1. Council Meeting Agenda

   Documents:

   02-06-18 FINAL AGENDA .PDF

2. Council Meeting Packet

   Documents:

   FEBRUARY 6TH COUNCIL PACKET.PDF

3. Council Action Minutes

   Documents:

   ACTION MINUTES 02-06-18.PDF

CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, FEBRUARY 6, 2018
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. AGENDA APPROVAL –

VI. INTRODUCTIONS –

VII. PRESENTATIONS –

VIII. AUDIENCE PARTICIPATION –

IX. REMARKS BY THE MAYOR –

X. PUBLIC HEARINGS -

XI. CONSENT AGENDA – Resolution No. 2018-019

1. Resolution No. 2018-020, approving minutes of January 9, January 23, and January 25, 2018.

2. Resolution No. 2018-021, approving Ordinance No. 1301, Adaptive Reuse Planned Unit Development (PUD) for Ypsilanti Performance Space for 218 N Adams. ***(Second Reading)***

3. Resolution No. 2018-022, approving appointment of Susan Melke to Police Advisory Commission.

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2018-023, allowing MMFLA Permits to be transferred from one entity to another and allow staff to waive any irregularities or incompleteness with the application by an existing facility.

2. Resolution No. 2018-024, approving policy and state guidelines in granting or denying property tax exemptions.

3. Resolution No. 2018-025, approving Solar Equipment lease with Chart House Energy Investment Fund, LLC to enhance the solar array located on the DPS Truck Port roof.

4. Resolution No. 2018-026, approving 2018-19 Council Goals.

5. Discussion on Public Safety Staffing.

XIII. LIAISON REPORTS –

A. SEMCOG Update
B. Washtenaw Area Transportation Study
C. Urban County
D. Ypsilanti Downtown Development Authority
E. Eastern Washtenaw Safety Alliance
F. Friends of Rutherford Pool
G. Housing Equity Leadership Team
H. Economic Development Coordinating Committee

XIV. COUNCIL PROPOSED BUSINESS –

XV. COMMUNICATIONS FROM THE MAYOR –

Nomination:

Tax Board of Review

Craig Hupy - reappointment
1124 N. Congress
Ypsilanti, MI 48197

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

XVII. COMMUNICATIONS –

HDC Annual Report
Goal Setting Report
Letter from Washtenaw County Board of Public Works
Traffic Review Commission Minutes of January 25, 2018

XVIII. AUDIENCE PARTICIPATION –

XIX. REMARKS FROM THE MAYOR –

Recycling Work Session scheduled for Wednesday, February 21, 2018 at 7:00 p.m. at Spark East

XX. ADJOURNMENT –

Resolution No. 2018-027, adjourning the City Council meeting.

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Council Member Murdock	P A	Mayor Edmonds	P A
Council Member Richardson	P A		

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XX. ADJOURNMENT –

Resolution No. 2018-027, adjourning the City Council meeting.

Resolution No. 2018-019
February 6, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2018-020, approving minutes of January 9, January 23, and January 25, 2018.

2. Resolution No. 2018-021, approving Ordinance No. 1301, Adaptive Reuse Planned Unit Development (PUD) for Ypsilanti Performance Space for 218 N Adams. ***(Second Reading)***

3. Resolution No. 2018-022, approving appointment of Susan Melke to Police Advisory Commission.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

Resolution No. 2018 - 020
February 6, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of January 9th, January 23rd, and January 25th, 2018 be approved.

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

Draft

CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, JANUARY 9, 2018
7:00 p.m.

I. <u>CALL TO ORDER</u> –

The meeting was called to order at 7:07 p.m.

II. <u>ROLL CALL</u> –

Council Member Bashert		Present	Council Member Robb		Present
Mayor Pro-Tem Brown	(7:50)	Present	Council Member Vogt	(8:31)	Present
Council Member Murdock		Present	Mayor Edmonds	(7:46)	Present
Council Member Richardson		Present			

Council Member Murdock moved, seconded by Council Member Bashert to excuse the absences of Mayor Edmonds, Mayor Pro-Tem Brown, and Council Member Vogt.

On a voice vote, the motion carried, and the absences were excused.

III. <u>INVOCATION</u> –

Council Member Richardson asked all to stand for a moment of silence.

IV. <u>PLEDGE OF ALLEGIANCE</u> –

"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. <u>AGENDA APPROVAL</u> –

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

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

VI. <u>INTRODUCTIONS</u> –

Council Member Richardson introduced the following individuals; Police Chief Tony DeGiusti, Economic Development Director Beth Ernat, City Manager Darwin McClary, City Attorney John Barr, City Clerk Frances McMullan, Friends of Rutherford Pool John Weiss, and Human Relations Commission Kyle Hunter.

VII. PRESENTATIONS –

- Friends of Rutherford Pool – John Weiss

Friends of Rutherford Pool President John Weiss and Friends of Rutherford Pool Board Member Jeff Guyton provided a presentation regarding a proposed bathhouse remodel for the Rutherford Pool.

Council Member Bashert asked if the solar panels would be for general electric, or hot water heating. Mr. Weiss responded the solar panels will be for general power.

Council Member Bashert asked what the estimated construction start date is. Mr. Weiss responded possibly the spring or fall of 2019.

Council Member Murdock asked how the failure to relocate the recycling center would affect the grant application for this project. Economic Development Director Beth Ernat responded the Department of Natural Resources grant they would be seeking is not a trust fund grant, and should not be effected. Mr. Weiss added a DNR representative informed Friends of Rutherford Pool the Land Water Grant would be a better fit for this project.

Council Member Richardson thanked Mr. Weiss and Mr. Guyton for their continued work on pool operations.

Council Member Bashert stated the pool is a valuable asset to the community, and during budget sessions a donation should be allocated to the pool.

- 2017-18 Snow Removal Program – Public Services Director Stan Kirton

Department of Public Services Director Stan Kirton and Superintendent Brad Holman provided a presentation regarding snow removal.

Council Member Bashert asked if DPS removes snow in the DDA districts. Mr. Kirton responded no, DPS only removes snow from public sidewalks.

Council Member Murdock asked if the City still purchases road salt jointly with Eastern Michigan University. Mr. Kirton responded in the affirmative.

Council Member Murdock asked what the difference is between the sidewalks in Zone 4 versus Zone 6. Mr. Kirton responded the sidewalks in Zone 4 are in front of public buildings. Mr. Murdock asked what sidewalks are in Zone 6. Mr. Kirton responded sidewalks such as those in front of Water Street.

Council Member Bashert asked how the bumpouts on Congress and speed bumps are handled by the plows. Mr. Kirton responded it is a challenge, especially speed bumps. He asked for clarification of the speed bumps Council has directed be installed, and added the adopted resolution has vague.

Council Member Richardson asked if DPS removes the snow from the sidewalks at the Senior Center. Mr. Kirton responded in the affirmative.

VIII. AUDIENCE PARTICIPATION –

1. Patricia DeBoer, 309 Park St., read a letter from Hugh Kennedy, 316 N. Grove, regarding the development of the Boys and Girls Club. The letter expressed concern about the development, and the stress the project would place on the infrastructure on that area, especially water and sewer.

2. Kyle Hunter, 430 S. Adams St., thanked Council Member Richardson for her Town Hall on Monday, January 8th. He feels the input will assist in leading to a strong Community Benefits Ordinance. He stated the increase in the absences of the Mayor and Mayor Pro-Tem have become bothersome.

3. Sue Melke, 330 Chidester, asked why the Rutherford Pool parking lot is plowed.

   Mr. Kirton responded the parking lot must be cleared for emergency services.

   Ms. Melke asked if the city is now performing snow abatements. Mr. Kirton responded the city abates city owned property, private property is contracted. Ms. Melke asked how many tickets were issued, and how many warnings were given from the last snow fall. She wants city employees to take more ownership of reporting infractions of the snow ordinance.

4. Greg Tyler, 6637 Hitchingham, stated on August 10, 2017 he was involved in a motorcycle accident. On another occasion, in October and November, he was pulling into his drive and was hit again by two motorcycles. He would like the speed limit to be reduced on that road.

   Council Member Richardson responded Hitchingham is not located in the City, it is located in Ypsilanti Township. Ms. Ernat stated Mr. Tyler should voice his complaints to the Washtenaw Road Commission. Council Member Murdock stated the County Sherriff is responsible for speed control.

IX. <u>REMARKS BY THE MAYOR</u> –

— Council Member Richardson stated Ms. Melke's comments will be addressed.

Council Member Bashert stated in response to Mr. Hunter the Closed Session this evening is for union issues and has nothing to do with a development. She added the plows were active today, which is why some of the curb cuts were recovered with snow, but she understands the frustration.

X. <u>PUBLIC HEARINGS</u> -

XI. <u>CONSENT AGENDA</u> – Resolution No. 2018-001

1. Resolution No. 2018-002, approving minutes of December 14, and December 19, 2017.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   THAT the minutes of December 14th and December 19th, 2017 be approved.

2. Resolution No. 2018-003, approving Ordinance 1299 to amend Chapter 2, "Administration", Article VI, Contracts and Purchasing, of the Ypsilanti City Code. ***(Second Reading)***

   IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

   The certain ordinance entitled "An ordinance to Amend Chapter 2 "Administration" Article VI. CONTRACTS AND PURCHASING of the Ypsilanti City Code be adopted on Second and Final Reading.

3. Resolution No. 2018-004, approving Ordinance 1300 to amend Chapter 30, Article VI, "Tax Exempt Housing" of the Ypsilanti City Code to repeal Divisions 2, 4, 5, 6, 11 and 12 renumber the remaining Divisions and Sections of the Article; and other changes. ***(Second Reading)***

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   That an ordinance entitled "An ordinance to amend Chapter 30, Article VI "Tax Exempt Housing" of the Ypsilanti City Code to repeal Divisions 2, 4, 5, 6, 7, 11, and 12; renumber the remaining Divisions and Sections of the Article; and other changes" be approved on Second and Final Reading.

4. Resolution No. 2018-004A, authorizing The City of Ypsilanti Fire Department is eligible to apply for a FEMA grant under the 2017 Assistance to Firefighters Grant (AFG).

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, The City of Ypsilanti Fire Department is eligible to apply for a FEMA grant under the 2017 Assistance to Firefighters Grant (AFG). The primary goal of this grant is to meet the firefighting and emergency response needs to ensure safety of the public and department firefighters; and

   WHEREAS, The Fire Department is requesting authorization to apply for this grant to replace the following equipment: 1. Self-Contained Breathing Apparatus (SCBAs), 2. Extrication Stabilization Equipment, 3. Turn Out Gear, 4. Fire Hose and 5. Nozzles and Appliances; and

   WHEREAS, The Fire Department is looking at replacing 15 SCBA's for an estimated purchase price of $108, 750, Extrication Stabilization Equipment for an estimated cost of $7,375, Turn Out Gear for an estimated cost of $8,130, a Fire Hose for an estimated cost of $4,398.00 and Nozzles and Appliances for an estimated cost of $7, 796.00 with a minimal match requirement of ten percent (10%).

   NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council authorizes the Fire Department to apply for the grant.

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

On a roll call, the vote to approve Resolution No. 2018-001 was as follows:

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

VOTE:

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

XII. <u>RESOLUTIONS/MOTIONS/DISCUSSIONS</u> –

1. Resolution No. 2018-005, approving purchase of body cameras from Axon Enterprise.

   RESOLVED BY THE CITY COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti Police Department is committed to the Body Worn Camera Program and desires to upgrade the camera system based on technological advancements, quality production of video, ability to insure all personnel have functioning body cams and reliability of the equipment; and

WHEREAS, the City of Ypsilanti Police Department has been allocated funds in the FY2017-18 Budget, secured a 2016 Byrne Memorial Grant for this purpose of making this purchase; and

WHEREAS, the City of Ypsilanti Police Department has negotiated pricing with Axon Enterprises, Inc. of $24,955.08 for the initial costs and first year of operation; and

WHEREAS, the total package also includes an additional four years of contracted services at a rate of $15,108.00 per year which includes all maintenance, storage and future no cost replacements.

THEREFORE BE IT RESOLVED, that the Chief of Police be authorized to sign all necessary documents needed to execute the purchase and contract.

OFFERED BY: Council Member Murdock
SECONDED BY: Mayor Pro-Tem Brown

Chief DeGiusti stated as Council is aware Ypsilanti Police was on the forefront on the use of body cameras. He said at the time he, and other organizations, thought the L3 would provide the best product. However, it is time to make a change because of the problems with the L3 cameras. Axon has achieved the same claims L3 promised with its product.

Mayor Edmonds asked if the issues with the L3 cameras were a result of it being an early iteration of the technology. Chief DeGiusti stated the department uses the L3 camera for it's in car cameras, and they are the best at that technology, but that did not translate into body cameras. He said the Axon Cameras are more rugged and have the best failure rate in the business.

Mayor Edmonds asked what technology Eastern Michigan University is using. Chief DeGiusti responded he does not think they are ready to move away from the L3 cameras. Ms. Edmonds asked what technology Ann Arbor and U of M are using. Chief DeGiusti responded they are considering the change, but it is more difficult to change considering the amount of cameras they have.

Council member Bashert asked if the department will have enough cameras for two shifts. Chief DeGiusti responded with this program each officer will have their own camera. Ms. Bashert asked if the recording taken by the camera is being stored by the camera, or in another place. Chief DeGiusti responded it is stored in the camera until the camera is docked. At that point the recording is stored on the cloud.

On a roll call, the vote to approve Resolution No. 2018-005 was as follows:

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

VOTE:

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

2. Resolution No. 2018-006, approving Supplemental Appropriation to FY 2017-18 Budget - Information Technology (IT) Audit and Migration Plan Services.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, Washtenaw County current provides information technology services, including telephony, for the City of Ypsilanti; and

   WHEREAS, the county has informed the city of its desire to discontinue the provision of IT services to the city effective July 1, 2018; and

   WHEREAS, the county has increased its charges for IT services to the city from $94,000 to $136,000 for the current fiscal year; and

   WHEREAS, the city deems it necessary and beneficial to prepare a comprehensive IT audit and plan for the migration of the city's IT infrastructure and services from a county-based system to an independent system by June 30, 2018; and

   WHEREAS, the city council must approve a supplemental appropriation to the FY 2017-18 Budget to provide the resources necessary to complete the IT audit and plan;

   NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby approve a supplemental appropriation to the FY 2017-18 Budget account #____________ in the amount of $6,000.00 using General Fund reserves to engage the services of a qualified vendor to complete a comprehensive IT audit of the city's computer hardware, software, network systems, and peripherals and to prepare a detailed report with recommendations on necessary steps and cost estimates to migrate from the county system to an independent system.

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

City Manager Darwin McClary stated the county has indicated Ypsilanti is the last municipality it provides services for, and because of escalating costs and limited staff the can no longer provide services past June 30^{th}.

Mayor Edmonds stated she is not excited approving $40,000 for an overage of the IT contract. She agrees with the city no longer contracting with the county for IT, but she is concerned the city will pay more for this contract. Mr. McClary replied staff has asked for every consideration from the county, who responded they need to begin charging Ypsilanti what they charge their internal departments. Ms. Edmonds stated the county is back charging the city. Mr. McClary replied yes, but the full responsibility cannot be placed fully on the county.

Mayor Edmonds asked why the city would create an independent system rather than use a third party contractor. Mr. McClary responded he does anticipate that will be a part of the review and plan, but the city must be prepared for these capital costs.

Council Member Robb stated this change would create a $30,000 budgetary deficit. Mr. McClary replied with both costs it would create a $36,000 deficit.

Mayor Edmonds stated she will support the approval of this audit.

Council Member Murdock asked once this is complete will he have a functioning email. Mr. McClary responded in the affirmative, and staff is responsive to the need for greater storage capacity.

Mayor Edmonds asked if other management systems are going to be examined as a part of this audit. Mr. McClary responded that will be separate.

On a roll call, the vote to approve Resolution No. 2018-006 was as follows:

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

VOTE:

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

3. Resolution No. 2018-007, approving Washtenaw County IT Services Contract 2017-18.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti relies on Washtenaw county to provide information technology services to the city, including computer hardware, software, network systems and security, E-mail, telephone, and other services; and

WHEREAS, Washtenaw county has informed the city of its intent to discontinue IT services to the city effective July 1, 2018, due to lack of county staffing and escalating costs of providing the services; and

WHEREAS, it is necessary for the city to execute a contract with the county to continue to provide IT services to the city for FY 2017-18 while the city completes its IT services migration plan and implementation;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby approve a supplemental appropriation to the appropriate accounts of the FY 2017-18 Budget as determined by the Finance Director in the total amount of $42,000 utilizing General Fund reserves for the 2017-18 IT services contract with Washtenaw county; and

THEREFORE, BE IT FURTHER RESOLVED that the city council does hereby approve the 2017-18 IT technical support, consulting, and networking services contract with Washtenaw County at an approximate cost of $136,025 and authorize the City Manager to execute the contract after approval by the City Attorney as to form.

OFFERED BY: Council Member Murdock
SECONDED BY: Council Member Richardson

Council Member Murdock asked what would happen if Council does not approve this resolution. Mr. McClary responded he does not have an answer to that question at this time. At this point the city is at the county's mercy for IT services.

Council Member Bashert asked other than email what services are covered by this agreement. Mr. McClary responded the county provides networking services, all computer hardware, some software, and the GIS system. Ms. Bashert stated the staff uses this system every day, and if it were to dissolve the city would need to purchase new computers and licensing for software. Mr. McClary responded the city purchased the computers from the county, but the county could shut off the network rendering the computers useless. Ms. Bashert stated the increase would amount to $3,500 a month for the remainder of the Fiscal Year. However, this agreement is more than email, and asked if the city terminates the agreement can it survive three months. Council Member Robb replied no. Mr. McClary echoed Council Member Robb's statement and said the only possible way it could do that is if another system is in place. Mr. Robb added once the study is complete he thinks a $136,000 contract will be considered a great deal.

Mayor Edmonds stated she is concerned that the county has ceased providing FOIA services for email. Mr. McClary responded the FOIA services were never part of the contract.

City Clerk Frances McMullan stated the email system became more complicated because the network was breeched.

Mayor Edmonds stated she believes the county should eat the additional cost, since the city now needs to incur more costs to locate another company to provide these services.

On a roll call, the vote to approve Resolution No. 2018-007 was as follows:

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

VOTE:

YES: 5 NO: 1 (Edmonds) ABSENT: 1 (Vogt) VOTE: Carried

4. Resolution No. 2018-008, approving an application for a Neighborhood Enterprise Zone (NEZ) new certificate at 888 Madison Street.

RESOLUTION APPROVING AN APPLICATION FOR A NEIGHBORHOOD ENTERPRIZE ZONE NEW CERTIFICATE FOR HAMIDAH KAUFMAN LOCATED AT 888 MADISON ST, YPSILANTI MI

WHEREAS, the City Council of the City of Ypsilanti established a Neighborhood Enterprise Zone on April 16, 2016 as required under PA 147 of 1992 after a public hearing held on April 16, 2016; and

WHEREAS, the homeowner Hamidah Kaufman is not delinquent on any taxes related to the home.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ypsilanti and hereby is granted a Neighborhood Enterprise Zone New Facility Exemption for property located at 888 Madison Street, Ypsilanti MI 48197 for a period of 15 years, beginning December 31, 2018, and ending December 30, 2032, pursuant to the provisions of PA 147 of 1992, as amended.

OFFERED BY: Council Member Bashert
SECONDED BY: Mayor Pro-Tem Brown

Community Development/DDA Director Joe Meyers provided a synopsis of what is being requested for approval.

Mayor Edmonds asked the square feet of the new construction. Mr. Meyers responded roughly 600 sq. ft. and will include solar panels and a garage. Mr. Meyers added more approvals will be requested in the spring.

On a roll call, the vote to approve Resolution No. 2018-008 was as follows:

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

VOTE:

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

5. Resolution No. 2018-009, approving an OPRA extension for 13 N. Washington.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, the City approved an OPRA for 13 N. Washington for the development of Back Office Studios on October 6, 2015 with the condition of completion of work and a certificate of occupancy be issued before March 31, 2018; and

   WHEREAS, The owners have been delayed by factors of development and a state incentive request and have kept City staff aware of their timing and delays; and

   WHEREAS, The City seeks to extend their approval period 12 additional months to allow additional time to complete renovation.

   NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council extends the completion and certificate of occupancy deadline until March 2019 for the complete renovation of 13 North Washington for the development of Back Office Studios.

OFFERED BY: Council Member Robb
SECONDED BY: Mayor Pro-Tem Brown

Mr. Meyers stated when the OPRA was originally approved time limits were set, and the property owners are requesting more time.

Council Member Robb asked if the Planning and Development Department is making property owners aware they have limited time. He wants those awarded OPRAs be aware they are wasting their tax benefit because construction is not being completed quickly. Mayor Edmonds replied these businesses would like nothing more than to have completed construction. However, roadblocks have arisen and property owners are trying to resolve issues, but need more time. Mr. Meyers added property owners are aware of the time limits.

Council Member Murdock stated when Council awards an extension it is for project completion date, not an extension of the tax incentive. Mr. Meyers responded they are aware of the limit.

On a roll call, the vote to approve Resolution No. 2018-009 was as follows:

Mayor Pro-Tem Brown	Yes	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: 7 NO: 0 ABSENT: 0 VOTE: Carried

6. Resolution No. 2018-010, approving an OPRA extension for 6 and 12 S. Washington.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, the City approved an OPRA for 6 & 12 S. Washington for the development of Birdcolors on October 6, 2014 with the condition of completion of work and a certificate of occupancy be issued before December 31, 2017; and

   WHEREAS, The owners have been delayed by factors of development and have City staff aware of their timing and delays; and

   WHEREAS, The City seeks to extend their approval period 12 additional months to allow additional time to complete renovation.

   NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council extends the completion and certificate of occupancy deadline until December 31, 2018 for the complete renovation of 6 & 12 S. Washington for the development of two apartments.

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

Mayor Edmonds asked if the restaurant portion of this building has a certificate of occupancy. The owner of the building responded in the affirmative, and said they are only a few weeks from opening. Ms. Edmonds asked what will be the name of the restaurant. The owner replied Dolores. Mr. Meyers asked what will be the date of opening. The owner replied a tentative soft opening on January 26th, and completely open the next week. Ms. Edmonds asked if the restaurant was had health department approval. The owner responded in the affirmative.

Council Member Robb stated the resolution is incorrect. Mr. Meyers stated the initial approval should be 2014, however, the clock started January of the following year, however it does not change the intent of this resolution.

On a roll call, the vote to approve Resolution No. 2018-010 was as follows:

Mayor Pro-Tem Brown	Yes	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: 7 NO: 0 ABSENT: 0 VOTE: Carried

7. Resolution No. 2018-011, approving an OPRA extension for 52, 54, and 56 E. Cross.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, the City approved an OPRA for 52, 54, & 56 E. Cross for the development of the second and third floor of Sidetrack Bar and Grill on January 22, 2013 with the condition of completion of work and a certificate of occupancy be issued before December 31, 2017; and

   WHEREAS, the owners have been delayed by factors of development and have City staff aware of their timing and delays; and

   WHEREAS, The City seeks to extend their approval period 24 additional months to allow additional time to complete renovation.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council extends the completion and certificate of occupancy deadline until December 31, 2019 for the complete renovation of 52, 54, & 56 E. Cross for the development of the second and third floor of Sidetrack Bar and Grill

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

Council Member Murdock stated the original resolution approving this OPRA included a clause that stated "Whereas the application is not recommended for an extension…", and asked what that means in context of this approval. Mr. Meyers responded if a ten year OPRA had been approved it could have been extended to a twelve years. However, the ORPA approved was for twelve years and not subject to an extension. Council Member Robb stated staff at the time was aware the size of the project, and allowed for construction to take four years. This OPRA was the first, and only, given four years and previous staff said the four years should not be extended.

On a roll call, the vote to approve Resolution No. 2018-011 was as follows:

Mayor Pro-Tem Brown	Yes	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: 7 NO: 0 ABSENT: 0 VOTE: Carried

8. Resolution No. 2018-012, approving Services Agreement with Washtenaw County for the Peninsular Dam Removal Study Project.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti has entered into a cooperative agreement with the Huron River Watershed Council to complete a study of the impacts and costs associated with the removal of the Peninsular Dam and has approved the scope of work related to the project; and

WHEREAS, Washtenaw County has offered to reimburse the city for one-half of the city's costs of the study, up to $10,000, in consideration for the city providing a copy of the dam removal study final report through a services contract with the city; and

WHEREAS, the city desires to enter into the contract with Washtenaw County.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby approve the services contract with Washtenaw County providing for reimbursement of one-half of the city's cost of the Peninsular Dam Removal Study Project, up to a maximum of $10,000, in consideration of the city providing a copy of the study final report to the county, and authorize the City Manager to execute the services contract with Washtenaw County after approval by the City Attorney as to form.

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

Mayor Edmonds asked what county department will be providing the reimbursement. Economic Development Director Beth Ernat replied the Office of Community and Economic Development.

On a roll call, the vote to approve Resolution No. 2018-012 was as follows:

Mayor Pro-Tem Brown	Yes	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: 7 NO: 0 ABSENT: 0 VOTE: Carried

XIII. LIAISON REPORTS –

A. SEMCOG Update - None
B. Washtenaw Area Transportation Study – None
C. Urban County – None
D. Ypsilanti Downtown Development Authority – Mayor Edmonds stated there are several businesses opening in the DDA districts and recommend visiting the electric bicycle business. It is one of the only places that sells and repairs electric bicycles.
E. Eastern Washtenaw Safety Alliance – None
F. Friends of Rutherford Pool – Mayor Pro-Tem Brown stated she would no longer be able to serve as liaison for this board. Council Member Bashert offered to fill the role.
G. Housing Equity Leadership Team – None
H. Economic Development Coordinating Committee – Mayor Edmonds stated she is not certain if the County has discontinued this committee, or if it is only on a hiatus.

XIV. COUNCIL PROPOSED BUSINESS –

Richardson

- She attended John Barfield's funeral and did award a proclamation from the city.

Murdock

- The last several meetings Council has been given a list of items under communications. However, there has not been a chance to discuss anything listed.

- The last several years the city has been addressing budget issues, and in 2016 reductions were made to public safety. Council enacted a hiring freeze and eliminated other positions. The funds from successful millage campaign in August of 2017 are available to restore services that have been cut. He asked to schedule a work session to discuss staffing levels, especially for public safety, to provide direction in the budgetary process.

  Mr. McClary responded he would schedule a work session. Mayor Edmonds suggested that discussion be a part of goal setting. Council Member Murdock stated he is not certain how goal setting is going to be designed, and he is more interested in providing direction.

- The city is going to contract for a study regarding the Huron/Hamilton Road Diet in order to make a decision. He asked for a timeframe of when that will occur.

  Mr. McClary responded he does not have an exact time of when the study will occur, but the Request for Proposals will be advertised shortly. Council Member Murdock stated if the driving lanes on Huron are narrowed it will impact the Huron and Cross intersection. He hopes it will be a part of this analysis. He would like to make West Cross more pedestrian friendly, and employ some traffic calming methods.

— He asked for a report on use of parking fund revenue.

— He asked for status on the Heritage Bridge link for the Border to Border Trail. He asked if the Department of Environmental Quality is still holding up approval.

Mr. McClary responded in the affirmative, the city is still waiting for DEQ approval.

— Suggested taking the request to repair the Depot Town clock to the DDA.

Bashert

— She attended the New Year's Day library fundraiser, which was a wonderful event, and commended the City Attorney for holding the event.

Vogt

— Echoed the comments of Council Member Murdock.

— He would like goal setting to be completed in one to two settings. He would like goal setting to involve broader goals, and not get into the weeds about the minutia. He encouraged everyone to prepare their own goals and have them resolution ready.

XV. COMMUNICATIONS FROM THE MAYOR –

— Asked Council to submit employee evaluations so the committee could meet.

— She met with the City Manager to discuss goal setting. It is their hope goals will be pre-submitted to be compiled and hold strategic level conversations.

Nomination:

Policy Advisory Commission
Susan Melke
330 Chidester, #409
Ypsilanti, MI 48197

XVI COMMUNICATIONS FROM THE CITY MANAGER –

- Road Diet Project Status Report
- Report on Status of Frog Island Community Garden
- Report on Impact of 5% Local Bid Preference
- Report on Status of Replacement or Repair of Town Clock
- Report on Heritage Bridge Status
- Report on Status of Marketing Plan for Water Street

Council Member Bashert asked if the DDA, or the city pays for repairs to the Depot Town Clock. Mr. McClary responded he is not certain which body originally paid for the clock. Council Member Murdock stated it was a partnership between several entities, including the Depot Town Association and the DDA. It was his understanding the clock had already been fixed. Mr. McClary stated there were repairs completed, and it is keeping time, but this issue was brought up during Council proposed business.

XVII. COMMUNICATIONS –

XVIII. **AUDIENCE PARTICIPATION** –

None

XIX. **REMARKS FROM THE MAYOR** –

XXII. **CLOSED SESSION** –

Closed Session to discuss collective bargaining strategy pursuant to MCL 15.268(c).

Council Member Vogt moved, seconded by Council Member Bashert to adjourn to Closed Session.

On a roll call, the vote to adjourn to Closed Session was as follows:

Mayor Pro-Tem Brown	Yes	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: 7 NO: 0 ABSENT: 0 VOTE: Carried

XXIII. **RESOLUTIONS/MOTIONS/DISCUSSIONS** –

Council Member Murdock moved, seconded by Council Member Vogt to extend the meeting until 10:30 p.m.

On a voice vote, the motion carried, and the meeting was extended until 10:30 p.m.

1. Resolution No. 2018-013, approving POAM 2017-19 Collective Bargaining Agreement.

Council Member Murdock moved, seconded by Council Member Vogt to approve the POAM 2017-19 Collective Bargaining Agreement.

On a roll call, the vote to approve Resolution No. 2018-013 was as follows:

Mayor Pro-Tem Brown	Yes	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: 6 NO: 0 ABSENT: 1 (Richardson) VOTE: Carried

2. Resolution No. 2018-014, approving AFSCME 2017-20 Medical Coverage Memorandum of Understanding.

Council Member Vogt moved, seconded by Mayor Pro-Tem Brown to approve the AFSCME Medical Coverage Memorandum of Understanding.

On a roll call, the vote to approve Resolution No. 2018-013 was as follows:

Mayor Pro-Tem Brown	Yes	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: 7 NO: 0 ABSENT: 0 VOTE: Carried

XXIV. ADJOURNMENT –

Resolution No. 2018-015, 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 Vogt
SECONDED BY: Mayor Pro-Tem Brown

On a voice vote, the motion carried, and the meeting adjourned at 10:25 p.m.

Draft

City of Ypsilanti
City Council Regular and Goal Setting Agenda
Tuesday, January 23, 2018
7:00 – 10:00 p.m.
City Hall Council Chambers - 1 S. Huron Street
Ypsilanti, Michigan 48197

I. <u>CALL TO ORDER</u> –

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

II. <u>ROLL CALL</u> –

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

Council Member Bashert moved, seconded by Council Member Vogt to excuse the absence of Mayor Edmonds.

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

III. <u>INVOCATION</u> –

Mayor Pro-Tem Brown asked all to stand for a moment of silence.

IV. <u>PLEDGE OF ALLEGIANCE</u> -

"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."

IV. <u>INTRODUCTIONS</u> –

Mayor Pro-Tem Brown introduced the following individuals; City Manager Darwin McClary, City Clerk Frances McMullan, City Planner Bonnie Wessler, Economic Development Director Beth Ernat, Police Chief Tony DeGiusti, Fiscal Services Director Marilou Uy, DDA Director Joe Meyers, DPS Director Stan Kirton, Fire Chief Max Anthouard, City Attorney John Barr, and Human Resources Director Rebecca Craigmile.

VI. <u>AUDIENCE PARTICIPATION</u> –

1. Adam Gainsley, 409 N. Adams, stated he is representing Ypsi Live, which has been streaming public meetings. He asked Council to speak clearly into the microphones so it can be properly recorded.

2. Anthony Sammour, 1414 S. Harris, stated he is in general support of the development of a community benefits ordinance. The process for development of the ordinance should be democratic and community driven. He believes the

city is in a position of power relative to developers. As people are priced out of Ann Arbor they will move to Ypsilanti creating greater interest from developers.

3. Nathanael Romero, Ypsilanti Resident, thanked Adam Gainsley for live streaming the meeting. Advocated city staff to film meetings and take the burden off the people. Supports the formation of a CBO that is community driven.

4. Sue Melke, 330 Chidester #409, asked for an update on how many citations and warnings have been given for snow infractions. She asked if the Ordinance Officer only works Monday through Friday. If that is a case it is a problem during winter months.

5. Erica Mooney, Ypsilanti Resident, stated after reviewing several city plans she noticed a robust public input process mentioned several times. She stated there are many coalitions throughout the city that have been assisting disseminating information. She asked the city to work with the community to achieve shared goals.

VII. <u>REMARKS FROM THE MAYOR PRO-TEM</u> –

- Thanked all for their remarks, and directed the City Manager to respond to Ms. Melke's inquiry.
- Thanked Mr. Gainsley for recording the meeting.

VIII. <u>AGENDA APPROVAL</u> –

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

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

IX. <u>ORDINANCES – FIRST READING</u> -

Ordinance No. 1301

Adaptive Reuse Planned Unit Development (PUD) for Ypsilanti Performance Space, 218 N Adams.

1. Resolution No. 2018-016, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance to approve an Adaptive Reuse Planned Unit Development (PUD) for Ypsilanti Performance Space, 218 N Adams be approved on First Reading.

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

City Planner Bonnie Wessler provided a synopsis of what is being requested.

Council Member Bashert asked why the church was made a part of the agreement and what would be the impact. Ms. Wessler responded the church is still the owner of the building.

Council Member Robb asked what would be the hours of operation. Ms. Wessler responded hours of operation were not a subject of discussion by the Planning Commission. Mr. Robb asked if the business could acquire a liquor license. Ms. Wessler responded that was not discussed, but does not believe it is currently on the table. Mr. Robb responded it is up for approval now, and a possibility for a liquor license is either in or out. Ms. Wessler responded there is nothing prohibiting a liquor license and it is a customary use for event spaces so the possibility should be included.

Council Member Richardson is concerned with parking for the facility. She sees a need for additional parking beyond the fifty-four spots listed. Ms. Wessler responded the need is dependent on the means of transportation selected by patrons. She explained the site would also include bicycle parking, and only nineteen spaces are required for event space.

Mayor Pro-Tem Brown stated she is excited what could be done with the space, and feels incubator space is perfect for the location.

2. Open public hearing

    1. Steve Pierce, applicant, stated the space has been a place for music, concerts, and events for over one-hundred years. So the use of the building is essentially remaining unchanged. The reason this request is being made is to lease the four offices. There have been discussions about making the space a restaurant, or a brewpub, but that use would not work in the building. The intent was to save this building and provide a performance space for the community. He added this would not have been possible without the help of Bonnie Wessler and Beth Ernat.

    2. Dave Heikkenen, 133 Michigan Ave., stated he is excited about this proposal and all the great things that are happening in the downtown. He hopes Council embraces this project.

       Economic Development Director Beth Ernat stated this property was on the market for around six months. It was evaluated by the Ypsilanti Housing Commission and other developments for an adaptive reuse such as Cross Street Village. However, the property is not really suitable for that type of development.

3. Resolution No. 2018-017, close public hearing

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   That the public hearing on an ordinance to approve an Adaptive Reuse Planned Unit Development (PUD) for Ypsilanti Performance Space, 218 N. Adams be officially closed.

OFFERED BY: Council Member Richardson
SECONDED BY: Council Member Murdock

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

Council Member Vogt stated he strongly supports this project. He said he is a part of a men's choir that was performed in many venues, and this space is in line with other small venues. This is the kind of project that could bring a community together.

Council Member Bashert stated she is very excited about this project. This project will not only bring this building back into use, but a venue of this size does not currently exist in this community.

Council Member Murdock stated he is in support of the project. He said the project takes a lot of creativity and this building should be a great fit.

Council Member Richardson stated it is great to see this building to be repurposed.

Council Member Robb stated banquet hall is allowed in Core Neighborhood, and asked why offices were not made a use in Core Neighborhood. Ms. Wessler responded it never was seen as a standalone need and there are limited spaces that could house office space in that zoning classification. Mr. Robb asked if this building could be sold in ten years and turned into a bar. Ms. Wessler responded it is not out of the question. He replied his reasoning behind this line of question is if the city wants to permit a bar in Core Neighborhood. Ms. Wessler responded because the church is an event space could become a bar. Mr. Robb replied if it is given a special use permit. Ms. Wessler responded it already has a special use permit for an assembly and banquet hall.

On a roll call, the vote to approve Resolution No. 2018-016 was as follows:

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

VOTE:

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

X. <u>RESOLUTIONS/MOTIONS/DISCUSSIONS</u> –

1. Resolution No. 2018 – 018, regarding Act 289 and Fire Protection Services for Eastern Michigan University.

   Whereas, the City of Ypsilanti provides fire and EMS services to all people and property in the city of Ypsilanti; and

   Whereas, fire protection for university campuses is complicated. EMU has 4,000 students living on campus and a total of 122 buildings over 800 acres, some of them high rise residential buildings with dense population. In addition, special training and equipment are required so firefighters are prepared to deal with fires that may occur in chemical labs and in research facilities where radioactive materials are present; and

   Whereas, EMU is a state-owned educational institution covered by P.A. 289 of 1977 that addresses Fire Protection Services for State owned institutions; and

Whereas, EMU pays no property taxes as a state owned institution, thus not directly contributing to the cost of Fire Protection for their students, staff, and structures; and

Whereas, the formula P.A. 289 uses to determine the money intended to compensate the City of Ypsilanti for those services does not cover the expense of the Fire Services for EMU; and

Whereas, approximately 1/3 of the budget of the Ypsilanti Fire Department is directed solely towards EMU services and protection; and

Whereas, the Fire Department budget for EMU coverage is fiscal year 2017-18 is $896,374 and Act 289 funds last fiscal year were $489,567; and

Whereas, the annual deficit incurred by the city averages $516,389 over the last 25 years

Whereas, the total deficit incurred by the city over the last 25 years totals $12,909,713

Whereas, the Ypsilanti Fire Department is a minimal staffing due to budget constraints, using only 4 fire fighters per shift barely allowing coverage for the 2 in - 2 out model for safety for fire fighters; and

Whereas, P.A. 289 funds do not adequately pay for the needed services of the EMU putting students, staff, visitors, and fire fighters health and safety at risk,

Whereas, Eastern Michigan University of a regional asset, and the expense of protecting that asset should be borne by the State.

Now, Therefore be it Resolved, that the Ypsilanti City Council appeals to the State Legislature to levy the taxes necessary to fully fund P.A. 289, thus finally honoring the solemn promise made by the State Legislature to its' communities almost 40 years ago.

Further Resolved that this resolution be sent to the entire Legislature for the state of Michigan and Governor Rick Snyder.

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

On a roll call, the vote to approve Resolution No. 2018-018 was as follows:

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

VOTE:

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

XI. DISCUSSION

2018/2019 Goal Setting Discussion- Dr. Jeffrey L. Bernstein, Facilitator

Mayor Pro-Tem Brown read the biography of Dr. Jeffery Bernstein.

City Manager McClary provided a synopsis of information already provided to Council.

Dr. Jeffery Bernstein provided an overview about how he envisions the process of goal setting.

Council Member Bashert stated she would like to add technological upgrades to the list of priorities.

Dr. Bernstein asked for input regarding ecological issues. Council Member Bashert stated completion of an energy audit of the city's vehicle fleet. Possible moving to alternative fuel vehicles. She added possible ecological impact of the Penn Dam. Dr. Bernstein asked if there are other goal category that should be included.

Human Resources Director Rebecca Craigmile stated she would like to add employee morale to list of goals.

City Manager McClary stated the technological upgrades could assist in leading to organizational effectiveness.

Council Member Richardson stated improved employee morale is one of her stated goals. She said city employees have been very loyal and gone over and beyond what the city has asked of them. It is atrocious the city is not able to find a way to provide raises for those employees. Ms. Craigmile stated employees have also been told to take on multiple tasks as a result of shirking employee force.

Dr. Bernstein asked if technological upgrades should be seen as a piece of organizational efficiency, or are the separate. Mr. McClary responded some are organizational efficiency items, such as investment in financial software, and some are Council-staff, or community relations.

Council Member Robb asked what Council sees as the city's core services. He added what has been suggested is interesting and valuable ideas, but they are a few steps down the road. Council Member Bashert responded public safety, sanitation, roads, and professional services. Mr. Robb stated his list of goals are all project based capital improvements. Mr. Robb asked what Council's greatest achievement last year was. Council Member Vogt responded Council balanced the budget. Mr. Robb responded the budget is no longer balanced, and he would like Council to set tangible goals. He said the other suggestions are important, but are ongoing such as technological improvements. He stated live streaming meetings is an interesting idea, but asked if it is a core service. He said that would require another member of the Clerk Department being present during the meeting to run the camera. Mayor Pro-Tem Brown stated she views this process is getting to the strategies to achieve goals and prioritizing those strategies. Dr. Bernstein stated everything in local government is ultimately a budgetary issue.

Council Member Bashert stated she feels core needs is a better way to describe what this process should determine. The community has been demanding greater transparency and connectivity to its government. This is being addressed through Live Ypsi, but its quality could be improved.

However, it is not the community's job to provide it, it is the job of the city. Technological upgrades could also assist in alleviating unneeded stress on employees. The city needs better tools to provide better service to the residents of the city.

Mayor Pro-Tem Brown stated the city has large scale goals which need to be discussed, but smaller goals should also be addressed. Addressing the smaller goals will allow citizens to see actual accomplishments. Dr. Bernstein stated if enhancing communication is an agreed upon goal, Council would than decide upon the smaller pieces that would accomplish that goal.

Council Member Murdock stated most of his ideas are project specific. He would like the city to address capital improvements, and a multitude of projects that would fall under that umbrella. Public safety is a given goal and will be addressed during the first meeting in February. The SAFER Grant potentially could provide the city with assistance in funding that goal. He included audio/visual improvements, and improvements to Council Chambers making it easier to move around. Communications, both internally and externally, is an ongoing goal. He added addressing Water Street should be another listed goal, and finishing developing a Community Benefits Ordinance. Dr. Bernstein stated he hopes that once broad categories are identified potential projects would fall under each of those categories.

Dr. Bernstein asked if the suggested categories might be able to be consolidated. Council Member Bashert suggested staff salary be placed under staff relations. Council Member Murdock stated the form Council and Department Heads were given to submit their goals had three categories. Ms. Bashert stated the three categories were economic, social, and ecological, the three legs of sustainability.

Council Member Bashert stated budget should be placed under economics. Ms. Craigmile stated staff relations should fall under social. Ms. Bashert stated public safety is social. Mayor Pro-Tem Brown community communication would fall under social. Council Member Richardson suggested community involvement be a subset of community communication. Dr. Bernstein suggested organizational efficiency fall under social. Technology upgrades could fall both under social and economic.

Dr. Bernstein stated enhancing community communication is a goal, and asked what are the specific projects, or agenda items that would fall under this category. He added live streaming Council meetings has already been suggested as a goal.

Council Member Richardson stated some years ago a suggested goal was to create a newsletter that would be sent with tax bills. The employee tasked with that responsibility is no longer with the city, and is no longer being accomplished. Mayor Pro-Tem Brown added that was a 2017 goal. Dr. Bernstein asked if that is still a goal of Council. Council Member Robb asked what information does Council want the residents to have. Information is mostly shared through either the city website, or social media. A newsletter sent with the tax bills would only be released twice a year, and information released would not be timely. Council Member Vogt stated he believes the city is very transparent, however, shared information does not always get to the public. Council Member Bashert stated the absence of a news media makes it difficult to share information with the public. Mr. Vogt stated the information that needs to be communicated are big issues that will have an impact on resident's lives. Ms. Bashert stated she would like to seek out a news media source for the eastern side of the county. Dr. Bernstein responded if the goal is to provide information on the larger issues is, a twice a year, newsletter the way to achieve that goal. DPS Director Stan Kirton stated in the past the city partnered with Ypsilanti Community Utility Authority to send the newsletter with the bi-monthly bill. Economic Development Director Beth Ernat interjected an obstacle to that is paperless billing. Mr. Robb added a person residing in an apartment is not getting a tax bill or a water bill. Ms. Bashert responded that is why the eastern part of the county needs a news media source.

Council Member Robb asked if the goal is to create a news media source. Council Member Bashert responded no, to identify a news media source. Mr. Robb responded none currently exist. Ms. Bashert responded there are communities of this size that have news media outlets. Council Member Richardson stated the city is surrounded by colleges and universities with journalism classes. Both Eastern and Washtenaw Community College have their own newspaper and those are areas that could be explored. Mr. Robb stated the city could hire a press agent to write press releases. He believes it is a Council responsibility to keep the public informed. Ms. Ernat stated staff has been working with concentrate media with several different partners and funding sources. Through that partnership a reporter has been embedded in the city to report city news. Ms. Bashert stated Concentrate Media has been a positive, but she is referring to a more traditional format.

Dr. Bernstein suggested moving on to staff relations. Council Member Bashert suggested increasing staff levels. Council Member Vogt suggested increasing staff by one to two police and firefighters. Ms. Bashert suggested increasing staff in the Clerk/Treasury Departments, and hold training in customer service. Council Member Richardson stated non-union staff compensation has always matched what was given to AFSCME, and that should be continued after this negotiation.

Council Member Vogt asked other than salary what concerns are there for staff relations. Ms. Craigmile responded it goes to identifying certain departments that need staff increases through a citywide audit. She added training needs also need to be addressed beyond just customer service. Council Member Murdock stated the city needs to apply for a SAFER Grant, and asked if there are COPS Grants that could be applied. Chief DeGiusti replied COPS Grants are mostly unavailable. Dr. Bernstein asked if performing an audit and wage study are Council priorities. Mayor Pro-Tem Brown responded SEMCOG just preformed an analysis of staffing needs. Mr. McClary stated he does not believe the analysis provided the level of detail needed to make staffing decisions. Council Member Vogt responded he would support the completion of that analysis if it is not too costly. However, that assessment might be best to be completed by the City Manager and Department heads. Fire Chief Anthouard added if staffing is brought to the appropriate level many issues will be repaired.

Council Member Robb stated if one-hundred to four-hundred people are viewing city articles on Facebook how is success measured. Dr. Bernstein stated the little cost it takes to post on Facebook for four-hundred views is very cost effective. Mr. Robb understood, but his intent is on how to improve that. Dr. Bernstein asked in enhancing the city's web presence a Council goal for communicating with the community. Council Member Bashert responded in the affirmative, and upgrades in technology should improve that ability. Mr. McClary replied it will enhance access to information. Dr. Bernstein asked if the data for how many residents not able to access the web is available. Council Member Richardson responded there is a large digital divide in the city.

Dr. Bernstein introduced the section public safety and asked what goals would fall under this category. Council Member Bashert stated transferring to digital records could be addressed, and both the police and fire stations are in need of capital upgrades. Council Member Murdock stated building inspection and code enforcement would also fall under this category. Dr. Bernstein asked for specifics regarding code enforcement. Mr. Murdock responded improving completion of work. Chief DeGiusti responded adding personnel would assist in work completion. Ms. Bashert stated upgrading parking meters.

Council Member Robb asked the status of the installation of bollards and signage on West Cross. Mr. McClary responded in meetings with MDOT it seems they would be willing to consider the possibility. Mr. Robb stated he would like traffic calming on West Cross to be a public safety goal.

Dr. Bernstein introduced the budget category, he asked for goals regarding this topic. Mayor Pro-Tem Brown stated making the sale and development of Water Street a goal. Council Member Vogt stated maintaining development friendly policies, maintain growing cash reserves, find a way to reduce future millage increases to the Fire and Police Pension Fund, reinstate city contributions to Parkridge, Rutherford Pool, and the Senior Center, capital improvements to city parks and building maintenance, and technology updates and equipment training.

Council Member Robb stated increasing parking enforcement revenue. Ms. Ernat stated the city needs to complete a comprehensive parking study of the downtown districts. Possibly reorganize how the city's parking system is managed, and upgrading to smart meters. Chief DeGiusti added it takes both Parking Enforcement Officer all day for meter collections. DPS Director Kirton interjected high volume parking areas meters need to be emptied twice a week. Council Member Bashert suggested budgeting for the study because parking needs are about to escalate.

Council Member Robb stated Smart Meters will not fix the problem. He said there is potential for 228 people moving into the Thompson Block, and the possibility of acquiring buildings to create parking needs to be discussed. Ms. Bashert stated there are currently no parking meters in Depot Town and poorly used parking on Michigan Avenue. Meters are essential to solving these problems. Mr. Robb stated the problem is there is not enough parking. Council Member Vogt asked if the overall goal would be to increase parking. Mr. Robb suggested parking strategy as a goal. Ms. Ernat suggested a study/strategy.

Dr. Bernstein asked what the top budget priorities are. Council Member Robb responded he is not certain any of the suggested goals are a priority. He said solving Water Street is more a matter of how to market the property. Mr. Robb suggested implement Community Benefits Ordinance rather than maintain development friendly strategies. Mr. Robb stated if the Police and Pension Fund could be funded at 80% it could be transferred to MERS. Council Member Vogt stated the point is to identify the details in order to achieve the goal. He said he would like a market plan developed for Water Street. He would like rental inspection fees to increase and the fee schedule reviewed. Ms. Ernat responded rental inspection fees are currently being reviewed, and it is a tangible goal.

Council Member Bashert stated the city must resolve the recycling center issue this year. It needs to be moved this year, not just planned. Council Member Murdock added adopt a recycling ordinance to involve apartment complexes.

XII. <u>AUDIENCE PARTICIPATION</u> –

1. Desiree Simmons, 407 Charles St., stated she would like to have a more participatory process to address city challenges and opportunities. Would like to build unity between the Wards in the city.

2. Adam Gainsley, 409 N. Adams, asked for meetings to be streamed but also archived and tagged for specific subjects. He suggested the library to discuss possible partners for releasing information. He took exception that it is a Council Members job to get information out to the public. The city employs staff to provide information.

3. Sam Jones-Darling, 122 Phelps Hall, stated the city needs to efficiently staff, especially in public safety. He suggested to take advantage of EMU's Engage Program, and unpaid interns. He said when the HRC reviews the CBO it will ensure the ordinance works for everyone in the community.

4. Sue Melke, 330 Chidester #409, stated the city needs to find a way to reach people that do not have access to the internet. She asked if the city would benefit from having a fulltime grant writer.

XIII. REMARKS FROM THE MAYOR –

Council Member Richardson appreciated Ms. Melke and Mr. Jones-Darling's honesty. She believes the city should better utilize local universities and colleges. She suggested hiring a grant writer and pay them a percentage of what they are able to bring to the city.

XIV. ADJOURNMENT –

Council Member Murdock moved, seconded by Council Member Vogt to adjourn the meeting.

The motion carried, and the meeting adjourned at 9:54 p.m.

Draft

City of Ypsilanti
City Council Regular and Goal Setting Agenda
Thursday, January 25, 2018
7:00 – 10:00 p.m.
City Hall Council Chambers - 1 S. Huron Street
Ypsilanti, Michigan 48197

I. CALL TO ORDER –

The meeting was called to order at 7:06 p.m.

II. ROLL CALL –

Council Member Bashert	Present	Council Member Robb		Present
Mayor Pro-Tem Brown	Present	Council Member Vogt	(7:07)	Present
Council Member Murdock	Present	Mayor Edmonds		Absent
Council Member Richardson	Present			

Council Member Bashert moved, seconded by Council Member Richardson to excuse the absence of Mayor Edmonds.

On a voice vote, the motion carried, and the absences were excused.

III. INVOCATION -

Mayor Pro-Tem Brown 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 Pro-Tem Brown introduced the following individuals; Economic Development Director Beth Ernat, Police Chief Tony DeGiusti, Fiscal Services Director Marilou Uy, DDA Director Joe Meyers, DPS Director Stan Kirton, Fire Chief Max Anthouard, Human Resources Director Rebecca Craigmile, City Manager Darwin McClary, City Clerk Frances McMullan, and City Attorney John Barr.

VI. AGENDA APPROVAL –

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

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

VII. **AUDIENCE PARTICIPATION** –

1. Amber Fellows, Ward 3, stated a memo was sent to Council regarding an investigation against her attempts to expedite a FOIA request. She views it as a way to suppress criticism and does not want to humor the investigation. She feels city resources could be better used than on this investigation. She has asked for transparency of government, greater engagement, and accountability. She asked for the city to engage with the Community Benefits Group Coalition.

2. Amy Shordes, River St., informed Council about the community coalition and explained a member of the coalition is being singled out and investigated.

3. Nathanael Romero, Ypsilanti Resident, stated he sees a lot of positive things happening in the city. It would be unfortunate if a key player of what is happening is targeted. He said the investigation is foolish and doesn't understand how a person could claim to be a council member since it is easily verified. He looks forward to the outcome of the China trip investigation and Council elections next November.

VIII. **REMARKS FROM THE MAYOR** –

- Thanked everyone for their comments.

IX. **DISCUSSION**

2018/2019 Goal Setting Discussion- Dr. Jeffrey L. Bernstein, Facilitator

Dr. Bernstein explained his strategy for the second goal setting meeting.

Council Member Bashert asked if the goals outlined from last meeting should be prioritized. Dr. Bernstein responded priorities could be set, but Council might also feel all goals must be achieved. Council Member Vogt stated he would prefer to organize the goals be high priority high urgency, high priority low urgency, low importance high priority, and low importance low priority. He feels only 10% of goals would be a high priority and high urgency.

Council Member Murdock stated at this time he is not interested in staffing levels because it is unknown what is appropriate. As a general theme staff levels need to be examined in conjunction with revenue produced by the Water Street Millage. Using that millage a strategy can be designed to restore services lost as a result of budgetary issues. Staff compensation is about employee morale and might be broader.

Dr. Bernstein asked what a high priority with high urgency is. City Clerk Frances McMullan responded public safety. DPS Director Stan Kirton added staff levels in terms of public safety.

Council Member Bashert asked if an audit of staff levels would be completed prior to budget. City Manager Darwin McClary responded metrics will be examined on what staff levels are appropriate for the Police and Fire Departments. Ms. Bashert responded she would like it completed for all staff. Mr. McClary replied the city has $1 million to work with and one officer costs around $100,000 a year included salary and benefits. He added the Police and Fire Departments have the greatest need for increased staff. Ms. Bashert asked if staff levels in other departments is not being examined. Mr. McClary responded it is possible, and the city has staffing needs in all departments, but priorities should be addressed first. Ms. Bashert replied staff levels is starting to interfere with city services, and the effectiveness of Council. She is not satisfied on only focusing on the Police and Fire Departments. Mr. McClary agreed, and an examination needs to be completed. Ms. Bashert asked if that will be done through an audit. Mr. McClary responded yes, an audit will be completed in the Fire and Police Departments first followed by other departments. An examination needs to address if the need is increased staff, or better technology. Ms. Bashert stated she would like an audit completed on staff levels for each department. Council Member Robb stated resources are going to flow to the department that would achieve goals set by Council. Ms. Bashert stated goals were submitted and were compiled, and now Council needs to discuss how to allocate funds.

Council Member Murdock stated the city has additional revenue from the Water Street Millage and the County Public Safety Millage. The Water Street Millage can be used to restore services that were cut because of budgetary issues. The funds from the county can be allocated to the capital improvement fund and used for projects the city has not had funding to complete. It would be wise to get projects shovel ready for when grants become available.

Dr. Bernstein asked if a list of priorities would it assist with a staff audit. Council Member Murdock stated Department Heads have made recommendations for staff levels, and Council could trust their expertise. A study would be useful in addressing salary levels. Dr. Bernstein asked Department Heads if they see a value in completing a staffing audit to match priorities. Council Member Bashert stated she does not want staff levels to be increased simply because the city has an influx of money.

Council Member Richardson stated she would like staff levels increased at the Department of Public Services. Generally, public safety is thought of as only Police and Fire Department, but DPS is essential to keeping the city functioning properly.

Fire Chief Anthouard stated a staffing audit performed for the Fire Department will show next year's funding will not produce adequate staffing. Police Chief DeGiusti stated the Police Department has lost six officers over the last year. Council Member Murdock agreed additional funding will not bring the Police and Fire Departments back to appropriate levels.

Dr. Bernstein stated absent an audit hires need to be made for public safety. He suggested hires be made for public safety and then perform an audit to see where needs are. Council Member Murdock stated he wanted to hold a special meeting to discuss potential new positions for public safety. Council Member Robb stated public safety hires would be done in threes, so the city will either hire three or six. There are directional costs for employees and if two new fire fighters and three new police officers are hired it is nearly $500,000. He does not feel a special meeting is necessary to discuss staffing levels for those departments.

Council Member Bashert asked if the city pays for the academy how much will that increase training costs. Chief DeGiusti responded the city would need to pay the cost of the academy and salary for the officer. Ms. Bashert asked for an estimated cost. Chief DeGiusti replied a salary has not been set for an officer in training, but lower than a patrol officer. The cost of the academy is $7,000. Council Member Robb asked how long the academy is. Chief DeGiusti responded seventeen weeks. Chief DeGiusti added this would not be the practice for every hire. Mr. McClary added the salary has already been budgeted the only additional cost would be for the academy.

Dr. Bernstein stated salary raises need to be kept in mind when new hires are decided. Council Member Vogt responded both issues are subsets of a staff audit.

Dr. Bernstein asked if a salary and technology audit should be listed as a goal. Council Member Vogt responded in the affirmative.

Dr. Bernstein directed Council to goal two "enhance communication between city government and residents". Council Member Bashert stated city staff is going to be examining technological upgrades, and is not sure this needs to be examined further at this point. Council Member Robb stated he is not sure live streaming is necessary given the amount of people who would watch it. He suggested in investing in capital improvements and improve the technology in Council Chambers. He suggested moving to paperless packets and views parking enforcement delivering Council packets as absurd. The core function of the Clerk Department is to put the packet together, not to create mountains of paper. He said if Council decides to do live streaming it is going to be an upfront cost of $50,000. Plus laptops for each Council member and access to the internet. If sustainability is important in the city council packets should be paperless.

Council Member Vogt suggested instead of investing in technology the goal should be to evaluate technology.

Mr. Kirton suggested partnering with EMU to provide live streaming.

Dr. Bernstein introduced enhancing performance of public safety functions as a Council goal. He asked Council if there are other things they would add under this goal. Council Member Bashert stated code enforcement. Council Member Richardson stated traffic enforcement and traffic calming methods. Dr. Bernstein stated there is not much for Council to do other than increasing staffing levels. Ms. Bashert stated she would like to add traffic calming improvements to Cross and Huron as a capital improvement.

Chief DeGiusti stated each time a document is sent to Iron Mountain it costs $75 to retrieve it. He stated digitizing records would make this more efficient and cost effective. Council Member Bashert stated it would be helpful to know how much Iron Mountain services cost the city over a year or two year timeframe. Council Member Robb asked what is being sent to Iron Mountain. Economic Development Director Beth Ernat responded documents that have been aged out, and there is not room. Mr. Robb stated he thought the city stopped receiving paper documents. Ms. Ernat responded no. Mr. McClary asked why the city is not asking for a digital and paper copy of building plans. Ms. Ernat responded there is not room in the city's digital storage. Mr. Robb stated when the city sends out a request for proposals for a new IT provider that should be included. Ms. Ernat stated the city calso purchase a digital scanner.

Dr. Bernstein introduced the budget category and asked for underlying goals. Mayor Pro-Tem Brown suggested the Fee Schedule be added under that category, especially rental inspection fees. Council Member Robb stated that needs to happen immediately. Ms. Ernat responded the study has been completed and will submit it to Council for approval by the end of February. Ms. Ernat responded there will be backlash from the public. Council Member Vogt responded the city needs to be in line with other communities, and cover city costs. Council Member Murdock stated ultimately the fees are going to be paid by the tenants. Ms. Ernat responded she is aware. Council Member Vogt replied that is not completely true.

Council Member Bashert stated decreasing overtime should assist in improving staff morale. Chief DeGiusti replied the main reason officers leave, other than retirement, is overtime. Officers go elsewhere work less and make more money. Human Resources Director Rebecca Craigmile added overtime increases worker's compensation costs with increased accidents and injuries.

Dr. Bernstein asked if building up cash reserves is a realistic goal for this coming budget year. Council Member Vogt responded he wants to continue fiscal responsibility not rush to spend it. Council Member Murdock stated the city has a minimum fund balance requirement.

Dr. Bernstein introduced goal number five "making progress on longer term fiscal issues facing the city". Council Member Bashert stated the second bullet point should be separated into two goals; implement a community benefits ordinance and ensure development friendly policies.

Council Member Richardson asked what steps the city can take to reduce the Fire and Police Pension. Mr. McClary responded examining the pension multiplier and reducing the benefits offered under the pension system. Council Member Robb asked what would be the risk of putting all new hires into MERS. Mr. McClary responded the MERS system is not an Act 345 system so the city would not be able to levy a millage. Mr. Robb understood but asked about its potential in the future. The ten mils levied for the Fire and Police Pension is a disincentive for development. Council Member Murdock stated the cost needs to be decreased, not necessarily shifted. Mr. McClary replied changes have been made to the pension but they are long term cost reductions. Chief Anthouard stated there will be fewer firefighters retiring and the pension should be 100% funded in fifteen years. Chief DeGiusti stated a lot of this conversation will be moot because of what the state legislature decides to do about Other Post-Employment Benefits (OPEB).

Mr. McClary stated the high millage rate is an issue that needs to be addressed. Council Member Murdock responded if decreasing the millage rate is an issue Council could address that this year.

Dr. Bernstein asked if the Police and Fire Pension Millage, or any other listed goals are high priority. Council Member Bashert stated creating a parking strategy is a priority. Council Member Vogt stated he would like to see contributions made to the Parkridge Community Center, Rutherford Pool, and the Senior Center. The amount of the contribution is to be determined, but should be a priority. Moving the recycling center is another high priority. Council Member Murdock stated if the entire city is being serviced by other means, there is no need for a recycling center.

Dr. Bernstein asked if Water Street development is a priority. Council Member Richardson responded in the affirmative. Council Member Robb asked if Water Street is going to be actively marketed. Mr. McClary responded as of December 31, 2017 the city no longer has a purchase agreement with International Village. The Economic Development Department is waiting to see the goals of Council before it begins to actively market the property, but it is listed. Mr. Robb asked if the listing is for a single, or multiple developers.

Council Member Murdock stated two things need to be a part of the Water Street development. The process must be transparent and the development must have a community benefits agreement. Council Member Richardson stated there needs to be a high level of transparency. Mr. McClary agreed, and explained it would be helpful for Council to decide what it feels is a transparent process. Once that it is defined staff can meet those expectations. Mr. Murdock stated a resolution was approved that defined expectations, but it could be revisited. Mr. McClary replied he will review the resolution, but there might be a need to expand upon the directive.

Council Member Bashert stated technology upgrades need to be a high priority.

Council Member Richardson stated the development of a Community Benefits Ordinance needs to be a high priority. Council Member Bashert responded that will be completed by the next Fiscal Year.

Council Member Murdock stated several capital projects that will not be completed next year are not included as goals. Council Member Vogt stated a goal should be to determine funds to be set aside for capital projects.

Dr. Bernstein introduced the ecological category. Council Member Bashert stated she would like alternative fuel vehicles used when replacing the fleet. The city parks also need attention. Either find a way to incorporate all city residents into the recycling program, or provide a better alternative. Council Member Robb stated the city has a policy for alternative fuel vehicles. He asked if Council Member Bashert is suggesting the policy be changed. Ms. Bashert responded examine alternative fuel vehicles is a listed goal of the DPS. Council Member Murdock stated he would like to see non-fossil fuel vehicles used. Ms. Bashert would like to use some of the savings from the solar panels on the Fire Department roof to increase the amount of solar panels on the roof.

Council Member Murdock stated one of the purposes of the Energy Efficiency Fund is to support solar power and a possible solar field at the former city dump.

Mr. McClary asked if Council will like staff to be more aggressive with the development of an urban forestry program. Council Member Murdock stated Water Street was used as a nursery, but those trees cannot be used. Council Member Richardson asked why. Ms. Ernat responded because there is no way to strip the bulbs to replant them because of contamination.

Dr. Bernstein asked what the highest ecological priority items from the list developed are. Council Member Bashert responded moving the recycling center, and citywide recycling needs. Council Member Murdock stated he would like the 2018 Road Plan to be created to repair damage done by this year's winter.

Council Member Vogt asked Department Heads if anything they feel is important was missed. Mr. Kirton stated city parking lots.

Mr. McClary stated the train station project is important but there needs to be a substantial investment from outside the city. Council Member Murdock stated he worries about an alternative analysis being done with the state legislature propensity to put thing in the township. Council Member Richardson added she has heard the Township is very interested in having the train stop in the township. Mr. McClary stated Amtrak needs a second option if they are going to move forward with this project. The other option Amtrak suggested was by LeForge. Council Member Murdock stated his issue is when this first was discussed Depot Town was the only option, and there was not a requirement for an alternative. Last time he talked with OHM Engineering he was told they have not been involved with the project since the previous City Manager left. Mr. McClary responded he does not believe the project is at the point of engineering.

X. <u>AUDIENCE PARTICIPATION</u> –

None

XI. <u>REMARKS FROM THE MAYOR</u> –

XII. <u>ADJOURNMENT</u> –

Council Member Vogt moved, seconded by Council Member Bashert to adjourn the meeting.

On a voice vote, the motion carried, and the meeting adjourned at 9:32 p.m.

REQUEST FOR LEGISLATION
January 23, 2018

From: Bonnie Wessler, City Planner

Subject: Adaptive Reuse Planned Unit Development: Ypsilanti Performance Space, 218 N Adams

SUMMARY & BACKGROUND

218 N Adams has been home to the First Congregational Church of Ypsilanti since the 1890s, and has been on the market since the late 2000s. The property consists of a large, historic building in need of extensive repair which contains the main sanctuary, a reception hall, and an assembly space in the basement; and a more modern addition to the south which provides a meeting area and office space. A parking lot surrounds the building to the south and east. The prospective purchaser is applying for an Adaptive Reuse Planned Unit Development agreement & rezoning under §122-703, which permits re-use of existing nonresidential structures in residential districts, with an aim to re-use the property in the long term as a performance and events space. In the short term, as the main building is undergoing repair, the applicant plans to lease the modern building for general offices. Once repair is complete, those offices will be put to use as administrative offices serving the event space.

The proposed use is substantially similar to the existing use, and the use of the modern building for general office space during repair of the historic building can be easily supported by the site. Parking provided is more than adequate per the zoning ordinance. Minimal changes are proposed to the design of the site overall, including the addition of bike parking to the southwest, addition of a landscaped bed to the southwest, better definition of the rubbish storage area, better separation between parking and sidewalk on the north side of the parking lot, and protection for an existing guy wire towards the middle of the parking area.

RECOMMENDATION

Planning Commission recommended approval of the Planned Unit Development at its December meeting, with several conditions. These conditions have been satisfied with updated drawings and materials, and/or the text of the PUD agreement.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Site Plan (revision date 1/15/18)
Staff review (December 2017)
Minutes (December 2017)
PUD agreement (draft)
Ordinance

CITY MANAGER APPROVAL: ________________ COUNCIL AGENDA DATE: 01/23/2018

CITY MANAGER COMMENTS: ________________________

FISCAL SERVICES DIRECTOR APPROVAL: ________________________________

Resolution No. 2018-021
February 6, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance to approve an Adaptive Reuse Planned Unit Development (PUD) for Ypsilanti Performance Space, 218 N Adams be approved on Second and Final Reading.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

Ordinance No. 1301

An Ordinance Entitled "YPSILANTI PERFORMANCE SPACE"

THE CITY OF YPSILANTI ORDAINS:

That the property with the address 218 N Adams, tax identification code 11-11-40-412-001;

BE REZONED FROM CORE NEIGHBORHOOD, TO ADAPTIVE REUSE PLANNED UNIT DEVELOPMENT.

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS___________ DAY OF _______________, 2018

____
FRANCES MCMULLAN, City Clerk

Attest

I do hereby confirm that the above Ordinance No. __________was published in the Ypsilanti Courier on the _____ day of __________, 2018.

____
FRANCES MCMULLAN, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the _____ day of __________, 2018.

____
FRANCES MCMULLAN, City Clerk

Notice Published: ________________________________
First Reading: ___________________________________
Second Reading: _________________________________
Published: ______________________________________
Effective Date: __________________________________

STATE OF MICHIGAN

COUNTY OF WASHTENAW

CITY OF YPSILANTI

AGREEMENT FOR THE YPSILANTI PERFORMANCE SPACE PLANNED UNIT DEVELOPMENT

This Planned Unit Development (PUD) Agreement is entered by and between **Save Old Buildings, LLC** (Developer), a Michigan limited liability company whose address is 118 S Washington St, Ypsilanti, Michigan 48197; **First Congregational United Church of Christ of Ypsilanti** (Owner), a Michigan non-profit corporation located at 218 N. Adams Street, Ypsilanti, Michigan 48197 and **City of Ypsilanti** (City)**,** a Michigan home rule city, whose address is One South Huron Street, Ypsilanti, Michigan 48197.

RECITATIONS

The subject property is located in the City of Ypsilanti, County of Washtenaw, State of Michigan and is more specifically described in the attached and incorporated Property Descriptions provided in Exhibit A (the Property). Owner is the fee owner of the Property. Owner has entered into an option agreement with Developer for Developer’s purchase of the Property.

Developer voluntarily proposed rezoning and development of the Property as an Adaptive Reuse Planned Unit Development (PUD) allowing for reuse of a Historically Significant Structure. Accordingly, Developer has applied for approval of an amendment to the Ypsilanti Zoning Ordinance granting a rezoning of the Property to PUD, with the zoning on the Property to be known as the **Ypsilanti Performance Space Planned Unit Development**. Developer is the developer and proprietor of the **Ypsilanti Performance Space Planned Unit Development** (sometimes also referred to as the Development).

Now, therefore, as an integral part of the grant of the rezoning of the Property and approval of the Development on the Property, and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged, it is agreed as follows:

A. **Development as PUD.** The Property shall be developed and improved only in accordance with the following (referred to collectively as the PUD Documents):

1. Article **VII** of the Ypsilanti Zoning Ordinance, as amended, in particular the classification and qualification of preservation and/or adaptive reuse of a historically significant structure.

2. The approved site plans, recommended for approval by the Ypsilanti City Planning Commission dated January 15, 2018 for the **Ypsilanti Performance Space Planned Unit Development**, as attached to this agreement in Appendix B and as approved by the Ypsilanti City Council (PUD Site Plan).

3. This Agreement for the **Ypsilanti Performance Space Planned Unit Development**.

4. All applicable City ordinances of City, of which this PUD is a part.

5. Any and all conditions of the approval of the Ypsilanti City Council and Planning Commission pertaining to the Development as reflected in the official minutes of such meetings.

6. Recordation with the Washtenaw County Register of Deeds office of an affidavit by the Developer on the effective date of the rezoning, approved by the City Attorney, containing the legal description of the entire project, specifying the date of approval of the **Ypsilanti Performance Space Planned Unit Development**, and declaring that all future development of the Property has been authorized, restricted, and required to be carried out only in accordance with the Ordinance Granting the **Ypsilanti Performance Space Planned Unit Development** and the PUD Documents referenced in that Ordinance.

7. The Ordinance Granting the **Ypsilanti Performance Space Planned Unit Development.**

8. **Approval Duration.** Developer shall construct all improvements to and within the Property in accordance with the plans that have been approved by the City. Developer shall commence construction of such improvements within six (6) months from this zoning approval and shall complete such improvements within twenty four (24) months of commencement. For purposes of the foregoing, commencement of construction shall mean that Developer has obtained all permits and approvals necessary for the construction of such improvements.

Furthermore, all development, use, and improvement of the Property shall be subject to and in accordance with all applicable City ordinances, and shall also be subject to and in accordance with all other approvals and permits required under applicable City ordinances, the PUD Documents, and state laws for the respective components of the Development. To the extent that there are conflicts or discrepancies between respective provisions of the PUD Documents, or between provisions of the PUD Documents and City ordinances, interpretation shall be based on the more strict regulation of the Property and interpretation shall be subject to the reasonable discretion of the Ypsilanti City Council.

B. **Effect of PUD Approval.** The Ordinance granting the **Ypsilanti Performance Space Planned Unit Development** reclassifies the zoning of the Property to PUD and constitutes the land use authorization for the Property, and all use and improvement of the Property shall be in conformity with such Ordinance and the PUD Documents referenced in the Ordinance. Neither the **Ypsilanti Performance Space Planned Unit Development** nor the PUD Documents shall take effect until the Property is conveyed from the Owner to the Developer so that single ownership and/or control of the Property has been vested solely in Developer in accordance with and for all purposes necessary to satisfy Article VII of City Zoning Ordinance. If such conveyance does not occur within three (3) months from this zoning approval, with evidence and written confirmation of Developer and Owner to the satisfaction of City, the Ypsilanti Performance Space Planned Unit Development and the PUD Documents shall terminate.

C. **Land Use.** Within the Development, all buildings and site amenities shall be laid out, situated, and designed as described on the approved PUD Plan and corresponding site plans upon approval. The permitted land uses are assembly space, including banquet hall, performance space, and customary accessory uses; as well as general office space**.**

D. **City Enforcement.** In the event there is a failure to timely perform any obligation or undertaking required under or in accordance with the PUD Documents, City may serve written notice on Developer setting forth such deficiencies and a demand that the deficiencies be cured within a stated reasonable time period, and the date, time, and place for a hearing before the City Council, or such other council, body, or official delegated by the City Council, to allow Developer an opportunity to be heard as to why City should not proceed with the correction of the deficiency or obligation that has not been undertaken or properly fulfilled. At any such hearing, the time for curing and the hearing itself may be extended and/or continued to a date certain. The foregoing notice and hearing requirements shall not be necessary in the event City determines in its discretion that an emergency situation exists requiring immediate action. If, following the hearing described above, the City Council, or the other council, body, or official designated to conduct the hearing, determines that the obligation has not been fulfilled or failure corrected within the time specified in the notice, or if an emergency circumstance exists as determined by City in its discretion, City shall then have the power and authority, but not the obligation, to take any or all of the following actions, in addition to any actions authorized under City ordinances and/or state laws:

1. Enter the Property, or cause its agents or contractors to enter the Property, and perform such obligation or take such corrective measures as reasonably found by City to be appropriate. The cost and expense of making and financing such actions by City, including notices by City and legal fees incurred by City, plus an

administrative fee in an amount equivalent to 25 percent of the total of all such costs and expenses incurred, shall be paid by Developer within 30 days of a billing to Developer. The payment obligation under this Section shall be secured by a lien against the Property, which lien shall be deemed effective as of the date of the initial written notice of deficiency provided to Developer pursuant to this Section or, in emergency circumstances, the date at which City incurred its first cost or expense in taking corrective action. Such security shall be realized by placing a billing that has been unpaid by Developer for more than 30 days on the delinquent tax rolls of City relative to such portion of the Property, to accumulate interest and penalties, and to be deemed and collected, in the same manner as for collection of delinquent real property taxes. In the discretion of City, such costs and expenses may be collected by suit initiated against Developer and, in such event; Developer shall pay all court costs and attorney fees incurred by City in connection with such suit if City prevails in collecting funds.

2. Initiate legal action for the enforcement of any of the provisions, requirements, or obligations set forth in the PUD Documents. Except in emergency circumstances, Developer shall be provided notice of the deficiencies from City and shall be afforded an opportunity to timely correct. In the event City obtains any relief as a result of such litigation, Developer shall pay all court costs and attorney fees incurred by City in connection with such suit.

3. Issue a stop work order as to any or all aspects of the Development, deny the issuance of any requested building permit or certificate of occupancy within any part or all of the Development, regardless of whether Developer is the named applicant for such permit or certificate of occupancy, and suspend further inspections of any or all aspects of the Development.

E. **Enforcement; Severability.** Any failure or delay by City to enforce any provision contained in this Agreement shall in no event be deemed, construed, or relied on as a waiver or estoppel of the right to eventually do so in the future. This Agreement is intended to establish zoning ordinance regulations applicable to the Development and shall not be enforceable as a contract with contract remedies. Each provision and obligation contained in this Agreement shall be considered to be an independent and separate covenant and agreement and, in the event one or more of the provisions and/or obligations shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, all remaining provisions and/or obligations shall nevertheless remain in full force and effect.

F. **Agreement Jointly Drafted.** Developer and Owner have negotiated with City the terms of the PUD Documents and such documentation represents the product of the joint efforts and mutual agreements of Owner, Developer, and City. Owner and Developer fully accepts and agrees to the final terms, conditions, requirements, and obligations of the PUD Documents, and Owner or Developer shall not be permitted in the future to claim that the effect of the PUD Documents results in an unreasonable limitation on uses of all or a portion of the Property or claim that enforcement of the

PUD Documents causes an inverse condemnation, other condemnation, or taking of all or any portion of the Property. Furthermore, it is agreed that the improvements and undertakings described in the PUD Documents are necessary and roughly proportional to the burden imposed, and are necessary in order to (1) ensure that public services and facilities necessary for and affected by the Development will be capable of accommodating the development on the Property and the increased service and facility loads caused by the Development; (2) protect the natural environment and conserve natural resources; (3) ensure compatibility with adjacent uses of land; (4) promote use of the Property in a socially, environmentally, and economically desirable manner; and (5) achieve other legitimate objectives authorized under the Michigan Zoning Enabling Act, MCL 125.3101 et seq. It is further agreed and acknowledged that all such improvements, both on-site and off-site, are clearly and substantially related to the burdens to be created by the development of the Property and all such improvements without exception are clearly and substantially related to City's legitimate interests in protecting the public health, safety, and general welfare.

G. **Ambiguities and Inconsistencies.** Where there is a question with regard to applicable regulations for a particular aspect of the Development or with regard to clarification, interpretation, or definition of terms or regulations, and there are no apparent express provisions of the PUD Documents that apply, City, in the reasonable exercise of its discretion, shall determine the regulations of City's Zoning Ordinance, as that Ordinance may have been amended, or other City ordinances that are applicable, provided such determination is not inconsistent with the nature and intent of the PUD Documents. In the event of a conflict or inconsistency between two or more provisions of the PUD Documents, or between the PUD Documents and applicable City ordinances, the more restrictive provision, as determined in the reasonable discretion of City, shall apply.

H. **Warranty of Ownership.** Owner warrants that it is the owner in fee simple of the Property described on the attached Property Description Exhibit. Owner and Developer warrant that Developer and Owner have entered into an option agreement, whereby Owner has granted Developer the option to purchase the Property.

I. **Running with the Land; Governing Law.** This Development Agreement shall run with the land constituting the Property and shall be binding on and inure to the benefit of City and its successors, Owner, Developer, all future owners, developers, and builders of any part of the Development, all undersigned parties, and all of their respective heirs, successors, assigns, and transferees. An affidavit providing notice of the rezoning of the Property, the PUD Documents, this Development Agreement, and the general obligations relating to the PUD shall be executed by the property owners and may be recorded by any of the undersigned parties following the execution of this Agreement. This Development Agreement shall be interpreted and construed in accordance with Michigan law and shall be subject to enforcement only in Michigan courts. The parties understand and agree that this Development Agreement is consistent with the intent and provisions of the Michigan and U.S. Constitutions and all applicable law.

J. **Single Ownership and/or Control of PUD Property.** Owner and Developer represent and warrant to City that the single ownership and/or control of the Property will be vested, within three (3) months from this zoning approval,solely in Developer in accordance with and for all purposes necessary to satisfy Article VII of City Zoning Ordinance, and that Owner and Developer are fully authorized and empowered to rezone and develop the Property in accordance with and pursuant to the PUD Documents and all other documents, agreements, plans, dedications, ordinances, and recordings applicable to the **Ypsilanti Performance Space Planned Unit Development** as submitted to and as approved by the Ypsilanti City Council. This representation may be relied on and enforced by the City of Ypsilanti.

This Agreement was executed by the respective parties on the date specified with the notarization of their signatures and shall be considered to be dated on the date of the City Council's adoption of the Ordinance Granting the **Ypsilanti Performance Space Planned Unit Development**, and shall take effect as provided herein or on the effective date of City's Ordinance Granting **Ypsilanti Performance Space Planned Unit Development** rezoning, whichever occurs later.

DEVELOPER:

____
Steve Pierce, Owner
Save Old Buildings, LLC

STATE OF MICHIGAN)
)ss.
COUNTY OF _______________________)

The foregoing was acknowledged before me this _______ day of ___________________, 20____, by STEVE PIERCE, who being duly sworn, did say that he is the owner of SAVE OLD BUILDINGS, LLC and did represent that he was duly authorized to execute this document on behalf of said Michigan limited liability company.

____

________________________ , Notary Public

______________________ County, Michigan

My commission expires: ________________

OWNER:

____
Glenda Horvath, Moderator
First Congregational United Church of Christ of Ypsilanti

STATE OF MICHIGAN)
)ss.
COUNTY OF _______________________)

The foregoing was acknowledged before me this _______ day of ___________________, 20____, by GLENDA HORVATH, who being duly sworn, did say that she is the moderator of FIRST CONGREGATIONAL UNITED CHURCH OF CHRIST OF YPSILANTI and did represent that she was duly authorized to execute this document on behalf of said Michigan non-profit corporation.

____

_________________________ , Notary Public

_______________________ County, Michigan

My commission expires: _________________

CITY:

____
Amanda Edmonds, Mayor
City of Ypsilanti

STATE OF MICHIGAN)
)ss.
COUNTY OF ________________________)

The foregoing was acknowledged before me this _______ day of ____________________, 20____, by Amanda Edmonds, who being duly sworn, did say that she is the mayor of the CITY OF YPSILANTI and did represent that she was duly authorized to execute this document on behalf of said Michigan home rule city.

____

_________________________ , Notary Public

_______________________ County, Michigan

My commission expires: _________________

____
Frances McMullan, Clerk
City of Ypsilanti

STATE OF MICHIGAN)
)ss.
COUNTY OF ________________________)

The foregoing was acknowledged before me this _______ day of ____________________, 20____, by FRANCES McMULLEN, who being duly sworn, did say that she is the clerk of the CITY OF YPSILANTI and did represent that she was duly authorized to execute this document on behalf of said Michigan home rule city.

____

__________________________ , Notary Public

________________________ County, Michigan

My commission expires: _________________

Exhibit A

That property in the State of Michigan, County of Washtenaw, City of Ypsilanti, COM AT SW COR LOT 336 TH N 0-02-30 E 138 FT TO POB THN 0-02-30 E 60 FT TH N 90 E 65.06 FT TH S 0-16-10 W 60 FT TH S 90 W 64.82 FT TO POB BEING PART OF LOT 336 ALSO N 60 FT OF LOT 338 AND LOTS 339 & 342 EXC E 16.5 FTNORRIS & CROSS ADDITION. commonly known as 218 N Adams Street.

Tax Parcel Identification No: 11-11-40-412-001

Exhibit B

Resolution No. 2018 –022
February 6, 2018

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**	**EXPIRATION**
Susan Melke 330 Chidester, #409 Ypsilanti, MI 48197	Police Advisory Commission	February 1, 2021

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

REQUEST FOR LEGISLATION

February 6, 2018

To: Mayor and City Council

From: Daniel J. DuChene, Assistant City Attorney

Subject: Medical Marijuana Application Process

SUMMARY & BACKGROUND:

City Council adopted Ordinance No. 1298 to amend Chapter 7 of the Code of Ordinances with regard to the recently adopted Medical Marihuana Facilities Licensing Act. This ordinance provided that current medical marijuana licensees may apply for a City permit no later than February 1, 2018 and that all other applicants may apply beginning March 1, 2018. The reason for this early deadline was to provide a way for businesses currently operating in the City to continue to do so in light of the cap on such businesses set by City Council as well as the February 15, 2018 deadline set by the state for existing businesses.

During implementation of this procedure, it has come to staff's attention that for a variety of reasons there is an overwhelming desire for a change in the entity type (limited liability company, corporation, etc.) from those currently licensed to a different entity under the same ownership. While the licenses issued were non-transferable, adopting the attached resolution would stay under compliance with current City ordinance and the conditions of the existing licenses while also allowing for the existing entities to apply to the state under their preferred ownership structure.

In addition, the application to the state has become more of an onerous process than initially anticipated and there have been changes in the way the state-issued rules are being applied for state applications. Because of this, and because of the short window of time available to submit applications to the state, the attached resolution would provide staff with flexibility in processing applications so that existing businesses may continue to operate, the City can conduct reviews and investigations, and hopefully provide for enough time to submit complete applications to the state.

RECOMMENDED ACTION: Adoption

ATTACHMENTS: Resolution.

CITY MANAGER APPROVAL: ________________________ COUNCIL AGENDA DATE: 02/06/2018
CITY MANAGER COMMENTS: ________________________
FISCAL SERVICES DIRECTOR APPROVAL: ________________________

Resolution No. 2018 - 023
February 6, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City has been previously licensing medical marijuana facilities under Chapter 7 of the Code of Ordinances; and

WHEREAS, The licenses issued by the City under the Code of Ordinances are non-transferrable; and

WHEREAS, in accordance with the adoption of the Medical Marihuana Facilities Licensing Act, City Council adopted Ordinance No. 1298 to amend this chapter of the Code of Ordinances; and

WHEREAS, the amended language of the Code provides that licensees may apply for a permit for operation on February 1, 2018, all others may apply on March 1, 2018; and
WHEREAS, it is possible under state law that facilities currently operating may have to cease operation if they do not apply to the state by February 15, 2018; and

WHEREAS, A City-issued permit is required to be submitted for a complete application to the State; and

WHERERAS, there has been an overwhelming request from those facilities currently operating in the City to be ultimately licensed by the State to a different entity; and
WHEREAS, there is no provision in the amended ordinance that specifically prohibits the transfer of an issued permit to another; and

WHEREAS, there is a clear attachment of the permit application procedure in the persons that make up the ownership of an entity and a City interest in reviewing and investigating the same; and

WHEREAS, the City Council has communicated a desire in maintaining the current status-quo with regard to medical marijuana businesses in the City;

NOW, THEREFORE, BE IT RESOLVED THAT permits ultimately issued by the City may be transferred from one entity to another so long as there are no persons with an ownership interest in the transferee entity that do not have an ownership interest in the transferor entity and there is at least one person with an ownership interest in both;

BE IT FURTHER RESOLVED that staff may, at their discretion, waive any irregularities or incompleteness with an application submitted by an existing facility so long as a sufficiently thorough review and investigation of the application can be made within a timely manner.

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

MEMORANDUM

To: Frances McMullan, Clerk

From: Courtney Dugger, Assessing

Date: January 24, 2018

Subject: Council Agenda Item
Exemption of Principal Residence by Reason of Poverty

Michigan Compiled Laws 211.7u requires local units to annually adopt a policy, including an asset test, to be used by the Board of Review to approve or deny poverty exemptions.

I am respectfully requesting that the City Council approve the attached "Resolution for City of Ypsilanti Poverty Exemption for 2018".

I have attached State Tax Commission Bulletin 6 of 2017 which details the local unit responsibilities, taxpayer filing requirements, Board of Review responsibilities, and appeal rights.

I have also attached State Tax Commission Bulletin 24 of 2017 which provides the federal poverty guidelines for use in setting poverty exemption guidelines for 2018 assessments on pages 1 and 2.

Thank you.

Resolution No. 2018-024
February 6, 2018

Resolution for City of Ypsilanti 2018 Poverty Exemptions

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City Council; and

WHEREAS, the principal residence of persons, who the Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City of Ypsilanti, Washtenaw County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible under this section, a person shall do all of the following on an annual basis:

- Be an owner of and occupy as a principal residence the property for which an exemption is requested.

- P.A. 390 of 1994 requires that ***all persons residing in the household*** MUST submit copies of the following **SIGNED** documents:

  City of Ypsilanti Poverty Exemption Application
  Federal Income Tax Returns
  State Income Tax Returns
  Homestead Property Tax Credit Claim Form (MI-1040CR)

  Also include copies of ALL supporting documentation (i.e. W-2 forms, 1099's, schedules, etc.). The Board of Review shall consider income from all sources and from all occupants of the homestead when determining whether an applicant meets poverty exemption requirements as adopted by the City Council.

  A Poverty Exemption Affidavit (Department of Treasury Form 4988) must be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current year or in the immediately preceding year.

- The combined assets of all person residing the household (minus the value of the principal residence) MUST NOT exceed $25,000. Assets include but are not limited to: real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.

- Produce a valid driver's license or other form of identification if requested.

- Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.

- Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services.

- The following are the 2018 federal poverty income guidelines with are updated annually by the United States Department of Health and Human Services. The annual income includes income for all person residing in the household. The total household income ***must be less that or equal*** to the guidelines below in order to be considered for this type of exemption.

  Family of 1………………..$ 12,060
  Family of 2………………..$ 16,240
  Family of 3………………..$ 20,420
  Family of 4………………..$ 24,600
  Family of 5………………..$ 28,780

Family of 6………………..	$ 32,960
Family of 7………………..	$ 37,140
Family of 8………………..	$ 41,320
For each add'l person……...	$ 4,180

- The applicant(s) MAY NOT have ownership interest in any other real estate other than the homestead property.

- If home has been purchased within the previous 2 years, all closing documentation must be included.

The Board of Review may require a home audit and inspection done by the Department of Assessment as part of the application process.

The City of Ypsilanti allows for partial poverty exemptions to be granted. A partial poverty exemption is an exemption of a percentage of the taxable value of the principal residence rather than the entire taxable value. The formula for calculating partial exemptions is as follows: In cases where household income of a property as herein defined exceeds $10,000, but meets the federal standard, the assessment shall be adjusted so the out-of-pocket property tax, as best estimated based on the previous year's millage rate and after deducting the applicable state property tax refund, equals ten percent (10%) of the household income. In cases where the household income meets the federal standard but is less than $10,000, the assessment shall be adjusted so the out-of-pocket property tax, as best estimated based on the previous year's millage rate and after deducting applicable state property tax refunds, equals five percent (5%) of the household income.

It should be recognized that the poverty exemption reduction is a form of ***temporary assistance*** for those who are undergoing a difficult financial time. Any relief granted is for the current year only.

The Board of Review may reject any application where the information contained in it appears fraudulent, misleading, inaccurate, or incomplete. Failure to complete all sections of the application and/or failure to submit signed copies of all tax forms or other required documentation will result in the poverty exemption application being denied. The board of review must have complete, accurate data in order to review this appeal.

In certain instances, the Board of Review may consider extenuating circumstances as a basis of a poverty exemption where the total household income exceeds the established income guidelines.

Due Dates: The application for exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review during the year in which the exemption is requested. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines that there are substantial and compelling reasons why there should be deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

5102 (Rev. 04-15)

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

RICK SNYDER
GOVERNOR

NICK A. KHOURI
STATE TREASURER

BULLETIN NO. 24 of 2017
CHANGES FOR 2018
November 28, 2017

TO: Assessors
Equalization Directors

FROM: State Tax Commission (STC)

RE: **PROCEDURAL CHANGES FOR THE 2018 ASSESSMENT YEAR**

The purpose of this Bulletin to provide information on statutory changes or procedural changes for the 2018 assessment year.

A. Inflation Rate Used in the 2018 Capped Value Formula

The inflation rate, expressed as a multiplier, to be used in the 2018 Capped Value Formula is 1.021.

The 2018 Capped Value Formula is as follows:

2018 CAPPED VALUE = (2017 Taxable Value – LOSSES) X 1.021 + ADDITIONS

The formula above does not include 1.05 because the inflation rate multiplier of 1.021 is lower than 1.05.

B. Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2018

MCL 211.7u, which deals with poverty exemptions, was significantly altered by PA 390 of 1994 and was further amended by PA 620 of 2002.

Local governing bodies are required to adopt guidelines that set income levels for their poverty exemption guidelines and those income levels **shall not be set lower** by a city or township than the federal poverty guidelines updated annually by the U.S. Department of Health and Human Services. This means, for example, that the income level for a household of 3 persons **shall not** be set lower than $20,420 which is the amount shown on the following chart for a family of 3 persons. The income level for a family of 3 persons may be set higher than $20,420. Following are the federal poverty guidelines for use in setting poverty exemption guidelines for 2018 assessments.

Size of Family Unit	Poverty Guidelines
1	$12,060
2	$16,240
3	$20,420
4	$24,600
5	$28,780
6	$32,960
7	$37,140
8	$41,320
For each additional person	$4,180

Note: PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit <u>shall</u> also include an asset level test. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes. The asset test should calculate a maximum amount permitted and all other assets above that amount should be considered as available. Please see STC Bulletin 5 of 2012 for more information on poverty exemptions.

Note: P.A. 135 of 2012 changed the requirements for filing documentation in support of a poverty exemption to allow an affidavit (Treasury Form 4988) to be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current year or in the immediately preceding year. This does include the owner of the property who is filing for the exemption.

C. Multipliers for the Valuation of Free-Standing Communication Towers

The State Tax Commission recommends that, subject to the qualifications stated below, communication towers should be valued for the 2018 assessment year using the table of **historical** (original cost when the tower was new) cost valuation multipliers set forth in the multiplier table below. These multipliers have been developed in a manner such that they account for the typical depreciation which is expected for a tower of the indicated age and also account for changes in the cost of the tower and erecting it that have occurred since the time the tower was constructed. On this basis, the multiplier table which is shown below is intended to predict the current true cash value of a tower of the vintage year in which the tower was constructed. An important component in determining the current value of a tower built in a given year is the change in the cost of materials, particularly changes in the cost of steel, between the time of construction and the current tax day. Since the table considers both depreciation and changes in construction costs, and since changes in construction cost have not always occurred at a constant rate, the multiplier table does not always evidence a decline in the rate by which the historical cost must be adjusted in order to determine current value. This effect is expected and can be better understood if one remembers that the multiplier table is not a depreciation table and the multipliers are applied to the historic cost of construction, not to the current replacement cost.

Communication towers are real property. When a communication tower is built on land owned by the owner of the tower, the tower is valued and assessed as a real property improvement to the land on which it is located. When a communication tower is built on leased land, the owner is required to report the original construction cost of the tower on Section N of its personal property statement, in the same way that it would report any other structure on leased land. Although the construction costs are reported on the personal property statement, a tower on leased land is not assessed on the personal property assessment roll. Instead, the assessor is required to establish a separate real property assessment for a tower located on leased land, using the procedures set forth in State Tax Commission Bulletin 8 of 2002 and State Tax Commission Bulletin 1 of 2003.

Please note: Sometimes communication towers are located on land that is exempt because the land is owned by an exempt entity such as a municipality or is otherwise exempt. When this occurs, the tower must be assessed to the tower owner on the real property roll as a structure on leased land. IN ADDITION, the assessor must also consider whether the land should also be assessed to the tower owner as provided by MCL 211.181.

There may be situations where the value of a particular freestanding communication tower is more or less than the figure developed by using this table. This could be due to unusual depreciation (physical deterioration and/or obsolescence) or an unusual enhancement in value caused by supply and demand factors in a particular area.

The State Tax Commission has developed STC Form 3594 for reporting the costs of freestanding communication towers. This form was developed for the specific purpose of gathering construction cost information for communication towers. The assessor may use this form to gather detailed information regarding the construction costs of communication towers. This cost information can then be used as a basis for valuation by multiplying the historic cost by the appropriate multiplier from the table located below.

Please note the following:

- The preferred method for valuing freestanding communication towers is using original cost new multiplied by the appropriate multiplier from the following table.

- In some cases historical/original cost may be unobtainable. Those cases may require using the Assessor’s Manual cost new multiplied by the Assessor’s Manual depreciation table multiplier.

- Do not apply the Assessor’s Manual depreciation table multipliers to the historical/original cost of a tower.

- Do not apply the communication tower multipliers from the following table to the Manual cost new of a tower.

State Tax Commission Form 3594 is a real property statement and, as such, the taxpayer is not required to complete and submit the form to the assessor unless the taxpayer is specifically asked to do so. If a communication tower is located on leased land, the owner should already be reporting its original acquisition costs on Section N of the personal property statement (STC Form L-4175). If so, the assessor would only need to send STC Form 3594 if more detailed information regarding costs is needed. The assessor IS NOT REQUIRED TO SEND STC Form 3594 to tower owners each year. The following table applies to both guyed and self-supporting communication towers.

HISTORICAL (ORIGINAL) COST VALUATION MULTIPLIERS FOR USE IN 2018 ASSESSMENTS OF FREESTANDING COMMUNICATIONS TOWERS

YEAR OF CONSTRUCTION	MULTIPLIER	YEAR OF CONSTRUCTION	MULTIPLIER
2017	0.97	1997	0.89
2016	0.93	1996	0.88
2015	0.91	1995	0.89
2014	0.90	1994	0.87
2013	0.88	1993	0.89
2012	0.87	1992	0.87
2011	0.87	1991	0.85
2010	0.82	1990	0.84
2009	0.82	1989	0.81
2008	0.83	1988	0.84
2007	0.85	1987	0.82
2006	0.85	1986	0.81
2005	0.88	1985	0.79
2004	0.94	1984	0.77
2003	0.93	1983	0.79
2002	0.91	1982	0.83
2001	0.90	1981	0.88
2000	0.91	1980	0.97
1999	0.90	1979	1.07
1998	0.89	1978 and prior	1.14

D. Property Classification

The State Tax Commission reminds assessors that classification is to be determined annually and is based upon the use of the property and not highest and best use of the property. The Commission is aware that some assessors are still classifying property according to highest and best use and/or are not classifying property on an annual basis. The Commission asks that all assessors take the necessary steps to ensure that all real and personal property is properly classified according to MCL 211.34c.

E. Sales Studies

Equalization study dates are as follows for 2018 equalization:

Two Year Study: April 1, two years prior through March 31, current year
Single Year Study: October 1, preceding year through September 30, current year

For 2017 studies for 2018 equalization the dates are as follows:

Two Year Study: April 1, 2015 through March 31, 2017
Single Year Study: October 1, 2016 through September 30, 2017

Note that the time period revisions apply to all equalization studies, that is: sales ratio studies, land value studies and economic condition factor studies for appraisals. Also note that the revised time period for two year studies applies to all real property classifications.

Please be advised that the above sale study dates **are not** the same as the valuation date used in appeals before the Michigan Tax Tribunal. Evidence presented in a Tax Tribunal appeal should reflect the value of the property as of tax day (December 31). This means that sales occurring *after* March 31, 2017 and September 30, 2017 should still be considered and included when submitting evidence in a Tax Tribunal appeal involving the 2018 tax year.

F. Changes to Personal Property Tax

PA 329 of 2016 amended MCL 211.9f by requiring that, subsequent to December 31, 2016, eligible local assessing districts and Next Michigan development corporations must enter into a written agreement with eligible businesses prior to adopting a resolution exempting new personal property from the collection of property taxes. The written agreement must contain the following statements:

1. The exemption is revoked if the eligible business is determined to be in violation of the written agreement’s provisions.
2. The eligible business may be required to repay all or part of the personal property taxes exempted under MCL 211.9f if it is determined to be in violation of the written agreement’s provisions.
3. The exemption is revoked if the eligible business is determined to be in violation of the provisions concerning the exemption set forth in the resolution adopted by the local assessing district.
4. The exemption is revoked if continuance of the exemption would be contrary to any of the requirements of MCL 211.9f.

Form 3427, a sample written agreement and an updated checklist can also be found on the New Personal Property Exemption webpage.

To claim the eligible manufacturing personal property (EMPP) exemption for the 2018 assessment year, a fully completed Form 5278, *Eligible Manufacturing Personal Property Tax Exemption Claim, Ad Valorem Personal Property Statement, and Report of Fair Market Value of Qualified New and Previously Existing Personal Property (Combined Document),* must be received by the Assessor of the local unit of government where the qualified personal property is located no later than February 20, 2018. Taxpayers should not complete this form unless the personal property meets the definition of eligible manufacturing personal property.

Property that was placed in service in 2008 through 2012 will still be reported as ad valorem personal property in Part 2 on Form 5278, the *Combined Document*. Property meeting the definitions of qualified new personal property and qualified previously existing personal property placed in service after 2012 and prior to 2008 will be exempt from ad valorem taxes and will instead pay the state specific Essential Services Assessment. Property that is subject to an IFT certificate that has expired, but is subject to extension under MCL 207.561a, will report property placed in service in 2008 through 2012 in Part 2 and property placed in service in all years of Part 3. Property that is subject to a New Personal Property (P.A. 328) exemption that has expired, but is subject to extension under MCL 211.9f(9), will report property placed service in all years of Part 3.

Assessors are reminded that they are not required to mail Form 5278 to taxpayers. Taxpayers can obtain a copy from the Department of Treasury's website, www.michigan.gov/esa. Assessors should ensure that Form 5278 is timely filed and fully completed by the property owner. The Assessor is responsible for granting the exemption and should therefore carefully evaluate the business activities of the claimant to ensure that they meet the statutory requirements of the Eligible Manufacturing Personal Property Exemption. The Commission strongly recommends that assessors contact taxpayers who have not fully completed Part 1 of Form 5278 in an effort to obtain the missing information before issuance of a denial.

Assessors will have to *accurately* enter all the Form 5278 information into their assessing software. Assessors that do not have BS&A software and that have taxpayers claiming the personal property exemption will be provided with reporting instructions from the Department of Treasury. All data from Form 5278 must be entered and uploaded to BS&A for submission to the Department of Treasury no later than April 1, 2018.

Further information and guidance on the Eligible Manufacturing Personal Property (EMPP) Exemption, Special Acts and the Essential Services Assessment (ESA) is available at www.michigan.gov/ESA. Additional questions should be sent via email to ESAQuestions@michigan.gov.

G. Disabled Veterans Exemption

Mid-Year Changes

If the disabled veteran buys a home mid-year, the Commission's guidance remains that the veteran can only receive the exemption on taxes they have paid or will pay on that new home. The Commission has advised assessors that they should ask to see the closing documents to determine if there is any information that will assist in the determination of those taxes the veteran has paid or will pay. In the absence of relevant information contained in the closing documents, the STC advises assessors to divide the total taxes for the year by 12 and then multiply that number by the number of months the veteran will own the home and use it as their homestead. This is a calculation that is easy for the taxpayer to understand.

If a disabled veteran sells their home mid-year or dies mid-year and has no surviving spouse, assessors are advised to file a MCL 211.154 petition with the STC to put the property back on the assessment roll. Taxes to be billed to the new owner or estate can be calculated using the same methods described above.

If the status of the veteran changes mid-year, meaning they are granted 100% disability status and if they have owned the home for the full year and meet all other statutory requirements, the STC advises that the July or December Board of Review can grant the exemption for the full year.

Unremarried Surviving Spouse

The State Tax Commission is aware that the Michigan Tax Tribunal in MTT Docket 16-004780 - *Deborah E. Rabun v City of Farmington Hills*, held that a surviving spouse cannot qualify for the exemption when the deceased disabled veteran never owned or occupied the subject property as a homestead.

While the STC understands that is the position of the Tax Tribunal, the STC does not agree or support that determination. The STC in their original guidance indicated that: *the Disabled Veteran's exemption is not an exemption for the benefit of the property. Instead, it is an exemption personal to the qualifying disabled veteran or the unremarried surviving spouse of the qualified deceased disabled veteran.*

Since the Disabled Veterans Exemption is personal to the qualified individual, the STC is advising assessors and Boards of Review that they can and should approve exemptions for unremarried surviving spouses that meet all other statutory requirements, regardless of if the disabled veteran ever owned or occupied that subject property as a homestead.

More guidance on the Disabled Veterans Exemption can be found on the STC website under the Disabled Veterans Exemption link.

H. Principal Residence Exemption

Governor Snyder signed into law on October 10, 2017 Public Acts 121 and 122 of 2017 regarding the PRE Affidavit. The Acts amend MCL 211.7cc and MCL 211.120 of the General Property Tax Act to provide that the assessor of a local tax collecting unit, the Department of Treasury, or a county treasurer or equalization director can require a person who claimed a principal residence exemption (PRE), within 30 days of claiming the PRE, to file the Principal Residence Exemption Affidavit of Similar Exemption in Other States, Form 5565, stating that he or she had not claimed a substantially similar exemption, deduction, or credit in another state.

Public Act 121 also prohibits a person from rescinding a substantially similar exemption, deduction, or credit claimed in another state in order to qualify for the Michigan PRE for any years denied, if the assessor of a local tax collecting unit, the Department of Treasury, or a county denied an existing claim for a PRE. The Act also prescribes a penalty of $500 for a person who claimed a PRE under the Act and a substantially similar exemption, deduction, or credit in another state.

Assessors are also advised that Public Act 121 also eliminates the requirement that the local tax collecting unit submit to the Michigan Department of Treasury copies of all filed Principal Residence Exemption Affidavit Forms 2368 and Request to Rescind Principal Residence Exemption Forms 2602; instead these forms, along with Form 5565, shall be forwarded to the Michigan Department of Treasury only if requested. However, the local tax collecting unit is still required to submit to the Michigan Department of Treasury copies of filed Conditional Rescission of Principal Residence Exemption (PRE) Forms 4640, Foreclosure Entity Conditional Rescission of Principal Residence Exemption (PRE) Forms 4983, Principal Residence Exemption Active Duty Military Forms 4660, Notice of Denial of Principal Residence Exemption (Local (City/Township)) Forms 2742, and Notice of Denial of Principal Residence Exemption (County) Forms 4075.

Public Act 122 amends the General Property Tax Act to extend a misdemeanor penalty to a person who claimed a substantially similar exemption, deduction, or credit on property in another state with the intent to obtain a PRE under the Act.

More information can be found on the PRE website at www.michigan.gov/PRE.

I. Transitional Qualified Forest Property

On June 28th, 2016, Governor Snyder signed into law Public Acts 260, 261, and 262 of 2016. These Acts provide an opportunity for landowners to transfer Commercial Forest property into the Qualified Forest Program (QFP) without payment of a Commercial Forest Reserve withdrawal penalty. Instead, the statutory changes provide for a graduated return to ad valorem property taxes by allowing a five year incremental return to full tax liability. This is accomplished by the creation the Transitional Qualified Forest Property (TQFP) exemption and specific tax.

Public Act 260 creates the "Transitional Qualified Forest Property Specific Tax" for taxes levied after December 31, 2015. To be "Transitional Qualified Forest Property" the property must have previously been Commercial Forest property and must qualify for and have been approved as Qualified Forest Property under MCL 211.7(jj)[1]. Additionally:

1. The property must have been owned by the current owner no later than September 1, 2016,
2. The property must have been CFR no later than September 1, 2016, and
3. The application must be made by September 1, 2021.

If a landowner withdraws property from the Commercial Forest exemption program provided, they may apply to have the forest land determined to be Transitional Qualified Forest Property (TQFP) for a period not to exceed five (5) years. The exemption is limited to a total of 160 acres within each township.

When notified of the exemption (through the receipt of the recorded qualified Forest Property Affidavit and a copy of the recorded CRF withdrawal certificate), the assessor exempts the property from the collection of ad valorem taxes until December 31 of the year in which the property is no longer TQFP. The assessor determines the assessed and taxable values in the same manner as for other properties but instead of paying ad valorem tax, the owner pays a specific tax that is described in detail in Bulletin 8 of 2017.

Public Act 261 amends the General Property Tax Act by making minor changes to MCL 211.7jj to accommodate the Transitional Qualified Forest Property Exemption and to add MCL 211.vv, which exempts TQFP from ad valorem assessment.

More information regarding this exemption can be found in Bulletin 8 of 2017 available on the STC website under the Bulletins tab.

J. Qualified Agricultural Property Changes

PA 375 of 2016 was signed by Governor Snyder on December 28, 2016. This Act amends MCL 211.27a(6)(k) to allow a property owner to request that the assessor establish a separate tax parcel for a portion of a parcel that will no longer be qualified agricultural property. The establishment of the separate parcel *is not* a land division under the Land Division Act, Public Act 288 of 1967, until and unless the separate tax parcel is conveyed. The status of the remainder of the original parcel as qualified agricultural property is not affected by the establishment of the separate parcel that is not qualified agricultural property.

The separately established parcel which is no longer qualified agricultural property is immediately subject to the qualified agricultural property recapture tax, however the taxable value of the separate parcel of property does not uncap until and unless there is a transfer of ownership.

More information can be found in Bulletin 7 of 2017 available on the STC website under the Bulletins tab.

K. Authority of July and December Boards of Review

The State Tax Commission has become aware of a significant number of instances where Boards of Review are acting outside their statutory authorities. MCL 211.53b specifies: The board of review meeting in July and December shall meet only for the purpose described in subsection (1) (Qualified Errors) and to hear appeals provided for in sections 7u (Poverty Exemption), 7cc (Principal Residence Exemption), 7ee (Qualified Agricultural Exemption), 7jj (Qualified Forest Exemption), and 9o (Small Business Taxpayer Exemption).

Assessors should carefully review the Board of Review FAQ on the Commission’s website to ensure their Boards of Review are acting within their statutory authorities.

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

RICK SNYDER
GOVERNOR

NICK A. KHOURI
STATE TREASURER

Bulletin 6 of 2017
June 6, 2017
Poverty Exemption

TO: Assessors and Equalization Directors

FROM: State Tax Commission

SUBJECT: Exemption of Principal Residence by Reason of Poverty

Bulletin 5 of 1995, Bulletin 7 of 2010 and Bulletin 5 of 2012 are rescinded.

MCL 211.7u provides for a property tax exemption, in whole or part, for the principal residence of persons who, by reason of poverty, are unable to contribute to the public charges. Principal residence is defined in MCL 211.7dd as a principal residence or qualified agricultural property. MCL 211.7u(1) states that this section does not apply to property of a corporation. Even if a corporation or a limited liability company meets the definition of a principal residence or a qualified agricultural property, it is not be eligible to receive a poverty exemption.

Local Unit Responsibilities:

MCL 211.7u requires local units to annually adopt a policy, including an asset test, used to approve or deny poverty exemptions.

First, local units must annually adopt guidelines which specify the total household income which will be used to approve or deny poverty exemptions. Statute requires that the income levels shall not be set lower than the federal poverty guidelines updated annually by the U.S. Department of Health and Human Services and published by the State Tax Commission in their annual Procedural Changes Bulletin.

According to the U.S Census Bureau, "income" includes, but is not limited to:

- Money, wages, salaries before deductions, regular contributions from persons not living in the residence
- Net receipts from non-farm or farm self-employment (receipts from a person's own business, professional enterprise, or partnership, after business expense deductions)
- Regular payments from social security, railroad retirement, unemployment, worker's compensation, veteran's payments, public assistance, supplemental security income (SSI)
- Alimony, child support, military family allotments
- Private and governmental retirement and disability pensions, regular insurance, annuity payments

- College or university scholarships, grants, fellowships, assistantships
- Dividends, interest, and net income from rentals, royalties, estates, trusts, gambling or lottery winnings

Second, the local unit policy must include an asset test. The purpose of an asset test is to determine the resources available: cash, fixed assets or other property that could be converted to cash and used to pay property taxes in the year the poverty exemption is filed. The local unit should require that claimants provide a list of all assets when applying for a poverty exemption. Following is a list of assets that may be included in the annual guidelines.

- A second home, land, vehicles
- Recreational vehicles such as campers, motor-homes, boats and ATV's
- Buildings other than the residence
- Jewelry, antiques, artworks
- Equipment, other personal property of value
- Bank accounts (over a specified amount), stocks
- Money received from the sale of property, such as, stocks, bonds, a house or car (unless a person is in the specific business of selling such property)
- Withdrawals of bank deposits and borrowed money
- Gifts, loans, lump-sum inheritances and one-time insurance payments
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps and school lunches

The Michigan Tax Tribunal in *Robert Taylor v Sherman Twp., Docket No. 236230* ruled that the asset test does not include the value of the principal residence. Additionally, the Michigan Court of Appeals in *Ferrero v Township of Walton, No. 302221*, ruled that the homestead property tax credit is not to be considered income for poverty exemption purposes.

The local unit policy may provide for an applicant to own possessions in addition to the principal residence and still receive a poverty exemption. Examples may include, but are not limited to:

- Additional vehicles
- More land than a minimum "footprint" for the home
- Equipment or other personal property of value, including recreational vehicles (campers, motor homes, boats, ATV's etc.)
- Bank account(s) (a maximum amount should be specified)

Third, MCL 211.7u(1) allows for partial poverty exemptions to be granted. A partial poverty exemption is an exemption of a percentage of the taxable value of the principal residence rather than the entire taxable value. The local unit can limit poverty exemptions to partial exemptions or to minimum or maximum exemption of their choosing. The State Tax Commission recommends that local governing bodies include within their annual guidelines, language and criteria for granting partial exemptions and/or minimum or maximum exemptions.

Finally, the State Tax Commission recommends that local units develop an application to be used by claimants and a written policy that details the process. To assist local governing bodies, the State Tax Commission has developed a sample application and resolution. See attached.

Taxpayer Filing Requirements:

In order to receive a poverty exemption, a taxpayer must annually file a completed application form and all required additional documentation, with the supervisor, assessor, or the Board of Review where the property is located. The application form may be obtained from the local unit where the property is located and may be submitted on or after January 1 but before the day prior to the last day of the December Board of Review during the year in which the exemption is requested.

To ensure an application is received in time to be heard by a Board of Review, the State Tax Commission recommends the claimant contact the local governing unit directly to verify deadline dates for submission of an application.

In addition to annually filing the application, in order to be eligible for the poverty exemption, a taxpayer must do all of the following:

1. Own and occupy the principal residence.

2. Provide federal and state income tax returns for the current or immediately preceding year, including any property tax credits, for all persons **residing in the principal residence** (disclosure of the income of an owner who is not residing in the principal residence is not required). An alternative affidavit may be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current or immediately preceding year. (See Form 4988, *Poverty Exemption Affidavit*)

3. Produce a valid driver's license, or other form of identification, if requested by the supervisor, assessor or Board of Review.

4. Produce a deed, land contract, or other evidence of ownership of the property, if requested by the supervisor, assessor or Board of Review.

5. Meet the federal poverty income guidelines determined annually by the U.S. Department of Health and Human Services OR meet allowable alternative income guidelines adopted by the local governing body.

6. Meet the asset level test adopted by the local governing body.

7. Meet additional tests reasonably adopted by the local governing body.

Board of Review Responsibilities:

MCL 211.7u(1) indicates: The principal residence of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under this act.

The State Tax Commission has determined that the supervisor shall make a recommendation regarding the claimant's petition and the Board of Review shall consider, review and then approve or deny the exemption request.

Additionally, MCL 211.7u(5) states, in part: The Board of Review shall follow the policy and guidelines of the local assessing unit in granting or denying an exemption under this section.

When reviewing an application, the Board of Review should consider all information available to them at that time. They should consider all documentation originally submitted by the taxpayer and any additional relevant information that is available to the Board of Review.

The Board of Review can deviate from the adopted policy and guidelines of the local unit <u>only</u> when there are "substantial and compelling reasons why there should be a deviation from the policy and guidelines." If the Board of Review deviates from the adopted policy and guidelines, they are required by statute to communicate the substantial and compelling reasons for the deviation from the guidelines in writing to the taxpayer.

Appeal Rights:

A property owner or assessor may appeal a decision of the March Board of Review by completing and submitting a petition to the Michigan Tax Tribunal no later than July 31 of the same year. A property owner or assessor may appeal a decision of the July or December Board of Review by completing and submitting a petition to the Michigan Tax Tribunal within 35 days of the July or December Board of Review's denial of the poverty exemption.

An application for poverty exemption, for a specific principal residence, may only be acted upon by the Board of Review once a year. If an application is denied at the March Board of Review, it may not be reheard by the July or December Board of Review during the same calendar year. The taxpayer must file an appeal of the March Board of Review determination to the Michigan Tax Tribunal. Similarly, if an application is denied at the July Board of Review, the December Board cannot rehear that application, the taxpayer must file an appeal to the Michigan Tax Tribunal.

A person who files a claim for poverty exemption is not prohibited from also appealing the assessment on the same property in the same year.

<u>SAMPLE</u> GUIDELINE RESOLUTION FOR POVERTY EXEMPTION

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City Council (Township Board); and

WHEREAS, the principal residence of persons, who the Supervisor/Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City/Township of __________, _________ County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
2) File a claim with the supervisor/assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, *Poverty Exemption Affidavit.*
3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
4) Produce a valid driver's license or other form of identification if requested.
5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are the (insert year) federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

Federal Poverty Guidelines Used in the Determination of Poverty Exemptions

Size of Family Unit	2017 Poverty Guidelines
1	$ 11,880
2	$ 16,020
3	$ 20,160
4	$ 24,300
5	$ 28,440
6	$ 32,580
7	$ 36,730
8	$ 40,890
For each additional person	$ 4,160

NOW, THEREFORE, BE IT HEREBY RESOLVED that the supervisor/assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

The foregoing resolution offered by City Council Member/Township Board Member ______________________________and supported by City Council Member/Township Board Member____.

Upon roll call vote, the following voted:

"Aye": ____

"Nay": ____

The City/Township Clerk declared the resolution__________________.

____

XXX, Clerk Date

SAMPLE POVERTY EXEMPTION APPLICATION

I, __________________________________, Petitioner, being the owner and residing at the property that is listed below as my principal residence, apply for property tax relief under MCL 211.7u of the General Property Tax Act, Public Act 206 of 1893. The principal residence of persons who, by reason of poverty are unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation per MCL 211.7u(1).

In order to be considered complete, this application must: 1) be completed in its entirety, 2) include information regarding all members residing within the household, and 3) include all required documentation as listed within the application. Please write legibly and attach additional pages as necessary.

PERSONAL INFORMATION: Petitioner must list all required personal information.

Property Address of Principal Residence:	Daytime Phone Number:	
Age of Petitioner:	Marital Status:	Age of Spouse:
Number of Legal Dependents:	Age of Dependents:	
Applied for Homestead Property Tax Credit (yes or no):	Amount of Homestead Property Tax Credit:	

REAL ESTATE INFORMATION: List the real estate information related to your principal residence. Be prepared to provide a deed, land contract or other evidence of ownership of the property at the Board of Review meeting.

Property Parcel Code Number:	Name of Mortgage Company:	
Unpaid Balance Owed on Principal Residence:	Monthly Payment:	Length of Time at This Residence:
Property Description:		

ADDITIONAL PROPERTY INFORMATION: List information related to any other property you, or any member residing in the household owns.

Do you own, or are buying, other property (yes or no)? If yes, complete the information below.		Amount of Income Earned from Other Property:	
Property Address	Name of Owner(s)	Assessed Value	Amount & Date of Last Taxes Paid
		$	
		$	

EMPLOYMENT INFORMATION: List your current employment information.

Name of Employer:	Name of Contact Person:
Address of Employer:	Employer Phone Number:

List all income sources, including but not limited to: salaries, Social Security, rents, pensions, IRA's (individual retirement accounts), unemployment compensation, disability, government pensions, worker's compensation, dividends, claims and judgments from lawsuits, alimony, child support, friend or family contribution, reverse mortgage, or any other source of income, for all persons residing at the property.

Source of Income	Monthly or Annual Income (indicate which)

CHECKING, SAVINGS AND INVESTMENT INFORMATION: List any and all savings owned by all household members, including but not limited to: checking accounts, savings accounts, postal savings, credit union shares, certificates of deposit, cash, stocks, bonds, or similar investments, for all persons residing at the property.

Name of Financial Institution or Investments	Amount on Deposit	Current Interest Rate	Name on Account	Value of Investment

LIFE INSURANCE: List all policies held by all household members.

Name of Insured	Amount of Policy	Monthly Payment	Policy Paid in Full	Name of Beneficiary	Relationship to Insured

MOTOR VEHICLE INFORMATION: All motor vehicles (including motorcycles, motor homes, camper trailers, etc.) held or owned by any person residing within the household must be listed.

Make	Year	Monthly Payment	Balance Owed

LIST ALL PERSONS LIVING IN HOUSEHOLD: All persons residing in the residence must be listed.

First & Last Name	Age	Relationship to Applicant	Place of Employment	Amount of Monetary Contribution to Family Income

PERSONAL DEBT: All personal debt for all household members must be listed.

Creditor	Purpose of Debt	Date of Debt	Original Balance	Monthly Payment	Balance Owed

MONTHLY EXPENSE INFORMATION: The amount of monthly expenses related to the principal residence for each category must be listed. Indicate N/A as necessary.

Heating:	Electric:	Water:
Phone:	Cable:	Food:
Clothing:	Heath Insurance:	Garbage:
Daycare:	Car Expense (gas, repair, etc):	Other (list type):
Other (list type):	Other (list type):	Other (list type):
Other (list type):	Other (list type):	Other (list type):
Other (list type):	Other (list type):	Other (list type):

Notice: **Any willful misstatements or misrepresentations made on this form may constitute perjury, which, under the law, is a felony punishable by fine or imprisonment.**

Notice: **Per MCL 211.7u(2b), a copy of all household members federal income tax returns, state income tax returns (MI-1040) and Homestead Property Tax Credit claims (MI-1040CR 1, 2, 3 or 4) must be attached as proof of income or a signed Form 4988, *Poverty Exemption Affidavit*. Documentation for all income sources including, but not limited to, credits, claims, Social Security income, child support, alimony income, and all other income sources must be provided at time of application.**

Petitioners: Do not sign this application until witnessed by the Supervisor, Assessor, Board of Review or Notary Public. (Must be signed by either the Supervisor, Assessor, Board of Review Member or Notary Public)

STATE OF MICHIGAN
COUNTY OF ________________________

I, the undersigned Petitioner, hereby declare that the foregoing information is complete and true and that neither I, nor any household member residing within the principal residency, have money, income or property other than mentioned herein.

____________________________________ ________________________
Petitioner Signature Date

Subscribed and sworn this _____________day of___________________________, 2011

Assessor Signature: _______________________________________ Printed Name: _____________________________

BOR Member Signature: ___________________________________ Printed Name: _____________________________

Notary Signature: ____ Printed Name: _____________________________

My Commission Expires: _________________________

This application shall be filed after January 1, but before the day prior to the last day of the December Board of Review to the address below.

Board of Review
c/o Supervisor or Assessor
Name of Local Unit
Street Address
City, State, ZIP

DECISIONS OF THE MARCH BOARD OF REVIEW MAY BE APPEALED BY PETITION TO THE MICHIGAN TAX TRIBUNAL BY JULY 31 OF THE CURRENT YEAR. JULY OR DECEMBER BOARD OF REVIEW DENIALS MAY BE APPEALED TO MICHIGAN TAX TRIBUNAL BY PETITION WITHIN 35 DAYS OF THE DENIAL. A COPY OF THE BOARD OF REVIEW DECISION MUST BE INCLUDED WITH THE PETITION.

Michigan Tax Tribunal
PO Box 30232
Lansing, MI 48909
Phone: 517-373-4400
E-mail: taxtrib@michigan.gov

GUIDELINES AND INSTRUCTIONS FOR POVERTY EXEMPTION - 2018

General Information and Instructions for Applying for Poverty Exemption

If granted an exemption, it is for the *current year only*. If your situation warrants an exemption in years following, a new application must be submitted for review. The Low/Limited Income exemption is meant to be a temporary form of assistance.

Per, MCL 211.7u(3), the application for consideration must be received by the Assessor's Office at least one day prior to the last session of the Board of Review. *Board of Review dates are posted annually and may also be found at www.cityofypsilanti.com or by calling (734) 483-7117*. By resolution by the Ypsilanti City Council, application can be made by mail.

The application must be filled out in it's entirety and all requested documentation must be attached. If an area does not apply to the applicant, "N/A" must be used. If the application is not complete or requested documentation is not included, the Board of Review will deny the exemption. All pages included with this application must be returned when the application is submitted for review.

MCL 211.7u(5) allows the Board of Review to deviate from the established guidelines if there are "substantial and compelling" reasons. It is required that all substantial and compelling reasons be documented.

Per MCL 211.7u(6), a person who files a claim for Poverty exemption IS NOT prohibited from also appealing the assessment on the property to the Board of Review in the same year.

If the applicant qualifies for Poverty Exemption, the Board of Review may grant a complete exemption from property taxes, a partial reduction in property taxes, or no reduction as set forth in these guidelines. Approval of the application does not automatically warrant a complete exemption from property taxes.The formula for calculating partial exemptions is as follows: In cases where household income of a property as herein defined exceeds $10,000, but meets the federal standard, the assessment shall be adjusted so the out-of-pocket property tax, as best estimated based on the previous year's millage rate and after deducting the applicable state property tax refund, equals ten percent (10%) of the household income. In cases where the household income meets the federal standard but is less than $10,000, the assessment shall be adjusted so the out-of-pocket property tax, as best estimated based on the previous year's millage rate and after deducting applicable state property tax refunds, equals five percent (5%) of the household income.

Required Documentation to be Attached to Poverty Exemption Application

Federal and State income tax returns for all persons residing in the household must be included with the application. The Homestead Property Tax Credit Claim Form (MI-1040CR) must also be included. The tax returns may be from the current or preceding tax year. If any person in the household is not required to file federal or state tax returns, the included affidavit must be completed by each person that does not file taxes.

The most recent statement for all bank accounts, investments, IRAs, CDs, 401Ks, money market, annuities, etc. The statement submitted must be complete with no missing pages and submitted for all persons residing in the home.

Proof of income/assets from the Social Security Administration, Veterans Administration, Medicare, Medicaid, Bridge Card, and any College/University scholarships for all persons residing in the home.

The most recent mortgage statement of the primary residence under review, including any reverse mortgages.

If applicant is requesting the Board of Review to deviate from the established income and asset guidelines, substantial and compelling documentation must be provided. These can include, but are not limited to, medical documentation stating a disability and the degree of disability, medical bills the applicant is responsible for and other documentation to support a deviation.

If primary residence being sought for exemption was purchased within the past two years of this application, homeowner's closing statements must be submitted with application.

Common Reasons for Denial of Poverty Exemption Application

Below are common reasons (but not an exhaustive list) of why a claim for Poverty Exemption is denied:

- Failure to fill out all areas of the application, including "N/A" in areas not applicable to the applicant or signing the application.
- Failure to include State and Federal Income taxes or Michigan 1040CR for current or one preceding year for all persons residing in the home. ***Please note that the State of Michigan 1040 CR is required to be filed with this application. It can still be filed with the State of Michigan even if the applicant does not file income taxes.***
- Failure to include complete banking/investment account and mortgage statements for all persons residing in the home. All pages must be submitted.
- Failure to document "substantial and compelling" reason why Poverty Exemption should be granted if applicant is over income/asset guidelines.

If you are not satisfied with the determination of the Board of Review on the application, you may further your appeal to the Michigan Tax Tribunal (MTT) by contacting them at (517) 373-4400. Appeals must be made by July 31 for applications submitted to the March Board of Review, and within 30 days of the Board of Review's decision on applications submitted to the July and December Board.

Poverty Exemptions are governed under Michigan Compiled Law (MCL) 211.7u which states the following:

(1) The principal residence of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation under this act. This section does not apply to the property of a corporation.

(2) To be eligible for exemption under this section, a person shall do all of the following on an annual basis:

(a) Be an owner of and occupy as a principal residence the property for which an exemption is requested.

(b) File a claim with the supervisor or board of review on a form provided by the local assessing unit, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediately preceding year or in the current year. Federal and state income tax returns are not required for a person residing in the principal residence if that person was not required to file a federal or state income tax return in the tax year in which the exemption under this section is claimed or in the immediately preceding tax year. If a person was not required to file a federal or state income tax return in the tax year in which the exemption under this section is claimed or in the immediately preceding tax year, an affidavit in a form prescribed by the state tax commission may be accepted in place of the federal or state income tax return. The filing of a claim under this subsection constitutes an appearance before the board of review for the purpose of preserving the claimant's right to appeal the decision of the board of review regarding the claim.

(c) Produce a valid driver's license or other form of identification if requested by the supervisor or board of review.

(d) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if required by the supervisor or board of review.

(e) Meet the federal poverty guidelines updated annually in the federal register by the United States department of health and human services under authority of section 673 of subtitle B of title VI of the omnibus budget reconciliation act of 1981, Public Law 97-35, 42 USC 9902, or alternative guidelines adopted by the governing body of the local assessing unit provided the alternative guidelines do not provide income eligibility requirements less than the federal guidelines.

(3) The application for an exemption under this section shall be filed after January 1 but before the day prior to the last day of the

(4) The governing body of the local assessing unit shall determine and make available to the public the policy and guidelines the local assessing unit uses for the granting of exemptions under this section. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and total household income and assets.

(5) The board of review shall follow the policy and guidelines of the local assessing unit in granting or denying an exemption under this section unless the board of review determines there are substantial and compelling reasons why there should be a deviation from the policy and guidelines and the substantial and compelling reasons are communicated in writing to the claimant.

(6) A person who files a claim under this section is not prohibited from also appealing the assessment on the property for which that claim is made before the board of review in the same year.

(7) As used in this section, "principal residence" means principal residence or qualified agricultural property as those terms are defined in section 7dd.

INCOME GUIDELINES FOR POVERTY EXEMPTION *

** Per Michigan State Tax Commission Bulletin number 24 of 2017, "Changes for 2018", November 28, 2017*

Number in Family	Income
1 member	$ 12,060
2 members	$ 16,240
3 members	$ 20,420
4 members	$ 24,600
5 members	$ 28,780
6 members	$ 32,960
7 members	$ 37,140
8 members	$ 41,320
For each additional person	$ 4,180

According to the US Census Bureau, "income" includes:

- Money, wages, and salaries before any deductions
- Net receipts from non-farm self-employment. (These are receipts from a person's own business, professional enterprise, or partnership, after deductions for business expenses.)
- Net receipts from farm self-employment. (The same provisions as above for self-employment.)
- Regular payments from social security, railroad retirement, unemployment, worker's compensation, veteran's payments and public assistance.
- Alimony, child support, and military family allotments.
- Private pensions, governmental pensions, and regular insurance or annuity payments.
- College or university scholarships, grants, fellowships, and assistantships.
- Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.

ASSET LEVEL GUIDELINES FOR POVERTY EXEMPTION

The Asset Level does not include the primary residence for which exemption is being sought. It does include, but is not limited to:

- A second home, additional land not associated with the primary residence, or other buildings other than the primary residence being sought for exemption.
- Vehicles and other recreational vehicles such as motor homes, campers, ATVs, boats, and motorcycles.
- Jewelry, antiques, artwork, equipment, and other personal property of value.
- Bank accounts, stocks, bonds, and investments. This also includes the money received from the sale of stocks, bonds, investments, cars, and houses unless a person is in the specific business of selling such property.
- Withdrawals of bank accounts and borrowed money.
- Gifts, loans, lump-sum inheritances, and one-time insurance payments.
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps, and school lunches.

The total interest income in all accounts (checking, savings, CDs, IRAs, 401Ks, money market, annuities, etc.) CANNOT exceed $1,500 in the prior calendar year.

The applicate shall not have ownership interest in any real estate other than the primary residence being considered for exemption.

The maximum amount in banking/investment accounts is $10,000 per each person residing in the household with a maximum of $20,000 for the total household.

Maximum total allowed assets, including amounts in banking/investment accounts may not exceed $25,000 for the entire household. See above for what is considered an asset.

Parcel Number: ______________________

APPLICATION FOR LOW/LIMITED INCOME APPEALS - 2018

Name of Applicant: ____ **Age:** ______

Property Address: ____

____

Phone Number: ______________________

Date home was acquired: __________ *If purchased within previous 2 years of application, closing documentation is required.*

Is there a mortgage, land contract, or reverse mortgage on this home? ________ No ________ Yes

If you answered, "yes", please list the monthly payment (excluding taxes and insurance) and include current statement.

Monthly Payment: $ __________ Number of payments remaining: __________

If you answered, "no" and home was purchased within the previous 5 years of application, please explain how home was financed/paid off.

____

____

LIST ALL OCCUPANTS OF HOUSEHOLD	AGE	EMPLOYED?	ANNUAL INCOME	FILED INCOME TAX?*
1.				
2.				
3.				
4.				
5.				

If more than 5 additional occupants in household, please list on a separate sheet of paper.

* All household occupants must be claimed as a dependent on someone's income tax or file their own tax returns. If not, form 4988 (included with this application) must be completed and signed by occupant.

Are you over the income and asset guidelines but wish to have the Board of Review deviate from the guidelines for other reasons?

________ No ________ Yes

If you answered "yes" to the above question, please explain why the Board of Review should deviate from the established guidelines. Remember that documentation must be submitted to support your claim.

____

____

____

INCLUDE ALL FORMS OF INCOME RECEIVED FOR ALL RESIDING IN HOUSEHOLD WITHIN THE PAST 12 MONTHS.

Remember Income includes: Money, wages, and salaries before deductions. Net receipts from all self employment. Regular payments from Social Security, railroad retirement, unemployment, worker's compensation, veteran's payments, and public assistance. Alimony, child support, and military family allotments. Private pensions, government pensions, and regular insurance or annuity payments. College or university scholarships, grants, fellowships, and assistantships. Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.

Attached additional sheets if necessary

Money, wages, and salaries before any deductions:

$ ______	Who receives? ______	$ ______	Who receives? ______
$ ______	Who receives? ______	$ ______	Who receives? ______
$ ______	Who receives? ______	$ ______	Who receives? ______

Unemployment or Worker's Compensation:

$ ______	Who receives? ______	$ ______	Who receives? ______
$ ______	Who receives? ______	$ ______	Who receives? ______
$ ______	Who receives? ______	$ ______	Who receives? ______

Social Security, Railroad Retirement, Veteran's Payments, Military Family Allotment, or Public Assistance:

$ ______	Who receives? ______	$ ______	Who receives? ______
$ ______	Who receives? ______	$ ______	Who receives? ______
$ ______	Who receives? ______	$ ______	Who receives? ______

Alimony or Child Support:

$ ______	Who receives? ______	$ ______	Who receives? ______
$ ______	Who receives? ______	$ ______	Who receives? ______
$ ______	Who receives? ______	$ ______	Who receives? ______

Gambling or lottery winnings:

$ ______	Who receives? ______	$ ______	Who receives? ______
$ ______	Who receives? ______	$ ______	Who receives? ______
$ ______	Who receives? ______	$ ______	Who receives? ______

Net receipts from self employment:

$ ______	Who receives? ______	$ ______	Who receives? ______
$ ______	Who receives? ______	$ ______	Who receives? ______
$ ______	Who receives? ______	$ ______	Who receives? ______

Income, Continued

Private or government pension, regular insurance or annuity payments, dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts:

$ ________	Who receives? ________	$ ________	Who receives? ________
$ ________	Who receives? ________	$ ________	Who receives? ________
$ ________	Who receives? ________	$ ________	Who receives? ________

College or University scholarships, grants, fellowships, and assistantships:

$ ________	Who receives? ________	$ ________	Who receives? ________
$ ________	Who receives? ________	$ ________	Who receives? ________
$ ________	Who receives? ________	$ ________	Who receives? ________

INCLUDE ALL FORMS OF ASSETS FOR ALL RESIDING IN HOUSEHOLD WITHIN THE PAST 12 MONTHS

Remember Assets includes: A second home, additional land not associated with the primary residence, or other buildings other than the primary residence being sought for exemption. Vehicles and other recreational vehicles such as motor homes, campers, ATVs, boats, and motorcycles. Jewelry, antiques, artwork, equipment, and other personal property of value. Bank accounts, stocks, bonds, and investments. This also includes the money received from the sale of stocks, bonds, investments, cars, and houses unless a person is in the specific business of selling such property. Withdrawals of bank accounts and borrowed money. Gifts, loans, lump-sum inheritances, and one-time insurance payments. Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms. Federal non-cash benefits programs such as Medicare, Medicaid, food stamps, and school lunches.

Attached additional sheets if necessary

Additional Home, Land, Building, or Property Owned

Address ________	Address ________
Who owns? ________	Who owns? ________

Vehicles, including other recreational vehicles as described above

Make and Model ________	Make and Model ________
Year ________	Year ________
Who owns? ________	Who owns? ________
Approx. Value: $ ________ Monthly Payment: $ ________	Approx. Value: $ ________ Monthly Payment: $ ________
Make and Model ________	Make and Model ________
Year ________	Year ________
Who owns? ________	Who owns? ________
Approx. Value: $ ________ Monthly Payment: $ ________	Approx. Value: $ ________ Monthly Payment: $ ________

Assets, Continued

Bank accounts, stocks, bonds, and investments (including money received from the sale of these things) Remember to include proof of value.

Type of Account ______	Type of Account ______
Who owns? ______	Who owns? ______
Total Value: $ ______	Total Value: $ ______
Type of Account ______	Type of Account ______
Who owns? ______	Who owns? ______
Total Value: $ ______	Total Value: $ ______

Gifts, loans, lump-sum inheritances, and one-time insurance payments

Explain ______	Explain ______
To who paid? ______	To who paid? ______
Total Value: $ ______	Total Value: $ ______
Explain ______	Explain ______
To who paid? ______	To who paid? ______
Total Value: $ ______	Total Value: $ ______

Federal non-cash benefits programs such as Medicare, Medicaid, food stamps, and school lunches

Explain ______	Explain ______
To who paid? ______	To who paid? ______
Annual Value: $ ______	Annual Value: $ ______
Explain ______	Explain ______
To who paid? ______	To who paid? ______
Annual Value: $ ______	Annual Value: $ ______

Withdrawals from bank accounts, stocks, or borrowed money

Type of Account ______	Type of Account ______
To who paid? ______	To who paid? ______
Total Value: $ ______	Total Value: $ ______

Assets, Continued

Jewelry, antiques, artwork, equipment, and other personal property of value

Explain	________________	Explain	________________
	________________		________________
Who owns?	________________	Who owns?	________________
Approx. Value: $	________	Approx. Value: $	________
Explain	________________	Explain	________________
	________________		________________
Who owns?	________________	Who owns?	________________
Approx. Value: $	________	Approx. Value: $	________

Food or housing in lieu of wages (including in home care workers/aids)

Explain	________________	Explain	________________
	________________		________________
To who paid?	________________	To who paid?	________________
Value: $	________	Value: $	________

I certify that all statements made in this petition are true and correct. I also understand that failure to provide all requested documentation will result in a denial of my appeal. I further understand that if any information is found to be false or incomplete, any relief granted will be forfeited and placed back on the assessment roll with penalties and interest in accordance with Section 211.119 of Michigan Complied Laws.

Signature of Owner(s):

________________________________ ________________________________

Date: ______________

For Office Use Only - Do Not Write Below This Line

Staff - Initial next to all requirements as it relates to the application/applicant.

Does the applicant appear as taxpayer of record of property in question?	Yes ______	No ______
If not, has documentation proving ownership been provided?	Yes ______	No ______
Are all areas on the application complete with either an answer or "N/A"?	Yes ______	No ______
Are all pages of the guidelines/application included with the applicants submission?	Yes ______	No ______
Does the applicant reside at the property in question?	Yes ______	No ______
Are copies of the Federal and State income tax returns and the MI-1040 CR for the current of preceding year attached for all persons residing in the household?	Yes ______	No ______
If not, is the affidavit stating the person is not required to file income taxes completed?	Yes ______	No ______
If home was purchased within in past 2 years of date of this application, is closing statements provided?	Yes ______	No ______
Is a copy of the most current mortgage statement, including a reverse mortgage if applicable, attached?	Yes ______	No ______
Are copies of the most recent bank/investment statements for all residing in the household attached with all pages included?	Yes ______	No ______
If applying for medical reasons/deviation from the guidelines, is documentation attached?	Yes ______	No ______

Approved by City Council Resolution on 2/6/18

Michigan Department of Treasury
4988 (05-12)

Poverty Exemption Affidavit

This form is issued under authority of Public Act 206 of 1893; MCL 211.7u.

INSTRUCTIONS: When completed, this document must accompany a taxpayer's Application for Poverty Exemption filed with the supervisor of the board of review of the local unit where the property is located. MCL 211.7u provides for a whole or partial property tax exemption on the principal residence of an owner of the property by reason of poverty and the inability to contribute toward the public charges. MCL 211.7u(2)(b) requires proof of eligibility for the exemption be provided to the board of review by supplying copies of federal and state income tax returns for all persons residing in the principal residence, including property tax credit returns, or by filing an affidavit for all persons residing in the residence who were not required to file federal or state income tax returns for the current of preceding tax year.

I,____, swear and affirm by my signature below that I reside in the principal residence that is the subject of this Application for Poverty Exemption and that for the current year and the preceding tax year, I was not required to file a federal or state income tax return.

Address of Principal Residence: ______________________________

____

____________________________________ ________________

Signature of Person Making Affidavit Date

CITY OF YPSILANTI INSTRUCTIONS AND GUIDELINES FOR POVERTY EXEMPTION - 2018

For Office Use Only

Parcel Number: ____________________ **Year:** ____________

Property Address: ____________________ **Age:** ____________

Applicant's Name: ____________________ **Taxable Value on Roll $** ____________

Is applicant over income/asset guidelines and asking for consideration from the Board of Review to deviate from the guidelines?

Yes ______ No ______ If no, complete the following:

Poverty Exemption Worksheet

a. **Total Household Income from Information Provided** $ ____________

b. **Multiply line a (income) by 10% if income is greater than $10,000 or 5% if less than $10,000.** $ ____________

c. **Age 65 or older?** Yes ______ No ______

If yes, and applicant does NOT supply MI 1040CR use chart at right to determine credit. If no, and applicant does NOT supply MI 1040CR multiple line b by 60% $ ____________

cannot exceed $1,200

MI-1040CR TABLE A — SENIOR CREDIT REDUCTION

Total Household Resources	Percentage
$0 - $21,000	100% (1.00)
$21,001 - $22,000	96% (0.96)
$22,001 - $23,000	92% (0.92)
$23,001 - $24,000	88% (0.88)
$24,001 - $25,000	84% (0.84)
$25,001 - $26,000	80% (0.80)
$26,001 - $27,000	76% (0.76)
$27,001 - $28,000	72% (0.72)
$28,001 - $29,000	68% (0.68)
$29,001 - $30,000	64% (0.64)
$30,001 - above	60% (0.60)

d. **Refund Amount from MI 1040CR if supplied** $ ____________

e. **Total Tax Obligation (add lines b, c, d)** $ ____________

f. ***2017 PRE Millage Rates***

City of Ypsilanti 0.0642543

____

Appropriate Millage Rate

g. **Poverty Taxable Value (divide line e by line f)** $ ____________

For Board of Review Use Only - Do Not Write Below This Line

______ Appeal Denied

___ 1. Does not qualify based on guidelines

___ 2. Application not complete, missing information

___ 3. Did not furnish proper documentation

___ 4. Other: ____________________

____

______ Reduction Granted

Taxable Value

As on Roll $ ____________

Revised $ ____________

Initials of Board Members:

____________ ____________ ____________

Date: ____________

If you are not satisfied with the determination of the Board of Review on the application, you may further your appeal to the Michigan Tax Tribunal (MTT) by contacting them at (517) 373-4400. Appeals must be made by July 31 for applications submitted to the March Board of Review, and within 30 days of the Board of Review's decision on applications submitted to the July and

REQUEST FOR LEGISLATION
February 6, 2018

From: Stan Kirton, Public Works Director

Subject: Solar Equipment Lease with Chart House Energy Investment Fund, LLC

SUMMARY & BACKGROUND:

Funds have been programed in the FY 2017-18 Budget to install additional solar panels to the DPS /Truck Port Roof. To optimize the $15,000 budgeted in account #101-7-2650-818-03, staff is recommending entering into a solar equipment lease agreement with Chart House Energy Investment Fund, LLC to install adequate panels and equipment necessary to power the entire DPS Administrative Office Building.

Solar Project Term Sheet

Building Owner (Lessee): City of Ypsilanti
Building Address: 14 W Forest, Ypsilanti, MI 48197
System Developer (Lessor): Energy Conservation Source
Lease begins: April 1, 2018
Lease term: 6 years
Equipment subject to lease: Photovoltaic (PV) electrical system
PV system size: 20 kW DC
Estimated system production: 24,419 kWh/yr.
Estimated system production value (avoided electrical expense): $2,221/yr.
Lessee pays 90% of estimated avoided electrical expense for first 6 years of Lease.
System avoided (savings) electrical expenses shall be annually adjusted based on prior year's energy use.
Lessor deposits the fair market value buyout deposit of $15,000 upon signing this lease

Listed below is the proposed equipment list:

Sixty eight (68) 295W SolarWorld Solar PV Panels
Thirty four (34) optimizers
Two (2) 10kW 240V Single-Phase SolarEdge inverters
Racking for panels
Necessary electrical hook up wiring and devices

Listed below is the estimated time line for this project:

1) Sign the lease in February, City pays $15,000
2) System is installed in February and March.
3) Lease starts April 1st, City pays $1999 for the first year
4) Years 2 through 6 the City pays 90% of value of the energy savings.
5) March 2024 the City owns the system and saves 100%

City Staff recommends that the City Council approves the solar equipment lease to own agreement with Chart House Energy Investment Fund, LLC. and the City of Ypsilanti. The total project cost is approximately $27,000.00.

Attachments: Resolution, Lease to Own Agreement

Recommended Action: Approval

Date Received: January 31, 2018 Agenda Item No.: 2018-025

For Agenda of February 6, 2018

City Manager Comments: ______________________________

Finance Director Approval: ______________________________

Council Action Taken: ______________________________

Resolution No. 2018 - 025
February 6, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, funds have been allocated in the FY 2017-18 budget to enhance the solar array located on the DPS Truck Port roof ; and

WHEREAS, it is in the best interest of the City to enter into an lease to own agreement with Chart House Energy Investment Fund, LLC, 200 Viridian Dr., Muskegon, MI 49440 to install adequate solar equipment to power the entire DPS Administrative Office Building; and

WHEREAS, the City will deposit the fair market value buyout deposit of $15,000 to Chart House Energy Investment Fund, LLC., upon signing this lease from Account # 101-7-2650-818-03; and

WHEREAS, the City will pay 90% of estimated avoided electrical expense to Chart House Energy Investment Fund, LLC. for first 6 years of Lease from Account # 641-7-9320-920-00;

NOW THEREFORE BE It RESOLVED THAT the City Council approves the lease to own agreement with Chart House Energy Investment Fund, LLC; and

THAT the Mayor and City Clerk are authorized to sign the agreement, subject to approval by the City Attorney, to facilitate the completion of this project.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

Solar Project Term Sheet

Building Owner (Lessee):	City of Ypsilanti
Building Address:	14 W Forest, Ypsilanti, MI 48197
System Developer (Lessor):	Energy Conservation Source
Lease begins:	April 1, 2018
Lease term:	6 years
Equipment subject to lease:	Photovoltaic (PV) electrical system
PV system size:	20 kW DC
Estimated system production:	24,419 kWh/yr

Estimated system production value (avoided electrical expense): $2,221/yr

Lessee pays 90% of estimated avoided electrical expense for first 6 years of Lease.

System avoided (savings) electrical expenses shall be annually adjusted based on prior year's energy use.

Lessor deposits the fair market value buyout deposit of $15,000 upon signing this lease.

SOLAR EQUIPMENT LEASE
Chart House Energy Investment Fund LLC and City of Ypsilanti

THIS EQUIPMENT LEASE (the "Lease") is made this ___ day of _______ 2018 by and between Energy Conservation Source LLC (the "Lessor") and City of Ypsilanti (the "Lessee").

WHEREAS, Lessor desires to lease to Lessee, and Lessee desires to lease from Lessor, equipment designed to create a system for generating solar power described on the Solar Project Term Sheet, the terms of which are incorporated herein (the "System");

NOW, THEREFORE, in consideration of the mutual covenants and promises hereinafter set forth, the parties agree as follows:

1. Lease of Equipment and Maintenance.

a. Lessor hereby leases to Lessee, and Lessee hereby leases from Lessor, the equipment and related tangible property that is described in Exhibit A to this Lease (the "Equipment"), that when installed by Lessor at the physical space specified below will create the System and render it fully operational.

b. The physical location where the Equipment will be installed and will occupy (the "Space") shall include access ways for conduit, wiring, meters and necessary connections and hook ups to the existing electrical panel within Lessee's Building.

c. The Space shall be located on the roof (the roof) of the DPS Truck Barn located at 14 W Forest, Ypsilanti, MI 48197 (the "Building"). The approximate portion of the roof to be included in the Space is set forth in the Description of Equipment that is attached hereto as Exhibit A. Lessee acknowledges that Exhibit A reflects the estimated portion of the roof that will be occupied by the Equipment, and that in the course of installation it may be ascertained that the Equipment will take up more or less of the roof than is reflected by Exhibit A.

2. Term. The Lease Term shall commence on the **1st day of April, 2018**, and shall end on the **30st day of March, 2024**.

3. Rent. Lease payments (the "Rent") for the Equipment to be provided by Lessor pursuant to paragraph 4b below, shall be paid as specified in this paragraph 3.

a. Rent for each Lease year shall be paid in full on the first business day of the Lease Year for which the Rent is due. For the first Lease Year, the Rent shall be $1,999.00. It is acknowledged by the parties that the Rent charged during the first Lease Year is a best estimate based on ninety (90%) percent of the prior year of actual electrical expenses incurred by Lessee for the Building that will be supplied by the Equipment in the first Lease Year.

b. Rent payments shall be sent to Lessor at 200 Viridian Drive, Muskegon, MI 49440, or at such other place as Lessor may designate from time to time. Lessor may levy a late payment charge equal to one percent (1%) per month on any amount that is 10 days overdue.

c. Rent for every subsequent Lease Year (after the first year) of the Lease Term shall be paid within thirty (30) days following receipt of an invoice from Lessor showing the results of the actual Energy Savings adjusted at the end of the prior Lease Year using the following calculation:

(i). Rent for Lease Years two (2) through six (6) shall be equal to ninety (90%) percent of Lessee's the "Energy Savings" realized during the prior Lease year, as determined by the calculation set forth in section 3.d. below.

(ii) Rent for the 3rd Lease Year through the 6th Lease Year shall be equal to ninety (90%) percent of the actual Energy Savings realized in the immediately prior Lease Year.

(iv) Accordingly, if the applicable percent of the actual Energy Savings is less than the Rent charged for a particular Lease Year, then a refund (the "Refund") equal to the difference will be due to Lessee. The Refund shall take the form of a credit against future Rent that would otherwise be due and payable by Lessee during subsequent Lease Years and shall be apportioned on a monthly basis upon early termination or expiration of this Lease.

(v) However, if the applicable percent of the actual Energy Savings is more than the total of the Rent paid during such Lease Year, then Lessee shall owe Lessor additional Rent for such Lease Year that is equal in amount to the amount by which the actual Energy Savings exceeded the Rent (the "Catch Up Amount"). Payment of the Catch Up Amount will be due and payable to Lessor together with prepaid Rent for the subsequent Lease Year.

d. The Energy Savings shall be determined by first calculating the electricity costs charged by the local utility to Lessee for electricity (plus all avoided transmission and related fees, and taxes) during the prior Lease Year, and then subtracting (i) any tariffs and other fees and taxes charged by the local utility to Lessee in connection with the net metering of the energy generated by the System, and (ii) the product of the difference, if any, between the average $/kWh cost for purchased electricity and the average $/kWh credit received by Lessee from the local utility for energy it puts back on the grid, and the annual kWh that were put back onto the grid as determined by the local utilities net meter. The result is then divided by the total of kWh used during said prior Lease year to determine the average $/kWh for purchased electricity. The resulting rate shall then be multiplied by the annual kWh that was produced by the Equipment as measured at the inverter, which shall be equipped with a revenue grade meter that satisfies ANSI C12 standards. The result is the annual Energy Savings.

4. Repairs and Responsibilities of the Respective Parties.

a. Lessor, at its own cost and expense, shall install and maintain the Equipment in good repair, will comply with all local or general regulations, laws and ordinances applicable thereto, as well as regulatory requirements of all competent authorities, and shall furnish any and all parts, mechanisms and devices required. Lessor shall refrain from any action or omission that impairs the performance of the Equipment.

b. Lessee, at its own cost and expense, shall pay for all necessary modifications to the roof that are required to accommodate the System**.** Lessee shall have the responsibility for repair or replacement, at Lessee's expense of any portion of the roof, unless the repair or replacement is a direct result of the activity of Lessor or Lessor's employees, agents, representatives, contractors and/or subcontractors.

c. Lessor and Lessor's employees, agents and representatives, contractors and subcontractors shall be entitled to ingress and egress to Lessee's premises to access the Equipment and Space as required to install, operate and maintain the Equipment and to maintain the Space.

d. Lessee will be given at least twenty-four (24) hours advance notice of Lessor's need to access the Equipment or Space; any access and/or repairs will occur at reasonable times, and shall not cause disruption to Lessee's operations.

e. Lessor shall be liable for any damages suffered by Lessee resulting from Lessor's failing to maintain the Equipment in good repair and in lawful condition, or for impairing the performance of the Equipment, or for damaging the Building or the Space.

f. Lessee shall make available to Lessor one high speed internet connection so that the Equipment can be monitored remotely. Lessor assumes responsibility to set up and maintain the remote monitoring of the high-speed internet connection.

g. If roof repairs are required for the Space, Lessor will in a timely fashion remove and replace Equipment as necessary to access the roof for needed repairs as reasonably required, at Lessor's cost.

h. In addition to any other covenant on its part set forth in this Lease, Lessee shall, at its own expense, maintain the Building in good repair and in a condition that allows Lessor, its employees, agents, representatives, contractors and subcontractors safe access to the Space, and Lessee shall refrain from any action or omission which impairs the performance of the Equipment.

i. Lessee shall be liable for any damages suffered by Lessor resulting from Lessee's failure to maintain the Building in good repair or for failing to comply with any regulations, ordinances and laws applicable to the Building, or from impairing the performance of the Equipment.

6. Insurance.

a. Lessee shall procure and continuously maintain and pay for all risk insurance against loss of and damage to the Building.

b. Lessee shall use reasonable efforts to procure and continuously maintain and pay for an endorsement to the all risk insurance against loss of and damage to the Equipment for not less than $90,000 agreed value. The endorsement to Lessee's policy shall designate Lessor as the loss payee for the Equipment. When received, Lessee shall promptly provide Lessor with a copy of the added premium for the endorsement, and Lessor shall promptly remit to Lessee the funds necessary to pay the premium. Lessee may offset any unpaid amounts against future Rent. Lessor may elect to obtain and pay for such all risk coverage of the Equipment on its own separate policy rather than as an endorsement to Lessee's coverage and reimbursement of the added cost incurred by Lessee.

c. Lessor shall procure and continuously maintain and pay for liability insurance in an amount not less than $1,000,000 per occurrence, to cover Lessor's activities while at the Building or its surrounding premises.

d. The insurance described in this Section 6. shall be in such form and with such company or companies as shall be reasonably acceptable to Lessee.

e. Lessor shall provide Lessee with a certificate evidencing such insurance required of Lessor. Lessee shall provide Lessor with a certificate and endorsement evidencing such insurance required of Lessee.

f. Lessor and Lessee shall arrange with insurers for a thirty (30) day notice to the other in the event of insurance cancellation or termination.

7. Fire and Casualty.

a. In case the Space shall be rendered untenantable during the term of this Lease by casualty resulting from an act of God, either party may terminate this Lease by giving sixty (60) days written notice from the date the Space is so rendered.

b. In all other cases, it shall be Lessee's exclusive option to terminate this Lease or to repair the Space within sixty (60) days of the date the Space and/or the Building is rendered untenantable. If Lessee repairs the Space, it shall be Lessor's obligation to repair the Equipment within the same time limit.

c. Rent shall abate for so long as the Space and/or the Building is untenantable or the Equipment unworkable. If Lessee elects to repair or replace the Space, this Lease shall remain in effect provided such repairs are completed within the sixty (60) day period.

d. If Lessee shall not have repaired the Space within the sixty (60) days, then at the end of such time Lessee shall, at Lessee's option, either exercise the purchase option detailed in Section 10 below, or terminate the Lease.

e. If this Lease is terminated by reason of fire or casualty, rent shall be apportioned and paid to the day of such fire or casualty.

8. Ownership. The Equipment is, and shall at all times be and remain, the sole and exclusive property of Lessor; and Lessee shall have no right, title or interest therein or thereto except as expressly set forth in this Lease.

9. Option to Purchase.

a. Lessee shall have an option to purchase the Equipment and any alterations, materials or equipment at any time after March 31, 2024 at fair market value.

b. Fair Market Value deposit will be used to purchase the system.

10. Successors. All the covenants and agreements contained in this Lease shall be binding upon Lessor and Lessee, and inure to their respective successors, heirs, executors, administrators and assigns and may be exercised by their attorney or agent.

11. Entire Agreement. This Lease constitutes the entire agreement between the parties on the subject matter hereof and it shall not be amended, altered or changed except by a further writing signed by both parties.

12. Notices. Service of all notices under this Lease shall be sufficient if given personally or by certified mail, return receipt requested, postage prepaid, at the addresses set forth below, or to such address as such party may provide in writing from time to time.

If to Lessor:

Name:	Energy Conservation Source LLC
Address:	200 Viridian Drive, Muskegon, MI 49440
Contact person:	Robert Rafson
Phone No:	312-961-0043
E-Mail:	rrafson@energyconservationsource.com

If to Lessee:

Name:	City of Ypsilanti
Address:	1 S. Huron, Ypsilanti, MI 48197
Contact person:	Stan Kirton
Phone No:	734-483-1421
E-Mail:	SKirton@ewastenaw.org

13. Assignment. Lessor shall not assign this Lease or its interest in the Equipment without the prior written consent of Lessee, which shall not be unreasonably withheld if such assignee has the experience and financial ability to perform Lessor's continuing obligations under this Lease. Lessee may assign this Lease to a successor to the Lessee's underlying ownership of the Building without Lessor's consent, but such assignment shall not be effective until Lessor's receipt of written notice and a copy of the assignment and assumption of this Lease.

14. Governing Law. This Lease shall be construed and enforced according to laws of the State of Michigan.

15. Modifications. No modification of this Lease shall be deemed enforceable unless it has been memorialized in a writing executed by the party against whom enforcement of the modification is sought.

16. Execution in Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Agreement.

17. Exhibit A. Exhibit A is incorporated herein and made a part hereof.

18. **Remedies**. If a dispute should arise relating to this Lease that after reasonable attempts at resolution results in litigation between the parties, the prevailing party in such litigation shall be entitled to recover from the other party all of the prevailing party's court costs and reasonable attorney's fees incurred in connection with the litigation. Nothing in this Lease shall be construed as restricting a party to this Lease to a particular remedy in case of a breach by the other party. All remedies available to a party under this Lease or at law and/or equity are cumulative.

19. **Net Metering**. This Agreement is expressly contingent on Lessee being approved by the local utility to participate in its net metering program. Lessor shall assist Lessee in providing information about the Equipment and System necessary to complete any applications for the same. In the event that, at any time during the term of this Agreement, net metering is no longer offered by the local utility, Lessee shall have the option to terminate this Agreement upon sixty (60) days' notice to Lessor. In such event, Lessor shall thereafter promptly remove the System/Equipment, and the cost of such removal shall be borne by Lessor.

IN WITNESS WHEREOF, the parties have executed this Lease as of the day and year first above written.

Lessor:
Energy Conservation Source, LLC

By:_____________________________
Name: Robert Rafson
Title: Managing Member

Lessee:
City of Ypsilanti

By:__________________________
Name: Amanda Edmonds
Title: Mayor

EXHIBIT A

Description of Equipment

Equipment consists of:

(68) 295W SolarWorld Solar PV panels
(34) 600W optimizers
(2) 10kW 240V Single-Phase SolarEdge inverters
Racking
Necessary hook up wiring and devices

CITY OF YPSILANTI
CAPITAL PROJECT REQUEST

Project No ______ **Department:** PUBLIC SERVICE
Project Title Solar Array Enhancement Project **Date Prepared:** ______
Location DPS Yard **Department Priority:** HIGH
Community Priority: MEDIUM
Project Status: ______
Planning Context: Is the project part of an adopted program, policy or plan? [ ]
Please Identify: Energy Eficiency
Is the City legally obligated to perform this service? [NO]
Please Identify: ______

Estimated Start Date: 3/1/2018 **Estimated Completion Date:** 3/1/2024

Description:

Lease to own agreement with Chart House Energy Investment Fund, LLC, to enhance the existing solar array with adequate solar equipment on the DPS Truck Port roof to power the entire DPS adminstration office building.

Budget Imact:

Budget impact will be minimal until 2024 when the City will own the solar array system and will begin realizing 100% energy savings for the DPS Admnistration Building.

Basis of Cost Estimate: Choose one of the following

[YES]	Cost of comparable Project	[YES]	Cost Estimate from Engineer/Architect
[ ]	Rule of thumb Indicator/Unit Cost	[ ]	Preliminary Estimate
[ ]	Ball Park "Guesstimate"		

Financing Recommendation:

	FY 17-18	FY 18-19	FY	FY	FY	Total
Cost per Year						**0**
Funding Sources						**0**
Operating Revenue	$2,000	$2,000	$2,000	$2,000	$4,000	**12000**
Fund Balance	$15,000					**15000**
Bond Issue						**0**
Grant						**0**
Special Assessment						**0**
Millage						**0**
Lease / Installment						**0**
Others						**0**

Resolution No. 2018 - 026
February 6, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the City Charter requires that each year in February, City Council provides the City Manager, by resolution the budget priorities for the next fiscal year.

NOW THEREFORE BE IT RESOLVED, in accordance with Section 5.02 of the City Charter, the following direction is hereby given:

That the City Manager shall present City Council with a balanced Resources Allocation Plan for Fiscal Year 2018-2019 using the City's organizational values and the following goals and priorities:

CITY COUNCIL GOALS:

1.

2.

3.

4.

5.

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

City of Ypsilanti

Community and Economic Development
January 2018

2017 Annual Report
Historic District Commission
Ypsilanti, Michigan

INTRODUCTION

The Historic District Commission of the City of Ypsilanti is governed by the Michigan Local Historic Districts Act, State of Michigan Public Act 169 of 1970, and by Chapter 54 of the City of Ypsilanti Code of Ordinances.

MEMBERSHIP

Anne Stevenson, Chair
Hank Prebys, Vice-Chair
Mike Davis
Erika Lindsay
Alex Pettit
Ronald Rupert
Jane Schmiedeke

COMMISSION AND STAFF

Throughout 2017, the Historic District Commission (HDC) continued meeting on the second and fourth Tuesday of each month at 7:00 p.m. The location of the meetings were subject to change from the City Council Chambers, as necessary.

The HDC was staffed by intern Yasmin Ruiz, through March and by Associate/Preservation Planner Cynthia Kochanek beginning in April. In July, the Preservation Planner position was created, which provides a more stable and consistent staffing for the HDC. This freed the intern role to be more of a learning position that would not require the intern to attend HDC meetings on Tuesdays which conflict with a required course in the HP program. In the HDC Assistant/Preservation Planner role, staff worked 15-20 hours per week performing various administrative tasks to enable the Historic District Commission to fulfill its responsibilities under the Historic District Ordinance. Staff responsibilities included reviewing Historic District Work Permit Applications prior to meetings; corresponding with applicants; preparing meeting agendas, commission packets, and minutes; property monitoring; webpage maintenance; and preparing reports, as needed.

The Commission continued to provide prompt review of applications. Applications are collected from the Building Department and reviewed by staff for completeness. Incomplete applications are addressed through email or phone correspondence with the applicant, requesting additional information be provided prior to the meeting. If that information is not provided, the application is returned to the applicant. Staff reviews are written for each application and are designed to address issues and to fill in gaps in the applications. These staff reviews are included in the meeting packets. Meeting packets are then posted on the City of Ypsilanti's website and emailed to the Commission by the Friday prior to each meeting.

The HDC Assistant/Preservation Planner attends each HDC meeting in order to take minutes. After the meeting, the HDC Assistant writes decision letters and drafts the official minutes. The draft is then forwarded to the HDC Chair for review. Starting at the second meeting in October, a recording secretary, Seth Regan, started attending the HDC meetings in order to take minutes thus freeing staff to fulfill a more advisory role.

The turnaround time for the application process, from submittal to the mailing of decision letters, generally takes about two weeks; however, the approvals are provided to the building department the day after the meeting to expedite the work.

Potential applicants are encouraged to bring projects to the Commission as study items before the formal submission of a Work Permit Application. This allows the Commission to provide feedback to property owners at a conceptual stage, clarifying expectations and allowing for a more predictable final review.

INITIATIVES

HDC Application Revisions

A new application format and application checklist was implemented in early 2016, that application was tweaked throughout 2017 as issues were identified.

Fact Sheets

A new lighting fact sheet was adopted by the HDC in September and modifications were made to the Masonry and Mortar fact sheet.

New Owner Outreach

"New Owner" mailings occurred quarterly in March, June, September, and December.

Facebook updates

Staff began utilizing the commission's Facebook page to do weekly "Throwback Thursday" posts utilizing old photos from City files and surveys as well as photos from the archives at the Ypsilanti Historical Society. Staff has also been utilizing the page more regularly for meeting updates and other interesting preservation related topics.

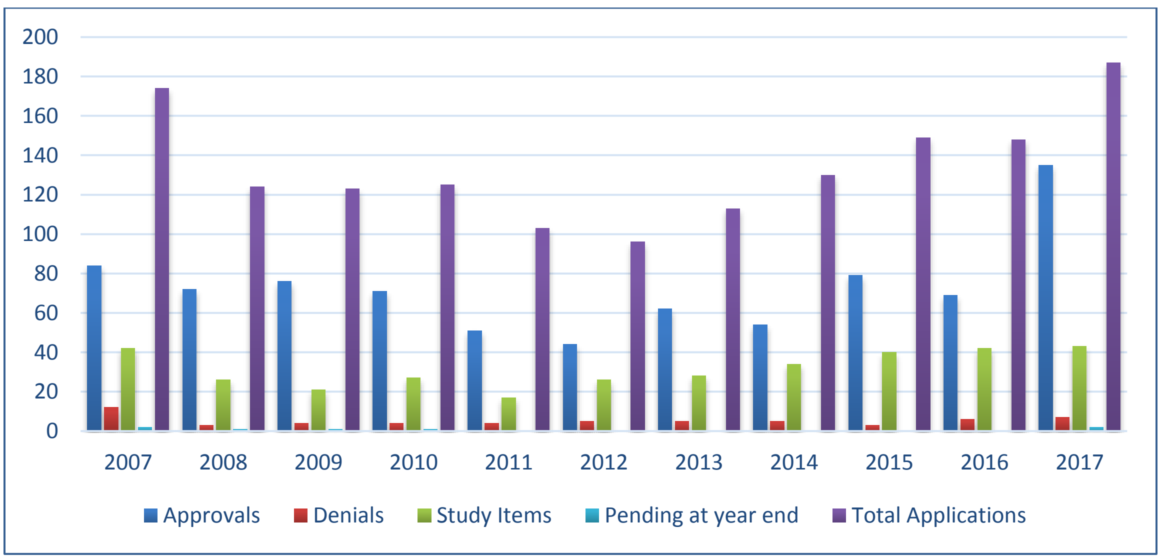
APPLICATIONS

The number of applications received in 2017 was the highest amount received in the last ten years. The number of study items is similar to the amount for the previous 2 years and seems to be averaging out around 40 per year. Administrative approvals are at the highest level they've been in the last decade, the figure for this past year is triple that of the previous year. This can be attributed to not only the amount of applications taken in for the year but also to the staff's knowledge and comfort level with administrative approvals. The ambitious scope of many of the approved projects reflects the commitment of residents and businesses to the improvement of the local community. The number of applications and actions taken is depicted in the table below.

Historic District Commission Actions, 2012-2017

	2012	2013	2014	2015	2016	2017
Approved as submitted	44	62	54	79	69	73
Approved with modifications	10	6	25	15	14	22
Approved administratively	9	9	9	11	13	36
Amended approvals	2	2	3	1	4	4
Denied: lack of information	2	0	0	3	1	1
Denied: inappropriate	3	5	5	0	5	6
Pending at year end	0	0	0	0	0	2
Total Action Items	**70**	**84**	**96**	**109**	**106**	**144**
Study Items	26	28	34	40	42	43

To illustrate the number of projects within the Historic District this year as compared to the past ten years, the chart below depicts HDC Work Permit application activity from 2007 through 2017.



MAJOR PROJECTS

The Historic District continued to benefit from investment over the past year. Some of the significant projects are summarized here:

- **Ypsilanti Freighthouse**
  The Ypsilanti Freighthouse was issued a temporary Certificate of Occupancy in January and a permanent Certificate of Occupancy in October and was able to open to the public and host public meetings and events after more than a decade of being closed to the public.

- **203 S Huron**
  The Gilbert Residence was approved for renovation of the main entry, window and gutter replacement and a modification of the roofline. Work has commenced and is expected to be completed in the first half of 2018.

- **39 E Cross**
  A storefront renovation was approved for this location with new signage as part of a larger renovation project that included interior work on the restaurant. Exterior work appears to have been competed at this time.

- **15 S Washington**
  The old Smith Furniture Building was approved for work in July. The plans for work included window additions, storefront window replacement, door replacement and the addition of a knee wall on the S. Washington frontage. Work commenced at the end of 2017.

- **400 N River**
  Building restoration work was approved for the Thompson Block in February of 2017. Work on stabilizing the building has commenced and visible changes to the structure should start in the coming year.

Demolitions
In June of 2017, the HDC approved the demolition of an accessory structure (a garage) at 333 Oak St. The HDC agreed that the garage was of minimal historical significance and the current owners were looking to modify the structure and add a garage in order to make the building more accessible. At that same meeting, the house addition and new garage were approved.

Appeals
No appeals were filed with the State Historic Preservation Review Board in 2017.

Looking Forward
2018 should be an exciting and eventful year for the historic district and the commission. Visible changes should start to take place at the Thompson Block and work on 15 S Washington should be completed in the coming year.

Staff will process updates and revisions to the current HDC Fact Sheets, the HDC Work Permit Application and any other commission forms and webpages, as needed. Staff will continue the Facebook updates for community outreach and will look to streamline and perfect the commissions' processes.

SUMMARY

Although of varied scope and scale, the projects completed throughout 2017 are excellent examples of the continued preservation efforts of property owners within the Ypsilanti Historic District. Commendation by the City is due to these owners for their substantial contribution to the community as they continue to support the efforts of the Historic District to beautify the district and preserve the heritage of Ypsilanti's built environment.

This report adopted at the January 23, 2018 regular meeting of the Historic District Commission and respectfully submitted to the Ypsilanti City Council.

Report to Ypsilanti City Council on Goal-Setting Sessions

January 26, 2018

Prepared by

Jeffrey L. Bernstein
Department of Political Science
Eastern Michigan University

Sustainability Category: SOCIAL

Goal #1: Improve Working Conditions, Morale, and Staff Relationships with City Government

- Add staff in the public safety area (police department, fire department, public safety) – HIGH PRIORITY, HIGH IMPACT;
- Conduct audit of city staffing levels in order to determine optimal staffing levels, wage levels, and technology needs for each department – HIGH PRIORITY, HIGH IMPACT;
- Find ways to increase compensation for city employees, both those who are bargained for and those who are not;
- Increase staffing in the City Clerk's office;
- Implement customer-service training for city employees;

Sustainability Category: SOCIAL

Goal #2: Enhance Communication between City Government and Residents

- Evaluate technology to enable high-quality live-streaming of City Council meetings;
- Identify media outlet for eastern part of Washtenaw County that can put news from the city out into the community;
- Continue and enhance work with CONCENTRATE Media to highlight accomplishments of the city;
- Enhance city's social media presence;
- Find ways to communicate with residents who do not have access to Internet – perhaps newsletters sent with tax bills, or postcards with current news posted around town;
- Hire interns from local universities to assist city staff in performing communication functions with residents;
- Maintain councilmembers' focus on communicating with residents.

Sustainability Category: SOCIAL

Goal #3: Enhance Performance of Public Safety Functions

- Hire 1-2 more police officers and 1-2 more firefighters – HIGH PRIORITY, HIGH IMPACT;
- Hire more employees in order to help the city with code enforcement and with building inspections – HIGH PRIORITY, HIGH IMPACT;
- Enhance training for public safety employees;
- Improve traffic enforcement, implement traffic calming processes, and improve signage in the W. Cross Street area;
- Move ahead on capital improvements on N. Huron and W. Cross Street intersection;
- Investigate costs and options for digitization of city records to save money (as opposed to retrieving documents from Iron Mountain);
- Clean out and organize city storage at Iron Mountain.

Sustainability Category: ECONOMIC

Goal #4: Balance the Budget for the Next Fiscal Year

- Review fee structure for the city, with a special emphasis on rental inspection fees – HIGH PRIORITY, HIGH IMPACT;
- Increase revenue from parking fees (monetize parking more) and collection of parking fines;
- Find money within the budget for other priorities listed in this document, including staffing increases;
- Attempt to use staffing increases to reduce overtime expenses, and employee burnout/safety risks, for police and fire departments;
- Reinstate city contributions to Parkridge Community Center, Rutherford Pool, Senior Center;
- Determine the amount of money to be set aside for long-term capital projects;
- Continue to build and maintain cash reserves to protect again unanticipated future challenges.

Sustainability Category: ECONOMIC

Goal #5: Make Progress on Longer-Term Fiscal Issues Confronting City

- Determine how to market Water Street and move ahead with finding a developer – HIGH PRIORITY, HIGH IMPACT;

- Implement CBO – HIGH PRIORITY, HIGH IMPACT

- Take concrete steps to reduce fire and police pension millage – HIGH PRIORITY, HIGH IMPACT;

- Move Recycling Center, as a way to open up more grant options for the city – HIGH PRIORITY, HIGH IMPACT;

- Look into municipal management software as a technology upgrade, with a goal of saving on labor costs, improving communication, and reducing use of Iron Mountain storage;

- Ensure continued development-friendly policies;

- Prioritize and begin to work on capital improvement projects for buildings;

- Develop parking strategy to provide more parking spaces in downtown areas, generate more revenue from parking, and provide funding for comprehensive study of parking downtown

- Determine how to handle recycling – involve apartments? Is it financially useful to the city?

- Hire more employees in order to help the city with code enforcement and with building inspections;

- Move capital projects to a "shovel ready" state in order to be able to move ahead with them when finances allow;

- Continue to build and maintain cash reserves to protect again unanticipated future challenges.

Sustainability Category: ECOLOGICAL

Goal #6: Address Ecological Issues Facing the City

- Move Recycling Center, as a way to open up more grant options for the city – HIGH PRIORITY, HIGH IMPACT;

- Determine how to handle recycling – involve apartments? Is it financial useful to the city? – HIGH PRIORITY, HIGH IMPACT;

- Work on DPS plan for alternative vehicle research – alternative fuel vehicles, or electric vehicles;

- Give more TLC to the park system;

- Reinvest energy-saving money to install additional solar panels;

- Continue to explore options for a solar field for the city dump.

BOARD OF PUBLIC WORKS

705 North Zeeb Road
P.O. Box 8645
Ann Arbor, MI 48107-8645

Phone: (734) 222-6860 Fax: (734) 222-6803

www.ewashtenaw.org/publicworks

EVAN N. PRATT, P.E.
Public Works Director

January 25, 2018

Dear Municipal Representative,

The Washtenaw County Solid Waste Planning Committee has amended the state-mandated Solid Waste Management Plan ("Plan"), required for each county in Michigan by Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act (Act 451). For your review, Washtenaw County's amended Plan document can be accessed online at www.ewashtenaw.org/publicworks.

The main purpose of county solid waste plans is to protect public health, assure adequate disposal capacity for all waste generated within county borders, and to establish goals for waste prevention & recycling. The amendment process for Washtenaw's Plan spanned over two years, involving a broad range of public and stakeholder engagement, including local government representatives. A particular effort was made to keep local governments informed and engaged. Our public information program included a web site to host committee proceedings, presentations to local communities and groups, and a public comment period from April to October 2017.

The Plan includes goals and objectives, and promotes services expansion to increase waste diversion over the next decade. To guide Plan implementation, a Plan Advisory Committee (PAC) will be formed, which will provide opportunity for continued involvement by local municipalities and businesses throughout the Washtenaw County.

The Plan has been approved unanimously by the Solid Waste Planning Committee, the Board of Public Works, and the Board of Commissioners. Now, Washtenaw County is required to seek approval from municipalities within Washtenaw County. Upon receiving approval from at least 67% of local municipalities, the Plan will be submitted for final approval to the Michigan Department of Environmental Quality.

For your convenience, I have included a resolution for consideration by your municipal decision-making body. I am requesting that this resolution be added to the agenda of an upcoming council or board meeting for your city, township or village. **We aim to reach all twenty-eight municipalities in February – May, 2018.**

If, upon review of the Plan and accompanying resolution, you have questions or would like to arrange for a county presentation or to otherwise attend your municipal meeting to answer questions, please feel free to contact me or Noelle Bowman at (734) 222-6821. Thank you in advance for your attention to this matter.

Sincerely,

Jeff Krcmarik

Jeff Krcmarik
Environmental Program Supervisor
(734) 222-6865
krcmarij@ewashtenaw.org

A *[DRAFT]* RESOLUTION TO APPROVE THE WASHTENAW COUNTY SOLID WASTE MANAGEMENT PLAN 2017 AMENDMENT

WHEREAS, Part 115 of the Natural Resources and Environmental Protection Act, 194 PA 451, as enforced by the Michigan Department of Environmental Quality (MDEQ), requires each Michigan County to have a Solid Waste Management Plan to assure that solid waste generated in the county is collected and recovered, processed or disposed of for a ten-year period at facilities that comply with state laws and rules; and

WHEREAS, in furtherance of the statutory requirements, the Washtenaw County Board of Commissioners appointed a 14-member Solid Waste Planning Committee in August 2015 to amend Washtenaw County's 1999 Solid Waste Management Plan; and

WHEREAS, pursuant to Michigan statute, the draft Solid Waste Management Plan amendment was opened to a lengthy and robust public comment period, held from April through October 2017; and

WHEREAS, the Plan language promotes municipal and residential coordination and collaboration with Washtenaw County to provide integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling and composting; and

WHEREAA, On December 6, 2017, the Washtenaw County Solid Waste Management Plan 2017 Amendment was formally approved by the Washtenaw County Board of Commissioners and will next be presented to the twenty-eight jurisdictions within Washtenaw County for their consideration and action of approval prior to submittal to the Michigan Department of Environmental Quality for final approval.

NOW, THEREFORE, BE IT RESOLVED, that ***[INSERT name of municipal governing body here]*** supports the Washtenaw County Solid Waste Management Plan 2017 Amendment; and

BE IT FURTHER RESOLVED, that ***[INSERT name of municipal governing body here]*** approves the Washtenaw County Solid Waste Management Plan 2017 Amendment, and supports the Plan being submitted to the Michigan Department of Environmental Quality for final approval.

TRAFFIC REVIEW COMMISSION
MEETING MINUTES
January 25, 2018
4th floor Conference Room
3:30 pm.

I. CALL TO ORDER

The meeting was called to order at 3:30 pm

II. ROLL CALL

Present: Chief DeGiusti, DPS Director Kirton, DDA Director Meyers, City Planner Wessler, City Treasurer Teamer, Deputy Clerk Hellenga

Staff: Nan Schuette, Executive Secretary

III. APPROVAL OF MINUTES

Director Kirton moved to approve the minutes of November 29, 2017 (Support: J. Meyers) and the motion carried unanimously.

IV. OLD BUSINESS

1. Parking Permits

It was brought to the attention of the Traffic Review Committee that at the meeting held November 29, 2017, a decision was made to allow residents who are within one block of a parking district to purchase permits for either/both Area 3 or 4. The City Treasurer/City Clerk were notified of this change. Since that time, it was brought to the committee's attention that the city ordinance does not allow this request.

A motion was made by Ms. Wessler (Supported T. DeGiusti) to only allow purchase of permits in either/or Area 3 and Area 4 but NOT both. Ms. Schuette agreed to respond by letter to the former applicants to notify them of this change.

V. NEW BUSINESS

1. **Dockless Bike Sharing**

Ms. Wessler noted that EMU is considering allowing two dockless bike share companies to operate on campus. EMU is currently drafting MOUs with Spinbike (https://www.spin.pm/) and Limebike (http://www.limebike.com/). As this bikesharing is controlled via app, and the bikes have locking/unlocking mechanisms built in, it is far more flexible than traditional bikesharing, and very likely that many bikes would end up off-campus, within the City. As such, once EMU has provided us with drafts of the MOUs with these companies, we will review them and explore drafting similar MOUs to ensure seamless operation. At this time, the drafts were not available, but are expected by the end of January.

VI. FUTURE BUSINESS DISCUSSION/UPDATES

None.

VII. ADJOURNMENT

Since there was no further business, Mr. Meyer moved to adjourn the meeting (Support: S. Kirton) and the motion carried unanimously. The meeting adjourned at 4:00 p.m. a

Resolution No. 2018-027
February 6, 2018

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:

ACTION MINUTES

CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, FEBRUARY 6, 2018
7:00 p.m.

I. CALL TO ORDER –
The meeting was called to order at 7:03 p.m.

II. ROLL CALL –

Council Member Bashert		Present	Council Member Robb		Present
Mayor Pro-Tem Brown	(7:05)	Present	Council Member Vogt	(7:31)	Present
Council Member Murdock		Present	Mayor Edmonds		Absent
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. AGENDA APPROVAL –
The agenda was approved as submitted

VI. INTRODUCTIONS –

VII. PRESENTATIONS –

VIII. AUDIENCE PARTICIPATION –

IX. REMARKS BY THE MAYOR –

X. PUBLIC HEARINGS -

XI. CONSENT AGENDA – Resolution No. 2018-019

1. Resolution No. 2018-020, approving minutes of January 9, January 23, and January 25, 2018.
   Offered By: Council Member Robb; Seconded By: Council Member Bashert
   Approved: Yes – 5; No – 0; Absent – 2 (Edmonds, Vogt)

2. Resolution No. 2018-021, approving Ordinance No. 1301, Adaptive Reuse Planned Unit Development (PUD) for Ypsilanti Performance Space for 218 N Adams. ***(Second Reading)***
   Offered By: Council Member Robb; Seconded By: Council Member Bashert
   Approved: Yes – 5; No – 0; Absent – 2 (Edmonds, Vogt)

3. Resolution No. 2018-022, approving appointment of Susan Melke to Police Advisory Commission.
   Offered By: Council Member Robb; Seconded By: Council Member Bashert
   Approved: Yes – 5; No – 0; Absent – 2 (Edmonds, Vogt)

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2018-023, allowing MMFLA Permits to be transferred from one entity to another and allow staff to waive any irregularities or incompleteness with the application by an existing facility.
   Offered By: Council Member Bashert; Seconded By: Council Member Murdock
   Approved: Yes – 5; No – 1 (Richardson); Absent – 1 (Edmonds)

2. Resolution No. 2018-024, approving policy and state guidelines in granting or denying property tax exemptions.
   Offered By: Council Member Murdock; Seconded By: Council Member Richardson
   Approved as Amended: Yes – 6; No – 0; Absent – 1 (Edmonds)

3. Resolution No. 2018-025, approving Solar Equipment lease with Chart House Energy Investment Fund, LLC to enhance the solar array located on the DPS Truck Port roof.
   Offered By: Council Member Bashert; Seconded By: Council Member Murdock
   Approved: Yes – 6; No – 0; Absent – 1 (Edmonds)

4. Resolution No. 2018-026, approving 2018-19 Council Goals.
   Offered By: Council Member Richardson; Seconded By: Council Member Vogt
   Postponed: Yes – 6; No – 0; Absent – 1 (Edmonds)

5. Discussion on Public Safety Staffing.

XIII. LIAISON REPORTS –

A. SEMCOG Update
B. Washtenaw Area Transportation Study
C. Urban County
D. Ypsilanti Downtown Development Authority
E. Eastern Washtenaw Safety Alliance
F. Friends of Rutherford Pool
G. Housing Equity Leadership Team
H. Economic Development Coordinating Committee

XIV. COUNCIL PROPOSED BUSINESS –

XV. COMMUNICATIONS FROM THE MAYOR –

Nomination:

Tax Board of Review

Craig Hupy - reappointment
1124 N. Congress
Ypsilanti, MI 48197

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

XVII. COMMUNICATIONS –

HDC Annual Report
Goal Setting Report
Letter from Washtenaw County Board of Public Works

Traffic Review Commission Minutes of January 25, 2018

XVIII. <u>AUDIENCE PARTICIPATION</u> –

XIX. <u>REMARKS FROM THE MAYOR</u> –

Recycling Work Session scheduled for Wednesday, February 21, 2018 at 7:00 p.m. at Spark East

XX. <u>ADJOURNMENT</u> –

Resolution No. 2018-027, adjourning the City Council meeting.
<u>The meeting adjourned at 9:35 p.m.</u>