was approved as amended

Change: Move Resolution No. 2017-174., approving traffic control orders, from Section X, Consent Agenda, to Section XI, Resolutions/Motions/Discussions.

VII. AUDIENCE PARTICIPATION –

VIII. PRESENTATIONS –

- Proclamation recognizing Erica Hampton

- Bell/Kramer Update – Beth Ernat, Economic Development Director

IX. REMARKS FROM THE MAYOR –

X. CONSENT AGENDA – Resolution No. 2017-170

1. Resolution No. 2017-171, approving appointment to Boards and Commissions.
Offered By: Council Member Murdock; Seconded By: Council Member Bashert
Approved: Yes – 7; No – 0; Absent - 0

2. Resolution No. 2017-172, approving minutes of June 20 and June 27, 2017.
Offered By: Council Member Murdock; Seconded By: Council Member Bashert
Approved: Yes – 7; No – 0; Absent - 0

3. Resolution No. 2017-173, approving request for additional brewpub license for 201-203-205 W. Michigan Avenue.
Offered By: Council Member Murdock; Seconded By: Council Member Bashert
Approved: Yes – 7; No – 0; Absent - 0

4. ~~Resolution No. 2017-174, approving traffic control orders.~~ **(Moved and Heard during Section XI, Motions/Resolutions/Discussions)**

XI. MOTIONS, RESOLUTIONS, DISCUSSIONS –

1. ~~Resolution No. 2017-175, approving City Manager and City Clerk Evaluation Process.~~

2. Resolution No. 2017-176, approving Contract No. 17-5338 with the Michigan Department of Transportation (MDOT) for the 2017 Major Street Resurfacing Project.
Offered By: Council Member Vogt; Seconded By: Council Member Murdock
Approved: Yes – 7; No – 0; Absent - 0

3. Resolution No. 2017-177, approving purchase of one (1) 2018 GMC Sierra 1500 4WD pick- up truck with double cab.
Offered By: Council Member Bashert; Seconded By: Mayor Pro-Tem Brown
Approved: Yes – 7; No – 0; Absent - 0

4. Resolution No. 2017-178, approving agreement to transfer $10,000 to the Friends of Rutherford Pool for operation of the pool.
Offered By: Mayor Pro-Tem Brown; Seconded By: Council Member Vogt
Approved: Yes – 7; No – 0; Absent - 0

5. Resolution No. 2017-174, approving traffic control orders.
Offered By: Council Member Murdock; Seconded By: Council Member Richardson
Approved: Yes – 7; No – 0; Absent - 0

XII. AUDIENCE PARTICIPATION –

XIII. LIASON REPORTS –

A. SEMCOG Update
B. Washtenaw Area Transportation Study
C. Urban County
D. Ypsilanti Downtown Development Authority
E. Eastern Washtenaw Safety Alliance
F. Police-Community Relations/Black Lives Matter Joint Task Force
G. Friends of Rutherford Pool
H. Housing Equity Leadership Team
I. Economic Development Coordinating Committee

XIV. COUNCIL PROPOSED BUSINESS –

XV. COMMUNICATIONS FROM THE MAYOR –

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

Nominations:

<u>Human Relations Commission</u>
Willow Carter (youth member appt.)
410 Maple Street
Ypsilanti, MI 48198

<u>Parks and Recreation Commission</u> *(added)*
Kyle Hunter (new appt.)
109 Ferris, #4
Ypsilanti, MI 48197

XVII. <u>COMMUNICATIONS</u> –

XVIII. <u>REMARKS FROM THE MAYOR</u> –

XIX. <u>ADJOURNMENT</u> –

Resolution No. 2017-179, adjourning the City Council Meeting.
<u>The meeting adjourned at 9:01 p.m.</u>