

1. Council Meeting Agenda

Documents:

[04-03-18 FINAL AGENDA.PDF](#)

2. Council Meeting Packet

Documents:

[APRIL 3RD CITY COUNCIL PACKET.PDF](#)

3. Council Action Minutes

Documents:

[ACTION MINUTES 04-03-18.PDF](#)



**CITY OF YPSILANTI  
REGULAR COUNCIL MEETING  
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.  
YPSILANTI, MI 48197  
TUESDAY, APRIL 3, 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. ORDINANCES – FIRST READING -**

**XII. ORDINANCES – SECOND READING –**

1. Resolution No. 2018-071, approving Ordinance No. 1303: Bell-Kramer Rezoning of Residential parcels currently zoned PMD to CN-Mid

**XIII. CONSENT AGENDA –**

Resolution No. 2018-072

1. Resolution No. 2018-073, approving minutes of March 20, 2018
2. Resolution No. 2018-074, approving Ordinance No. 1304: Bell-Kramer Rezoning of city-owned vacant parcels currently zoned GC and PMD to P (Park)
3. Resolution No. 2018-075, approving Ordinance No. 1305: Medical Marijuana Text Amendments in response to MMFLA

4. Resolution No. 2018-076, approving Ordinance No. 1306: Medical Marijuana Text Amendment to permit Provisioning Centers in the General Corridor
5. Resolution No. 2018-077, approving appointments to Boards and Commissions
6. Resolution No. 2018-078, authorizing the Fire Department to donate the 1996 KME fire truck to the Michigan Fire Museum for exhibition
7. Resolution No. 2018-079, authorizing the Fire Department to apply for the SAFER grant

**XIV. RESOLUTIONS/MOTIONS/DISCUSSIONS –**

1. Resolution No. 2018-080, requesting City Council conduct a town hall style meeting on the budget and solicit feedback regarding FY 18-19 budget priorities
2. Water Street Marketing Plan Discussion
3. Proposed Apartment Recycling Ordinance Discussion

**XV. 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

**XVI. COUNCIL PROPOSED BUSINESS –**

**XVII. COMMUNICATIONS FROM THE MAYOR –**

**XVIII. COMMUNICATIONS FROM THE CITY MANAGER –**

Traffic Review Committee Minutes of March 19, 2018  
Report on Substance Abuse Protocols

**XIX. COMMUNICATIONS –**

**XX. AUDIENCE PARTICIPATION –**

**XXI. REMARKS FROM THE MAYOR –**

**XXII. CLOSED SESSION –**

Closed Session to discuss personnel evaluation pursuant to OMA 15.268, Section 8(a)

**XXIII. ADJOURNMENT –**

Resolution No. 2018-081, adjourning the City Council meeting



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| 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 |                     |     |

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**XI. ORDINANCES – FIRST READING -**

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1. Resolution No. 2018-071, approving Ordinance No. 1303: Bell-Kramer Rezoning of Residential parcels currently zoned PMD to CN-Mid

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**XXI. REMARKS FROM THE MAYOR –**

**XXII. CLOSED SESSION –**

Closed Session to discuss personnel evaluation pursuant to OMA 15.268, Section 8(a)

**XXIII. ADJOURNMENT –**

Resolution No. 2018-081, adjourning the City Council meeting



Resolution No. 2018 - 071  
April 3, 2018

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**Whereas**, the City has an interest in protecting the health, safety, and welfare of its citizens;  
and

**Whereas**, the City has performed environmental testing in the Bell-Kramer neighborhood to  
address concerns regarding the former City Landfill site; and

**Whereas**, the test results indicate that the area can be returned to residential zoning; and

**Whereas**, the Planning Commission has affirmed that the rezoning is not consistent with the  
City Framework (Future Land Use Map) of the Master Plan, but new information regarding the  
area has been developed, thus changing the conditions since Master Plan adoption; and

**Whereas**, the Planning Commission has found that the residential zoning classification of CN-  
Mid most appropriately matches the pattern of existing development.

**Now therefore be it resolved** that the Ypsilanti City Council approves the ordinance entitled  
Rezoning of Bell Kramer Residential Parcels at Second and Final Reading.

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:                      NO:                      ABSENT:                      VOTE:

Ordinance No. 1303

An Ordinance Entitled "Rezoning of Bell Kramer Residential Parcels"

THE CITY OF YPSILANTI HEREBY ORDAINS:

That the properties herein described:

- **11 Kramer St:** 11-11-37-105-002, W 1/2 OF LOT 9 PLAN OF CLARKSVILLE;
- **15 Kramer St:** 11-11-37-105-003, W 89' OF LOT 10 PLAN OF CLARKSVILLE;
- **21 Briggs St/21 Kramer St:** 11-11-37-105-004, LOT 11 PLAN OF CLARKSVILLE;
- **124 Bell Rd:** 11-11-37-101-012, LOT 12 PLAN OF CLARKSVILLE;
- **45 Kramer St:** 11-11-37-101-010; W 66 FT OF LOT 13 PLAN OF CLARKSVILLE;
- **132 Bell Rd:** 11-11-37-101-009, LOT 14 PLAN OF CLARKSVILLE;
- **134 Bell Rd:** 11-11-37-101-008, LOT 15 PLAN OF CLARKSVILLE;
- **128 Bell Rd:** 11-11-37-101-011, E 82 1/2' OF LOT 13 PLAN OF CLARKSVILLE;
- **118 Bell Rd:** 11-11-37-105-005, E 76' OF LOT 10 PLAN OF CLARKSVILLE;
- **110 Bell Rd:** 11-11-37-105-001, E 1/2 OF LOT 9 PLAN OF CLARKSVILLE;
- **111-113 Bell Rd:** 11-11-37-100-001, LOT 16 PLAN OF CLARKSVILLE.;
- **115 Bell Rd:** 11-11-37-100-002, LOT 17 PLAN OF CLARKSVILLE;
- **119 Bell Rd:** 11-11-37-100-003, LOT 18 PLAN OF CLARKSVILLE;
- **123 Bell Rd:** 11-11-37-100-004, LOT 19 PLAN OF CLARKSVILLE;
- **125 Bell Rd:** 11-11-37-100-005, LOT 20 PLAN OF CLARKSVILLE;
- **129 Bell Rd:** 11-11-37-100-006, LOTS 21 & 22 PLAN OF CLARKSVILLE.

Be rezoned from Production, Manufacturing, and Distribution (PMD), to Core Neighborhood Mid (CN-Mid).

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 Washtenaw Legal News 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: \_\_\_\_\_



Resolution No. 2018-072  
April 3, 2018

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

That the following items be approved:

1. Resolution No. 2018-073, approving minutes of March 20, 2018
2. Resolution No. 2018-074, approving Ordinance No. 1304: Bell-Kramer Rezoning of city-owned vacant parcels currently zoned GC and PMD to P (Park)
3. Resolution No. 2018-075, approving Ordinance No. 1305: Medical Marijuana Text Amendments in response to MMFLA
4. Resolution No. 2018-076, approving Ordinance No. 1306: Medical Marijuana Text Amendment to permit Provisioning Centers in the General Corridor
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7. Resolution No. 2018-079, authorizing the Fire Department to apply for the SAFER grant

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:

NO:

ABSENT:

VOTE:



Resolution No. 2018 - 073  
April 3, 2018

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

THAT the minutes of March 20, 2018 be approved.

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:                      NO:                      ABSENT:                      VOTE:



**CITY OF YPSILANTI  
REGULAR COUNCIL MEETING  
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.  
YPSILANTI, MI 48197  
TUESDAY, MARCH 20, 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       | Present | Council Member Vogt | Present |
| Council Member Murdock    | Present | Mayor Edmonds       | Present |
| Council Member Richardson | Absent  |                     |         |

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

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

**III. INVOCATION –**

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

**IV. PLEDGE OF ALLEGIANCE –**

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

**V. AGENDA APPROVAL –**

**Mayor Pro-Tem Brown moved, seconded by Council Member Bashert to approve the agenda.**

**Council Member Vogt moved, seconded by Council Member Bashert to remove the Closed Session from the agenda.**

**Council Member Robbed moved to remove Resolution No. 2018-066 from the Consent Agenda.**

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

**VI. INTRODUCTIONS**

Mayor Edmonds introduced the following individuals; Deputy City Clerk Andrew Hellenga, Assistant City Attorney Dan DuChene, City Manager Darwin McClary, Economic Development Director Beth Ernat, City

**VII. PRESENTATIONS –**

**VIII. AUDIENCE PARTICIPATION –**

1. Beverly James, 968 Monroe, stated water is collecting in her backyard resulting from the Parkridge development, and she would like something done about it.

City Manager Darwin McClary replied he met with the engineers and the development did not result in much change to the topography. Ms. James replied something still needs to be done as children play there. Mr. McClary replied hopefully once the land is re-graded water should more easily drain, and tomorrow he will contact Ms. James to discuss the matter.

Mayor Pro-Tem Brown asked to be kept informed about this issue.

2. Reza Rajabi, 110 Summit, stated several times he has requested a conditional certificate of occupancy for his properties in order to generate revenue to pay his debt. He was denied, and now the county is foreclosing on his properties. He added representatives are supposed to assist the public and Council failed him.

**IX. REMARKS BY THE MAYOR –**

- Mayor Edmonds clarified the reason Mr. Rajabi was not granted conditional certificates of occupancy is because his properties pose health and safety risks.

**X. PUBLIC HEARINGS -**

1. Approving submission of Michigan Land and Water Conservation Fund (LWCF) grant application for Rutherford Pool Renovations.
  - A. Resolution No. 2018- 068, determination

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**WHEREAS, supports the submission of an application titled, “Rutherford Pool Bathhouse Renovation ” to the Land and Water Conservation Fund for development of renovating the nearly 50 year old bathhouse at Recreation Park; and,**

**WHEREAS, the proposed application is supported by the Community’s 5-Year Approved Parks and Recreation Plan; and,**

**WHEREAS, City of Ypsilanti through the Friends of the Rutherford Pool has made a financial commitment to the project in the amount of \$25,000 matching funds, in cash and/or force account; and,**

**WHEREAS, if the grant is awarded the applicant commits its local match and donated amounts from the following sources:**

|                                                |                  |
|------------------------------------------------|------------------|
| <b>Patroncity Campaign (MEDC Pending) -</b>    | <b>\$100,000</b> |
| <b>Local Foundations (Pending) -</b>           | <b>\$125,000</b> |
| <b>County and Township Support (Pending) -</b> | <b>\$25,000</b>  |

**Total - \$275,000**

**THEREFORE, BE IT RESOLVED that the City of Ypsilanti hereby authorizes submission of a Land and Water Conservation Fund application for \$300,000, and further resolves to make available a local match through financial commitment and donation(s) of \$300,000 (50%) of a total \$600,000 project cost, during the 2018-2019 fiscal year.**

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

DDA/Community Development Director Joe Meyers stated the Friends of Rutherford Pool approached staff to apply for a \$300,000 Department of Natural Resources Grant. He stated they have committed to raising the funds and are in the audience to address Council. The Friends Group hopes to use the funding to make improvements to the pool's bathhouse.

**B. Open public hearing**

1. John Weiss, Friends of Rutherford Pool Chair, 1206 Pearl; Kathy Thorburn, 1212 Sherman; Jessica Faul, 101 N. Wallace, stated the bathhouse is a cinderblock building approximately forty-five years old and is in need of electric and plumbing updates. The community has also expressed a need for updating the bathrooms, including a family/gender neutral bathrooms. When a presentation was first made to Council there was discussion about also providing solar panels. However, that will need to be completed as a separate phase because of the cost. The grant would cover half of the cost of the project, with the other sources of funding being five foundation grants and \$50,000 through individual donors, which would be matched through a crowd funding campaign. He understands there are issues around relocating the recycling center, but if that does not happen by the end of the summer the application will lose significant points for approval. He appreciates Council's consideration for contributing \$25,000 to the project.

**C. Resolution No. 2018- 068A, close public hearing**

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:**

**THAT the public hearing for the Michigan Land and Water Conservation Fund (LWCF) grant application for Rutherford Pool Renovations is hereby closed.**

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

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

Council Member Vogt stated he learned a long time ago that anything the Friends of Rutherford Pool want to do is going to get done. He is in complete amazement in the work done by the group and is complete support of the approval of this resolution.

Council Member Robb asked if the \$25,000 committed by the city in the resolution is a pass through from Friends of the Rutherford Pool. Mr. Meyers responded his understanding is it is a pass through, but the Friends Group might be under a different understanding. Mr. Weiss replied when the pool was rebuilt all the funds went to the city, except for what was raised by the Friends Group. The city would then invoice the group and reimburse the city. Mr. Meyers asked if the Friends Group is asking for a \$25,000 commitment from the city. Mr. Weiss responded they are asking the city to make a

monetary contribution to the project. Council Member Bashert added making a contribution to this project was a discussion during goal setting, however, Council has not voted to commit those funds. Economic Development Director Beth Ernat stated she believes the \$25,000 was committed as a part of a resolution approved by Council. Ms. Bashert replied it was discussed but never approved. Mr. McClary stated he remembers specifically that Council, during the initial presentation of this project, would be contributing toward this project.

Council Member Murdock stated the general discussion was about parks. The issue regarding moving the recycling center came from those discussions. He would like to set money aside for parks for several improvements in the city's park system. If the city commits \$25,000 to this project it would essentially be moving it ahead of other need improvements. He said staff informed Council this process is fairly quick and suggested it is unlikely this project will be funded this year.

Mayor Edmonds stated she is not against making a monetary commitment to the pool, however, she recommended striking that section of the resolution. Mr. Meyers replied the resolution is required to include a local contribution, but that could be a contribution from the Friends of Rutherford Pool through the city. Ms. Edmonds asked when the due date for the application is. Mr. Meyers responded April 1<sup>st</sup>. Ms. Edmonds stated it does not make sense to include a something that has not been approved by Council. Ms. Ernat suggested tabling this item to provide time to amend the resolution.

**Council Member Murdock moved, seconded by Council Member Bashert to table Resolution No. 2018-068.**

On a roll call, the vote to table Resolution No. 2018-068 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

**XI. ORDINANCES – FIRST READING -**

*Ordinance No. 1303*

1. Bell-Kramer Rezoning of Residential parcels currently zoned PMD to CN-Mid  
A. Resolution No. 2018-055, determination

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**Whereas, the City has an interest in protecting the health, safety, and welfare of its citizens; and**

**Whereas, the City has performed environmental testing in the Bell-Kramer neighborhood to address concerns regarding the former City Landfill site; and**

**Whereas, the test results indicate that the area can be returned to residential zoning; and**

**Whereas, the Planning Commission has affirmed that the rezoning is not consistent with the City Framework (Future Land Use Map) of the Master Plan, but new information regarding the area has been developed, thus changing the conditions since Master Plan adoption; and**

**Whereas, the Planning Commission has found that the residential zoning classification of CN-Mid most appropriately matches the pattern of existing development; and**

**Now therefore be it resolved that the Ypsilanti City Council approve the ordinance entitled Rezoning of Bell Kramer Residential Parcels.**

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

City Planner provided a synopsis of why this resolution is being requested for approval.

B. Open public hearing

None

C. Resolution No. 2018-056, close public hearing

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:**

**THAT the public hearing for the ordinance entitled Rezoning of Bell Kramer Vacant Parcels, residential zoning classification of CN-Mid is hereby closed.**

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

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

Council Member Robb stated by Council action PMD was updated to allow for rebuilds, why that is no longer sufficient. Ms. Wessler responded CM Mid allows for new construction. Mr. Robb asked if that new construction in that neighborhood is a goal of the Planning Department. Ms. Wessler responded there are only two lots on which new homes could be built. Mr. Robb stated this would allow for construction of nursing homes and funeral homes, is that something that is wanted in that neighborhood. Ms. Wessler responded it is something that was allowed in the R2 designation. Mr. Robb stated if Council was to take no action residents would not be able to build accessory structures. Ms. Wessler replied residents would not be able to have new construction, or expand on existing structures. Although, the rebuild clause exists it would still cause lenders to take caution in providing mortgages for that neighborhood, as well as insurance companies.

Mayor Pro-Tem Brown stated this is what the residents of that neighborhood requested.

On a roll call, the vote to approve Resolution No. 2018-055 was as follows:

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

VOTE:

YES: 5 NO: 1 (Robb) ABSENT: 1 (Richardson) VOTE: Carried

2. Bell-Kramer Rezoning of city-owned vacant parcels currently zoned GC and PMD to P (Park)
  - A. Resolution No. 2018- 057, determination

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**Whereas, the City has an interest in protecting the health, safety, and welfare of its citizens; and**

**Whereas, the City desires these parcels to remain low-intensity due to their environmental history and access-challenged location; and**

**Whereas, the Parks zoning district precludes many high-intensity uses; and**

**Whereas, the Planning Commission has affirmed that the rezoning is not consistent with the City Framework (Future Land Use Map) of the Master Plan, but new information regarding the area has been developed, thus changing the conditions since Master Plan adoption; and**

**Whereas, the zoning classification of Parks most appropriately matches the desired intensity; and**

**Now therefore be it resolved that the Ypsilanti City Council approve the ordinance entitled Rezoning of Bell Kramer Vacant Parcels.**

OFFERED BY: Mayor Pro-Tem Brown

SECONDED BY: Council Member Vogt

Ms. Wessler provided a synopsis of why this resolution is being submitted for approval.

Mayor Edmonds clarified a Parks zoning classification does not necessarily indicate it is a park. Ms. Wessler responded in the affirmative.

Council Member Bashert asked who would have jurisdiction over these parcels. Ms. Wessler responded the parcels are owned by the city. Ms. Bashert asked if the Parks and Recreation Commission had jurisdiction. Ms. Wessler responded no.

- B. Open public hearing

None

- C. Resolution No. 2018- 058, close public hearing

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:**

**THAT the public hearing for the ordinance entitled Rezoning of Bell Kramer Vacant Parcels, zoning classification of Parks is hereby closed.**

OFFERED BY: Mayor Pro-Tem Brown

SECONDED BY: Council Member Vogt

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

Mayor Edmonds stated the residents of that neighborhood requested this and it makes sense to maintain that open space.

On a roll call, the vote to approve Resolution No. 2018-057 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

*Ordinance No. 1305*

3. Medical Marijuana Text Amendments in response to MMFLA  
A. Resolution No. 2018- 059, determination

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**Whereas, the City has opted-in to the Medical Marijuana Facilities Licensing Act (MMFLA); and**

**Whereas, the City has existing zoning ordinances developed under the Michigan Medical Marihuana Act (MMMA); and**

**Whereas, the existing zoning regulations must be updated to align with the MMFLA; and**

**Now therefore be it resolved that the Ypsilanti City Council approve the amendment to Chapter 122, Sections 122-203, 122-446, 122-532, and 122-533 to better align the text of the Zoning Ordinance with the MMFLA.**

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

Ms. Wessler provided a synopsis of why this resolution is being submitted for approval.

B. Open public hearing

None

C. Resolution No. 2018- 060, close public hearing

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:**

**The public hearing for the amendment to Chapter 122, Sections 122-203, 122-446, 122-532, and 122-533 to better align the text of the Zoning Ordinance with the MMFLA is hereby closed.**

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

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

Council Member Murdock asked if this amendment essentially just changed the titles in the zoning code. Ms. Wessler replied in the affirmative, and removed some duplication.

On a roll call, the vote to approve Resolution No. 2018-069 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

Council Member Bashert asked if all the facilities operating in the city met the deadline. Ms. Wessler responded they had met the deadline for the city, but the city is not in contact with the state, so it is unknown if that deadline was met.

*Ordinance No. 1306*

4. Medical Marijuana Text Amendment to permit Provisioning Centers in the General Corridor  
A. Resolution No. 2018- 061, determination

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**Whereas, there are several Provisioning Centers in the City; and**

**Whereas, the City wishes success for existing businesses in the recently changed market; and**

**Whereas, Provisioning Centers are considered nonconforming uses in the General Corridor zoning district; and**

**Now therefore be it resolved that the Ypsilanti City Council approve the amendment to Chapter 122, Article IV, Section 451, to permit Provisioning Centers as a Special Use in the General Corridor zoning district.**

OFFERED BY: Council Member Vogt

SECONDED BY: Mayor Pro-Tem Brown

Ms. Wessler provided a synopsis of why this resolution is being submitted for approval.

Council Member Murdock asked if those operating in the General Corridor would need to apply for a special use permit. Ms. Wessler responded in the affirmative, if they plan to expand or relocate. If they continue to operate as they exist they would operate as non-conforming.

B. Open public hearing

None

C. Resolution No. 2018- 062, close public hearing

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:**

**THAT the public hearing for the amendment to Chapter 122, Article IV, Section 451, to permit Provisioning Centers as a Special Use in the General Corridor zoning district is hereby closed.**

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

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

Council Member Murdock stated he understands the need for the amendment, but it changes where facilities can be located. It does not seem important since the all available permits have been issued, but if not would potential locations be changed. Ms. Wessler responded the only location that would be significantly different would be one block on Washtenaw, from Bellevue to 1820 Washtenaw.

Mayor Edmonds asked if the cap for medical marijuana facilities is seven for provisioning centers and three for cultivation. Ms. Wessler responded in the affirmative. Ms. Edmonds asked if the cap was five at one time for provisioning. Ms. Wessler responded the cap was six.

Council Member Bashert asked how seven provisioning centers operated in the city with a cap at six. Ms. Wessler replied the seventh applicant was already vested at the time the cap was set.

Mayor Edmonds asked when Council passed the ordinance to opt in to the MMFLA the cap was increased. Mr. DuChene responded in the affirmative. Ms. Wessler added the cap was changed to incorporate the existing number of businesses. Mr. DuChene stated since the point the cap was instituted there was confusion to why seven businesses were permitted to operate with a cap of six. The thought of increasing the cap was to remove that cloud of confusion.

Council Member Murdock asked if Council wished to maintain the cap at six, could the ordinance be amended. Mr. DuChene replied if one of the facilities closes. Mr. Murdock replied no, prior to a facility closing. Mr. DuChene replied Council could do that, but it would recast the legal cloud regarding cap limitations. Now that the state is involved in interpreting the city ordinance he would advise against it, but that is a policy decision for Council. Mayor Edmonds asked if it would be a threat to an existing facility. Mr. DuChene replied in the affirmative. Mr. Murdock asked if a facility closes could the city refuse to issue another permit. Mr. DuChene responded he would need to provide an answer to that question at a later date. Ms. Ernat added it is her understanding of the state process that all facilities needed to be conforming. It would be detrimental to the entity that became the non-conforming in terms of eligibility for the state license under LARA. Mr. Murdock replied the conforming issue has more to do with zoning. Mr. DuChene replied he would need to research the implication of that Council reducing the cap.

On a roll call, the vote to approve Resolution No. 2018-063 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

**XII. ORDINANCES – SECOND READING –**

*Ordinance No. 1302*

Resolution No. 2018- 063, approving an ordinance to provide for a service charge in lieu of taxes (PILOT) for Towne Centre (401 W. Michigan Avenue), a housing project for low income persons and families to be financed with a federally-aided or Authority-aided Mortgage Loan or an advance or grant from the Authority pursuant to the provisions of the State Housing Development Authority Act of 1966 (1966 PA 346, as amended; MCL 125.1401, *et seq* (the “Act”)

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**That an ordinance entitled “City of Ypsilanti Tax Exemption Ordinance-Towne Centre” be approved on Second and Final Reading.**

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

Mr. DuChene provided a synopsis of why this resolution is being submitted for approval.

On a roll call, the vote to approve Resolution No. 2018-063 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

**Council Member Bashert moved, seconded by Council Member Vogt to remove Resolution No. 2018-068 from the table.**

On a roll call, the vote to remove Resolution No. 2018-068 from the table 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: 5 NO: 0 ABSENT: 2 (Richardson, Brown) VOTE: Carried

Mr. Meyers informed Council of the amendments made to the resolution.

**Council Member Murdock moved, seconded by Council Member Vogt to substitute Resolution No. 2018-068.**

**Substitute Resolution No. 2018-068**

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**WHEREAS, City of Ypsilanti supports the submission of an application titled, “Rutherford Pool Bathhouse Renovation ” to the Land and Water Conservation Fund for development of renovating the nearly 50 year old bathhouse at Recreation Park; and,**

**WHEREAS, the proposed application is supported by the Community's 5-Year Approved Parks and Recreation Plan; and,**

**WHEREAS, The Friends of the Rutherford Pool have provided to the City of Ypsilanti a financial commitment to the project in the amount of \$25,000 matching funds, in cash and/or force account; and,**

**WHEREAS, if the grant is awarded the applicant commits its local match and donated amounts from the following sources:**

|                                                |                  |
|------------------------------------------------|------------------|
| <b>Patroncity Campaign (MEDC Pending) -</b>    | <b>\$100,000</b> |
| <b>Local Foundations (Pending) -</b>           | <b>\$150,000</b> |
| <b>County and Township Support (Pending) -</b> | <b>\$25,000</b>  |
| <b>Total -</b>                                 | <b>\$275,000</b> |

**THEREFORE, BE IT RESOLVED that the City of Ypsilanti hereby authorizes submission of a Land and Water Conservation Fund application for \$300,000, and further resolves to make available a local match through financial commitment and donation(s) of \$300,000 (50 %) of a total \$600,000 project cost, during the 2018-2019 fiscal year.**

On a roll call, the vote to substitute Resolution No. 2018-068 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: 5 NO: 0 ABSENT: 2 (Richardson, Brown) VOTE: Carried

On a roll call, the vote to approve the Substitute Resolution No. 2018-068 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

**XIII. CONSENT AGENDA –**

Resolution No. 2018-064

1. Resolution No. 2018-065, approving minutes of March 6, 2018

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**THAT the minutes of March 6, 2018 be approved.**

- ~~2. Resolution No. 2018-066, approving appointments to Boards and Commissions.~~ **(Moved and heard during Section XIV)**

3. Resolution No. 2018-067, approving the removal of a section of Armstrong Court, 143 feet north of Armstrong Drive.

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**WHEREAS, the City of Ypsilanti does wish to decertify a section of Armstrong Court from the Act 51 local street mileage certification; and**

**WHEREAS, this decertification of Armstrong Court located north of Armstrong Drive for a total decertification length of 143 feet; and**

**Now Therefore Be It Resolved That, the City Council approves the decertification of a section of Armstrong Court north Armstrong Drive for a total of 143 feet from the Act 51 local street mileage certification.**

OFFERED BY: Council Member Murdock

SECONDED BY: Mayor Pro-Tem Brown

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

**XIV. RESOLUTIONS/MOTIONS/DISCUSSIONS –**

1. Resolution No. 2018-069, approving an application for a Neighborhood Enterprise Zone (NEZ) Rehabilitation Certificate for Lillie Covington, 406 S. Hamilton, Ypsilanti, MI.

**RESOLUTION APPROVING AN APPLICATION FOR A NEIGHBORHOOD ENTERPRISE ZONE REHABILITATION EXEMPTION CERTIFICATE FOR LILLIE COVINGTON 406 S. HAMILTON 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 Lillie Covington is not delinquent on any taxes related to the home, and**

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ypsilanti and hereby is granted a Neighborhood Enterprise Zone Rehabilitation Exemption for property located at 406 S. Hamilton Street, Ypsilanti MI 48197 for a period of 15 years, beginning December 31, 2017, and ending December 30, 2032, pursuant to the provisions of PA 147 of 1992, as amended.**

OFFERED BY: Mayor Pro-Tem Brown

SECONDED BY: Council Member Bashert

Ms. Ernat provided a synopsis of why this is being submitted to Council.

Mayor Edmonds asked if edits will need to be made to the other NEZ approvals. Mr. Meyers responded no, they already been submitted to the state.

Mayor Edmonds asked how many NEZs have been approved. Mr. Meyers responded three applicants have been approved by Council and three more are actively working on applications. Ms. Ernat added the Community Development Block Grant (CDBG) Clean and Green Program will begin in the summer to address weeds, shrubs, and over growth. Hopefully, that program will get more people interested.

Council Member Robb stated the memo states the previously approved resolution needs to be rescinded and this resolution does not rescind. Mr. Meyers replied the memo is incorrect, the previously approved resolution does not need to be rescinded.

On a roll call, the vote to approve Resolution No. 2018-069 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. 2018-066, approving appointments to Boards and Commissions.

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

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

| <u>NAME</u>                                                                             | <u>BOARD</u>                      | <u>EXPIRATION</u> |
|-----------------------------------------------------------------------------------------|-----------------------------------|-------------------|
| <b>Daquann Harrison (Ward 2)<br/>1118 N. Huron River Dr. #3<br/>Ypsilanti, MI 48198</b> | <b>Police Advisory Commission</b> | <b>TBD</b>        |
| <b>Gail Wolkoff (Ward 2)<br/>1728 Whittier Rd.<br/>Ypsilanti, MI 48197</b>              | <b>Police Advisory Commission</b> | <b>TBD</b>        |
| <b>Heather Freeling (Ward 1)<br/>422 S. Huron St.<br/>Ypsilanti, MI 48197</b>           | <b>Police Advisory Commission</b> | <b>TBD</b>        |
| <b>Kathleen McCormick (Ward 1)<br/>407 Ainsworth Cir.<br/>Ypsilanti, MI 48197</b>       | <b>Police Advisory Commission</b> | <b>TBD</b>        |

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

Council Member Robb stated he removed this resolution from the Consent in order to provide expiration dates. He added if these nominations are approved and those that are nominated tonight Ward 3 will only have one representative while the other Wards have three. Mayor Edmonds stated there were not many applicants from Ward 3 and they have extensive representation on other boards and commissions.

Mayor Edmonds asked for a motion to table in order to provide expiration dates.

**Council Member Bashert moved, seconded by Council Member Vogt to table Resolution No. 2018-066.**

On a voice vote, the motion carried, and Resolution No. 2018-066 was tabled.

On a roll call, the vote to approve Resolution No. 2018-066 as amended was as follows:

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

VOTE:

YES: 5 NO: 1 (Robb) ABSENT: 1 (Richardson) VOTE: Carried

#### **XV. LIAISON REPORTS –**

- A. SEMCOG Update – None
- B. Washtenaw Area Transportation Study – Council Member Murdock stated there has been some contention regarding the Regional Transit Authority (RTA) putting a proposal on the November ballot. It appears the county executives have vetoed any four county plan, at least without significant changes. Wayne County has proposed a plan that includes all four counties with a slightly different focus. It includes a commuter rail and service improvements, but removes the rapid bus system. It does not look like the RTA will be supporting that plan. He believes eventually Wayne and Washtenaw Counties might partner, but it will be difficult to put those pieces together for November.
- C. Urban County – Ms. Ernat stated the updated consolidated five year plan is posted on the city's website and Facebook. The comment period is from March 1<sup>st</sup> through April 2<sup>nd</sup> and recommended Council comment.
- D. Ypsilanti Downtown Development Authority – Mayor Edmonds stated the DDA is excited to be welcoming businesses on South Washington. She recently took a tour of the former Smith Furniture building which should be open by June. Construction encountered some issues, as would happen with old buildings, but is progressing well. Massage Mechanics has moved from Depot Town to South Washington. A grant was approved for Tinker Tech, which was one of the Pitch Ypsi businesses, and will be opening next to Blackstone Bookstore in the next couple of months.
- E. Eastern Washtenaw Safety Alliance – None
- F. Friends of Rutherford Pool – None
- G. Housing Equity Team – Meeting is on Wednesday, March 21, 2018.

Mayor Edmonds asked for an update on the partnership with Ypsilanti Township regarding Ecorse. Ms. Ernat explained Ypsilanti Township was provided a grant through the University of Michigan to create a plan for the Michigan Ave and Ecorse corridors. She has been asked to be a part of the planning committee, and had positive outreach to the businesses in that corridor. Two to three blocks of Ecorse and Michigan Ave. by the bridge are in the city's jurisdiction. She hopes once the plan is completed it will come before the Planning Commission for adoption.

Mayor Edmonds asked if there has been any discussion about a pedestrian crossing at the slit at Michigan and Ecorse. Ms. Ernat replied there have been very productive conversation with MDOT regarding a pedestrian crossing at that location. Ms. Edmonds stated it is a very dangerous crossing to navigate. Ms. Wessler replied there has been discussion regarding a road diet prior to the roads combining, but once the do a diet is no longer possible.

Ms. Ernat stated State Representative Ronnie Peterson hosted a breakfast this past Monday with several community partners regarding a train platform in Depot Town. The breakfast was geared as a meet and greet to build support for the project. At the breakfast Representative Peterson informed everyone he has taken the project as far as he can, and now it is now the responsibility of the City of Ypsilanti. The city has a connection with a regional consultant with leads for potential funding mechanisms to help fund consulting services. She expects to forward a work plan to Council in May including what has been completed and the next steps of this project.

Council Member Murdock stated he was at the same breakfast and agrees Council needs to hold a work session to discuss all steps. He said Amtrak informed him the Wolverine Line has six trains both ways, and will not have the ability for all trains to stop in Ypsilanti. Ms. Ernat explained trains that do not open toward the platform would be unable to stop in the city.

**Council Member Bashert moved, seconded by Council Member Vogt to remove Resolution No. 2016-066 from the table.**

On a voice vote, the motion carried and Resolution No. 2018-066 was removed from the table.

**Council Member Murdock offered a friendly amendment.**

**Council Member Bashert agreed to the friendly amendment.**

**Amended Resolution**

**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:**

| <b><u>NAME</u></b>                                                                      | <b><u>BOARD</u></b>               | <b><u>EXPIRATION</u></b> |
|-----------------------------------------------------------------------------------------|-----------------------------------|--------------------------|
| <b>Daquann Harrison (Ward 2)<br/>1118 N. Huron River Dr. #3<br/>Ypsilanti, MI 48198</b> | <b>Police Advisory Commission</b> | <b>2/1/2019</b>          |
| <b>Gail Wolkoff (Ward 2)<br/>1728 Whittier Rd.<br/>Ypsilanti, MI 48197</b>              | <b>Police Advisory Commission</b> | <b>2/1/2020</b>          |
| <b>Heather Freeling (Ward 1)<br/>422 S. Huron St.<br/>Ypsilanti, MI 48197</b>           | <b>Police Advisory Commission</b> | <b>2/1/2020</b>          |
| <b>Kathleen McCormick (Ward 1)<br/>407 Ainsworth Cir.<br/>Ypsilanti, MI 48197</b>       | <b>Police Advisory Commission</b> | <b>2/1/2021</b>          |

On a roll call, the vote to approve Resolution No. 2018-066 as amended was as follows:

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

VOTE:

YES: 5 NO: 1 (Robb) ABSENT: 1 (Richardson) VOTE: Carried

#### **XVI. COUNCIL PROPOSED BUSINESS –**

##### Vogt

- Stated he sent Council a rough draft of a proposed alternative for the Community Benefits Ordinance. He asked for Council to provide their input on the draft.

##### Brown

- She had the pleasure of having lunch with some Ypsilanti students, and it was a very positive experience.

##### Bashert

- She asked if when the Police Department interacts with an individual under the influence of alcohol or a narcotic would they have the choice of entering treatment rather than jail.
- She asked if the city use My Green Power through DTE. The program offers power through all renewable energy sources for higher rates. The program would be in line with reducing the city's carbon footprint.
- She asked why the gate has been locked at Riverside Park.

Ms. Ernat responded the gate is locked during the winter months. Council Member Bashert asked why the gate is closed during the winter. Ms. Ernat replied because there is not snow maintenance during the winter at the parks. Ms. Wessler add the gate will not be open until the road is able to bear the weight of a vehicle. Ms. Bashert stated the city has a road that will not handle the weight of a vehicle during certain times of the year. Ms. Wessler responded it is not an actual road, it is more of a driveway.

- She has reached out to EMU regarding the possible use of its parking structure during the weekends. She expects the conversations to continue and feels positive about the potential outcome.

##### Murdock

- Asked for an update on 401 E. Forest and 214 N. River. He said 401 E. Forest has not had much work completed. He asked if the demolition by request is still going through the process.

Ms. Ernat responded the process is on hold for a work plan approved by the Administrative Hearings Bureau. Council Member Murdock asked for a date for completion. Ms. Ernat responded there are dates, but weather has stalled work at this point. Mr. Murdock stated 214 N. River has the same issues and he has not seen a permit issued for repairs. Ms. Ernat replied there are two open permits.

- He asked for an update on the Border to Border Trail.

Ms. Ernat responded there are two areas left for remediation, which cannot not be reached. Staff has come to an agreement with the Department of Natural Resources that if those areas are covered either with stone, or asphalt and a bench it will be in compliance. Once the report is approved by a peer review the city will issue a certificate of compliance. As soon as the certificate is received the trail will be reopened.

- He asked what the status is for the Riverside Park playground.

Ms. Ernat replied she is in the process of scheduling a date for a public meeting, which will occur prior to the next Parks and Recreation Commission meeting. Selections for equipment must be made, and staff may have found equipment that fulfills many of the objectives for the equipment. Once staff makes its selection it will be submitted to the Parks and Rec Commission for approval. She hopes the equipment will be installed by late June. Council Member Murdock asked the cost of the equipment. Ms. Ernat responded \$165,000, and the city has received a CDBG for a priority project for \$150,000 and the city has funds remaining from last year's budget allocation not used for demolition. She will also be requesting the county for funding. The equipment is fully ADA compliant and sensory aware, meaning the equipment will be targeted to all ages and abilities.

- He asked for information regarding the appointed Ethics Board members, including their party affiliation.

Mayor Edmonds stated she does not believe party affiliation is known. She asked staff to ask the board for their party affiliation. Council Member Bashert asked why it is necessary to know party affiliation. Ms. Edmonds responded the Charter requires the Ethics Board be politically balanced. She added it is problematic because Michigan does not require voters be registered members of a party. Ms. Bashert stated the problem is Ypsilanti is very unbalanced in terms of affiliation.

- If he has support he would like to bring forth a recycling ordinance that will be based on the Property Maintenance Code, and incorporate rental structures.

Mayor Edmonds stated staff will be working with the Department of Public Services based on what was discussed during the recycling work session. Council Member Murdock responded that work will have no bearing on the adoption of this ordinance. Ms. Edmonds replied it will have a bearing on whether or not she would support an ordinance. Council Member Robb stated the ordinance will affect the Property Maintenance Code, not the city's process for recycling. He added this ordinance will amend the Property Maintenance Code to require a rental with four or more units to provide its own recycling services.

Mr. McClary stated Council's directive was for staff to bring forth additional information and a draft ordinance for Council's review and discussion. The ordinance would require recycling participation from multi-unit properties. Council Member Bashert stated it appears what is being requested is already in process.

- If he has support he would like to bring forward an ordinance requiring notification of an expiration of affordability of subsidized housing, and the intent of the owner. He would also like the ordinance to include tenant protections in those housing units. He would also like to add condo conversions.

Mayor Edmond offered her support in the drafting of that ordinance. Council Member Murdock asked how many subsidized projects are in the city, and when their agreements expire.

- He stated the city has an obligation to provide a dedicated downtown police officer through its contract with the Downtown Development Authority. He asked what is the city is doing to meet its contractual obligations.

Mr. McClary replied that will be a topic of budget discussion. Council Member Murdock stated that is not soon enough for a resolution. Mr. McClary replied he does not have answers at this point because staff is still working to balance the budget. Mr. Murdock asked if all the budgeted positions are filled at the Police Department. Mr. McClary replied there is one vacancy currently being filled. The individual is currently completing training at the academy and will begin patrol work in early May. He added a downtown dedicated officer is something that will require allocating additional resources. Mr. Murdock responded he feels the answer is simpler, if the department does not have enough staff to fulfill the city's obligation the staff needs to be increased, or the city needs to inform the DDA it will not be providing the officer. Mayor Edmonds interjected Council made the decision to cut three officer. Mr. Murdock responded he understands, but the city still has that obligation. If the city cannot fulfill that agreement it is staff's obligation to inform Council. The DDA has not officially said anything regarding the officer and have been very patient. Mr. McClary stated the Police Chief has addressed Council regarding the limits in staffing and the city could not meet this obligation. Over the past year the Police Department has reduced its staff by six positions. This will require Council making decisions regarding staff levels for the Police Department as a part of budget discussions. Mr. Murdock replied he will be submitting a resolution to Council requiring the filling of that position as soon as possible. Mr. McClary responded the cost for a police officer is roughly \$100,000 annually.

#### **XVII. COMMUNICATIONS FROM THE MAYOR –**

- She spoke to the individuals installing solar panels on Parkridge Center. The installers were a part of a pilot program to provide training to residents.
- She and Dave Strenski will be in Kansas City next week to accept an award for solar power on behalf of the city.
- The Climate Mayor's Call had an interesting presentation from Moody's, which will now look at sustainability and resilience as a part of the credit rating it gives cities.
- She has been working with teens over the past year and have created a pilot called "Place at the Table".
- Several public Officials from each level of government have visited schools in the area during lunch. There will be additional dates in April if anyone would like to participate.
- She thanked the Police Department and the Public Services Department for their assistance during the student protest at Riverside Park. She then took part in a march at Ypsilanti International Elementary School and then took questions from the fifth grade class.

## **XVIII. COMMUNICATIONS FROM THE CITY MANAGER –**

- He provided an update on the China trip investigation report which will be given to the Attorneys Office next week.
- He provided an update on how the Municipal Services Agreement for Chidester will be calculated. Based on his calculations the December to December to payment should be \$41,408. He recommends using the December to December method rather than the averages.
- His report includes additional information regarding 401 Forest and 214 River.
- He is working with staff to gather information regarding investments in gun manufacturers and Prison Operators.
- The dates for the budget session and community benefits ordinance work session have been scheduled.

Ms. Ernat stated staff held a meeting with community landlords regarding inspection fees. She will be emailing the proposed changes to Council. She explained the fee for re-inspections was not well received and will be removed, and the fees will be adjusted. Council Member Murdock asked if staff is going to explore using better technology for inspections. Ms. Ernat responded in the affirmative, and staff is scheduling to shadow neighboring communities that use newer technology. Staff is also soliciting quotes for this technology and software.

Council Member Murdock stated the city has roughly 42,000 rental units to inspect annually, and per the staff memo half of the inspections require a re-inspection. That would result in 6,000 inspections annually, and at five hours per inspection it is impossible with only three inspectors. Ms. Ernat replied in the affirmative, and explain part of the solution is to transition to a three year certificate. That program will be first piloted with single family rentals and if successful incorporate multi-family units. Mr. Murdock stated in order to successfully complete all inspections the city will need additional staff which could affect the cost of an inspection. Ms. Ernat responded the five hours does incorporate re-inspections. Council Member Robb interjected the city completed 2,000 inspections last year, and of those only 1,300 were unique units. He explained the city is on a five year cycle rather than a five year. Ms. Ernat replied due to staff shortages last year was an outlier. Mr. Murdock stated the intent is to build an effective program.

Council Member Bashert asked if the municipal software being discussed incorporates this issue. Mr. McClary responded the connectivity will be a part of the issue, but the municipal software will not. Ms. Bashert stated every conversation regarding technology will ultimately come down to bandwidth.

Council Member Murdock stated many at the meeting were interested in being charged by the hour, which he feels would be impossible. Ms. Ernat agreed, and stated it would not be to anyone's benefit.

**XIX. COMMUNICATIONS –**

**Nominations**

**Ypsilanti Community Utilities Authority**

Jon Ichesco (Reappointment)  
1218 Pearl  
Ypsilanti, MI 48197

**Police Advisory Commission**

Michael Stone-Richard (Ward 3)  
844 Railroad  
Ypsilanti, MI 48197

Andy Fanta (Ward 2)  
1221 Westmoorland  
Ypsilanti, MI 48197

**XX. AUDIENCE PARTICIPATION –**

1. Sue Melke, 330 Chidester #409, asked when the public will hear the results of the China trip investigation.

Mr. McClary responded that decision will be made by Council Members not listed in the investigation.

**XXI. REMARKS FROM THE MAYOR –**

**XXII. CLOSED SESSION –**

~~Closed Session to discuss personnel evaluation pursuant to OMA 15.268, Section 8(a)~~ **(Removed)**

**XXIII. ADJOURNMENT –**

Resolution No. 2018-070, 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 9:19 p.m.



Resolution No. 2018 -074  
April 3, 2018

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**Whereas**, the City has an interest in protecting the health, safety, and welfare of its citizens;  
and

**Whereas**, the City desires these parcels to remain low-intensity due to their environmental  
history and access-challenged location; and

**Whereas**, the Parks zoning district precludes many high-intensity uses; and

**Whereas**, the Planning Commission has affirmed that the rezoning is not consistent with the  
City Framework (Future Land Use Map) of the Master Plan, but new information regarding the  
area has been developed, thus changing the conditions since Master Plan adoption; and

**Whereas**, the zoning classification of Parks most appropriately matches the desired intensity.

**Now therefore be it resolved** that the Ypsilanti City Council approve the ordinance entitled  
Rezoning of Bell Kramer Vacant Parcels on Second and Final Reading.

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:            NO:            ABSENT:            VOTE:

Ordinance No. 1304

An Ordinance Entitled "Rezoning of Bell Kramer Vacant Parcels"

THE CITY OF YPSILANTI HEREBY ORDAINS:

That the properties herein described:

- **30 Kramer St:** 11-11-37-101-003, LOTS 6 & 7 OF CLARKSVILLE ADD & UNPL. LD COM AT NW CORLOT 6, TH WLY ON N LINE LOT 6 EXT. 138.74', TH SELY TO A PT ON S LINE LOT 7 EXT. THAT IS 41.38' WLY OF SW CORLOT 7, TH NELY TO SW COR LOT 7, TH NLY 132' TO PT OF BEG.
- **50 Kramer St:** 11-11-37-101-004, LOT 8 PLAN OF CLARKSVILLE.
- **Bell Rd:** 11-11-37-101-013, BEG SE COR OF LOT 8 CLARKSVILLE ADDITION, TH WLY 132 FT, THSE'LY DEFL 125-10 TO LEFT 114.88 FT, TH ELY DEFL 53-26 TO LEFT 65.74 FT TH NLY DEFL 91-20-30 TO LEFT 95.5 FT TO POB. PART FC 680 T3S R7E.

Be rezoned from General Corridor (GC), to Parks (P);

And furthermore, that the property herein described:

- **I-94/699 S Huron:** 11-11-37-101-007, COMM AT A PT ON THE CITY LIMITS LINE 272.27 FT E OF CENT LINE S HURON ST, TH N 72-E 1,193 FT, TH NWLY AT RT ANG 56 FT FOR PT OF BEG, TH N18-W 530.8 FT, TH S 57-W 43.37 FT, TH S 72-W 175.24 FT, TH S 30-W 15.22 FT, TH S 74-W 67.5 FT, TH N 54-W 50.2 FT, TH N 38-W 126.9 FT, TH S 76-W 41.4 FT, TH N 50-W 4.5 FT, TH S 31-W 301.4 FT, TH N 59-W 86 FT, TH S 31-W 137 FT, TH S 27-38'50"E 63 FT, TH S 62-49'32"E 111.81 FT, TH S 80-14'53"E 510.46FT, TH S 85-29'53"E 195.98 FT, TH N 84-E 30 FT, TO PT OF BEG, BEING APPROX 6.25 ACRES.

Be rezoned from Production, Manufacturing, and Distribution (PMD), to Parks (P).

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 Washtenaw Legal News 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: \_\_\_\_\_



**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**Whereas**, the City has opted-in to the Medical Marijuana Facilities Licensing Act (MMFLA); and

**Whereas**, the City has existing zoning ordinances developed under the Michigan Medical Marijuana Act (MMMA); and

**Whereas**, the existing zoning regulations must be updated to align with the MMFLA.

**Now therefore be it resolved** that the Ypsilanti City Council approve the amendment to Chapter 122, Sections 122-203, 122-446, 122-532, and 122-533 to better align the text of the Zoning Ordinance with the MMFLA be approved on Second and Final Reading.

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:            NO:            ABSENT:            VOTE:

Ordinance No. 1305

An Ordinance Entitled "Medical Marijuana Facilities Act Zoning Update"

THE CITY OF YPSILANTI HEREBY ORDAINS:

That Section 122-203 be amended as follows:

**Medical marijuana dispensary or provisioning center** means a facility, including a membership club, where primary caregivers who are legally registered by the Michigan Department of Community Health (MDCH) may lawfully assist qualifying patients to whom the primary caregiver is connected through the state registration process and who are also legally registered by the MDCH with the medical use of marijuana in accordance with the Michigan Medical Marijuana Act, as amended. A use which purports to have engaged in the medical use of marijuana either prior to enactment of said Act, or after enactment of said Act but without being legally registered by the MDCH, shall be deemed to not be a legally established use, and therefore not entitled to legal nonconforming status under the provisions of this Ordinance and/or State Law. that sells, supplies, or provides marijuana to registered qualifying patients, directly or through a registered primary caregiver; and as defined by the Michigan Medical Marijuana Facilities Licensing Act, PA 281 of 2016, as amended.

**Medical Marijuana Growing/~~Manufacturing~~ and/or Processing Facility.** A facility for the cultivation and/or processing of medical marijuana into a usable form by primary caregivers who are legally registered by the Michigan Department of Community Health (MDCH) in accordance with the Michigan Medical Marijuana Act, as amended. A use which purports to have engaged in the cultivation and processing of medical marijuana into a usable form either prior to enactment of said Act, or after enactment of said Act but without being legally registered by the MDCH, shall be deemed to not be a legally established use, and therefore not entitled to legal nonconforming status under the provisions of this Ordinance and/or State Law. A maximum of five (5) primary caregivers may operate at a medical marijuana growing/manufacturing facility, provided all applicable zoning ordinance standards can be met, and "grower" or "processor" as defined by the Michigan Medical Marijuana Facilities Licensing Act, PA 281 of 2016, as amended.

**Medical Marijuana Facility.** A "marihuana facility" as defined by the Michigan Medical Marijuana Facilities Licensing Act.

That Section 122-446 be amended as follows:

Medical Marijuana ~~Dispensary~~ Provisioning Center (permitted)

That Section 122-451 be amended as follows:

Medical Marijuana Growing/~~Manufacturing~~ and/or Processing Facility (special use)

That Section 122-532 be amended as follows:

**Sec. 122-532. Medical Marijuana ~~Dispensaries~~ Provisioning Centers.**

- (a) The intent of the Zoning Ordinance is to regulate medical marijuana dispensaries and growing/manufacturing facilities by providing for regulations and fees in a manner that promotes and protects the public health, safety and welfare, mitigates potential impacts on surrounding properties and persons, and that conforms with the policies and requirements of the Michigan Medical Marijuana Act, MCL 333.26421, et seq (hereinafter "Act"). **Generally.** Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marijuana not in strict

~~compliance with the Act or the General Rules~~ the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, as well as any and all administrative rules or regulations contained or adopted under the authority therein. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law. ~~The Act does not protect users, caregivers or the owners of properties on which the medical use of marijuana is occurring from Federal Prosecution, or from having their property seized by Federal authorities under the Federal Control Substances Act.~~

(b) The following Standards for Medical Marijuana ~~Dispensaries shall Provisioning~~ Centers apply:

- (1) ~~The medical use of marijuana shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time~~ The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;
- (2) ~~The dispensary provisioning center shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the dispensary provisioning center is located and to the outermost boundaries of the lot or parcel on which the school is located;~~
- (3) ~~The dispensary provisioning center shall not be located within a five hundred (500) feet of a lawfully existing medical marijuana dispensary or growing/manufacturing facility as measured from the outermost boundaries of the lot or parcel on which the proposed dispensary medical marijuana facility and to the outermost boundaries of the lot or parcel on which the lawfully existing dispensary or growing/manufacturing medical marijuana facility is located;~~
- (4) ~~Smoking and/or use of medical marijuana shall be is prohibited at the dispensary on the premises;~~
- (5) All activity related to the dispensary shall be done indoors;
- (6) The premises shall be open for inspection upon request by the Building Official, the Fire Department, and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
- ~~(7) Quarterly inspections may be made by the City Official's designee to confirm the dispensary or growing/manufacturing facility is operating in accordance with applicable laws including, but not limited to, State Law and City Ordinances;~~
- ~~(8) Any medical marijuana dispensary shall maintain a log book and/or database identifying by date the amount of medical marijuana on the premises for each qualifying patient/caregiver, keeping the qualifying patient and caregiver information confidential. This log shall be available to law enforcement personnel to confirm that the medical marihuana dispensary does not have more medical marijuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of medical marijuana at the facility. The facility shall maintain the confidentiality of qualifying patients in compliance with the Michigan Medical Marijuana Act, as amended.~~
- ~~(9) If the dispensary ceases operation for a length of time of sixty (60) days or greater, the permit shall expire;~~
- ~~(10) Dispensary d (7) Drive-through and walk-up or similar facilities shall be prohibited;~~
- ~~(11) (8) All medical marijuana shall be contained within the main building in an enclosed, locked facility in accordance with the Michigan Medical Marijuana Act~~

the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;

- ~~(12) Application for a Medical Marijuana Dispensary License shall be made to the City Clerk upon application forms provided by the Clerk for Medical Marijuana Dispensary and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council; All provisioning centers must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;~~
- ~~(13) The police department shall review the proposed application to operate a dispensary regarding public health, safety, and welfare concerns of the proposal;~~
- ~~(14) (9) Growing, or cultivation, or processing of medical marijuana in a dispensary provisioning center is prohibited.~~

That Section 122-532 be amended as follows:

**Sec. 122-533. Medical Marijuana Growing/~~Manufacturing~~ and/or Processing Facility.**

- (a) ~~The intent of the Zoning Ordinance is to regulate medical marijuana dispensaries and growing/manufacturing facilities by providing for regulations and fees in a manner that promotes and protects the public health, safety and welfare, mitigates potential impacts on surrounding properties and persons, and that conforms with the policies and requirements of the Michigan Medical Marijuana Act, MCL 333.26421, et seq (hereinafter "Act").~~ **Generally.** Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marijuana not in strict compliance with the Act or the General Rules State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law. ~~The Act does not protect users, caregivers or the owners of properties on which the medical use of marijuana is occurring from Federal Prosecution, or from having their property seized by Federal authorities under the Federal Control Substances Act.~~
- (b) The following standards for Medical Marijuana Growing/~~Manufacturing~~ Growing and/or Processing Facilities shall apply:
  - (1) ~~The medical use of marijuana shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time~~ The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;
  - (2) ~~The growing/manufacturing and/or processing facility site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the growing/manufacturing and/or processing facility is located and to the outermost boundaries of the lot or parcel on which the school are is located;~~
  - (3) ~~The growing/manufacturing and/or processing facility site shall not be located within a five hundred (500) feet of a lawfully existing medical marijuana dispensary and/or lawfully existing growing/manufacturing facility as measured~~

- from the outermost boundaries of the lot or parcel on which the proposed growing/manufacturing and/or processing facility and to the outermost boundaries of the lot or parcel on which the lawfully existing dispensary or growing/manufacturing medical marijuana facility is located;
- (4) ~~Smoking and/or use of medical marijuana shall be prohibited on the premises at the growing/manufacturing facility;~~
- (5) All activity related to the growing/manufacturing and/or processing facility shall be done indoors;
- (6) The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
- (7) ~~Quarterly inspections may be made by the City Official's designee to confirm the growing/manufacturing facility is operating in accordance with applicable laws including, but not limited to, State Law and City Ordinances;~~
- (8) ~~Any medical marijuana growing/manufacturing facility shall maintain a log book and/or database identifying by date the amount of medical marijuana on the premises for each qualifying patient/caregiver, keeping the qualifying patient and caregiver information confidential. This log shall be available to law enforcement personnel to confirm that the medical marijuana dispensary or growing/manufacturing facility does not have more medical marijuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of medical marijuana at the facility. The facility shall maintain the confidentiality of qualifying patients in compliance with the Michigan Medical Marijuana Act, as amended.~~
- (9)(7) If the growing/manufacturing and/or processing facility ceases operation for a length of time of sixty (60) days or greater, the any Special Use permit shall expire;
- (10) (8) Growing/manufacturing facility dDrive-through and walk-up or similar facilities shall be prohibited;
- (11) (9) All medical marijuana shall be contained within the main building in an enclosed, locked facility in accordance with the Michigan Medical Marijuana Act the General Rules of the Michigan Department of Community Health, the MMA, the MMFLA, the MTA, as well as any and all administrative rules or regulations contained or adopted under the authority therein, as amended;
- (12) ~~All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of the structure in which electrical wiring, lighting and/or watering devices that support the cultivation, growing or harvesting of marijuana are located;~~
- (13) (10) That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
- (14) (11) Application for a Medical Marijuana Growing/Manufacturing Facility License shall be made to the City Clerk upon application forms provided by the Clerk for Medical Marijuana Growing/Manufacturing Facility License and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council All growing and/or processing facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;

- ~~(15) The police department shall review the proposed application to operate a dispensary or growing/manufacturing facility regarding public health, safety, and welfare concerns of the proposal;~~  
~~(16) (12) The dispensing of medical marijuana at the medical marijuana growing/manufacturing facility shall be prohibited.~~  
~~(17) (13) There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.~~

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  
Washtenaw Legal News 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: \_\_\_\_\_



Resolution No. 2018 -076  
April 3, 2018

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**Whereas**, there are several Provisioning Centers in the City; and

**Whereas**, the City wishes success for existing businesses in the recently changed market; and

**Whereas**, Provisioning Centers are considered nonconforming uses in the General Corridor zoning district.

**Now therefore be it resolved** that the Ypsilanti City Council approve the amendment to Chapter 122, Article IV, Section 451, to permit Provisioning Centers as a Special Use in the General Corridor zoning district be approved on Second and Final Reading.

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:            NO:            ABSENT:            VOTE:

Ordinance No. 1306

An Ordinance Entitled "PROVISIONING CENTERS IN GENERAL CORRIDOR"

THE CITY OF YPSILANTI HEREBY ORDAINS:

That Section 122-451 be amended as follows:

"Provisioning Center" be added to the category of "Services" and permissible in the General Corridor as a Special Use.

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  
Washtenaw Legal News 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: \_\_\_\_\_



Resolution No. 2018 –077  
April 3, 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:

| <b><u>NAME</u></b>                                                    | <b><u>BOARD</u></b>        | <b><u>EXPIRATION</u></b> |
|-----------------------------------------------------------------------|----------------------------|--------------------------|
| Jon Ichesco (Reappointment)<br>1218 Pearl<br>Ypsilanti, MI 48197      | YCUA                       | 2/1/2022                 |
| Michael Stone-Richard (Ward 3)<br>844 Railroad<br>Ypsilanti, MI 48197 | Police Advisory Commission | 2/1/2021                 |
| Andy Fanta (Ward 2)<br>1221 Westmoorland<br>Ypsilanti, MI 48197       | Police Advisory Commission | 2/1/2019                 |

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:

NO:

ABSENT:

VOTE:



REQUEST FOR LEGISLATION  
April 3, 2018

To: Mayor and Council

From: Max Anthouard, Fire Chief

Subject: 1996 KME Fire Truck donation

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The Michigan Fire Museum wishes to restore part of the Ypsilanti Fire Department's nonoperational 1996 KME fire truck for exhibition. More specifically, the Fire Museum would like to restore the cab area for children and adults to play.

The truck has numerous mechanical issues and is beyond repair. The department tried selling the vehicle on MITN without success last year in an attempt to reduce the cost of the new engine we purchased.

For years, the museum has assisted the fire department with fire education programs and fundraisers. Donating the YFD's 1996 KME fire truck will enhance the museum's ability to promote fire safety education in our community.

RECOMMENDED ACTION: (Approval)

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CITY MANAGER APPROVAL: \_\_\_\_\_ COUNCIL AGENDA DATE: \_\_\_\_\_

CITY MANAGER COMMENTS: \_\_\_\_\_

FISCAL SERVICES DIRECTOR APPROVAL: \_\_\_\_\_



Resolution No. 2018 - 078  
April 3, 2018

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

WHEREAS, The Michigan Fire Museum wishes to restore part of the Ypsilanti Fire Department's nonoperational 1996 KME fire truck for exhibition.; and

WHEREAS, The Michigan Fire Museum would like to refurbish the cab area of the 1996 KME fire truck for children and adults to play; and

WHEREAS, The Ypsilanti Fire Department would like to donate the YFD's 1996 KME fire truck to enhance the museum's ability to promote fire safety education in our community.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council authorizes the fire department to donate the 1996 KME fire truck to the Michigan Fire Museum for exhibition.

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:

NO:

ABSENT:

VOTE:



REQUEST FOR LEGISLATION  
April 3, 2018

To: Mayor and Council

From: Fire Chief Max Anthouard

Subject: 2017 SAFER Grant Application Authorization

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**SUMMARY & BACKGROUND:**

The City of Ypsilanti Fire Department is eligible to apply for a FEMA grant under the 2017 Staffing for Adequate Fire & Emergency Response (SAFER) Grants. The goal of SAFER is to enhance local fire departments' ability to comply with the staffing, response, and operational standards established by NFPA 1710.

I am asking for authorization to apply for 6 positions. If awarded, this grant will replace positions lost by attrition in 2017 and increase suppression to desirable staffing. The total amount for the three year period is \$1,623,474. This amount is based on a firefighter first year salary and benefits which equates to \$90,193. There is a 25% match for the first and second years and a 65% match for the third year. The City participation for the 6 positions will be \$135,289 for the first and second years and \$351,752 for the third year.

In addition to the savings this grant will bring, we can expect a tremendous reduction of overtime.

The application period opened on March 26, 2018 at 8:00 AM and will close on April 27, 2018 at 5:00 pm. The anticipated award date is no later than July 1, 2018.

**RECOMMENDED ACTION:** (Approval/Denial)

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CITY MANAGER APPROVAL: \_\_\_\_\_ COUNCIL AGENDA DATE: \_\_\_\_\_

CITY MANAGER COMMENTS: \_\_\_\_\_

FISCAL SERVICES DIRECTOR APPROVAL: \_\_\_\_\_



REVISED  
Resolution No. 2018 - 079  
April 3, 2018

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

WHEREAS, The Fire Department qualifies to apply for a FEMA grant under the 2017 Staffing for Adequate Fire & Emergency Response (SAFER) Grants. The goal of SAFER is to enhance the local fire departments' ability to comply with the staffing, response, and operational standards established by the NFPA 1710; and

WHEREAS, this grant will replace positions lost by attrition in 2017 and increase suppression to desirable staffing; and

WHEREAS, total amount for the three year period is \$1,623,474. This amount is based on a firefighter first year salary and benefits which equates to \$90,193. There is a 25% match for the first and second years and a 65% match for the third year. The City participation for the 6 positions will be \$135,289 for the first and second years and \$351,752 for the third year; and

WHEREAS, with this grant we can expect a tremendous reduction of overtime.

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

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:                      NO:                      ABSENT:                      VOTE:

Twenty-one fire suppression personnel, a Fire Chief, a Fire Marshal and a full-time secretary is the ideal staffing goal for the YFD. This number provides adequate staffing to ensure fire suppression and fire prevention services to our community. The Fire Department currently has 14 fire suppression personnel. Additionally one personnel is on long term injury. We are operating with 13 personnel which will result in tripling the budgeted overtime (\$50,000 to \$150,000).

One candidate accepted a position and is scheduled to start on April 9.

**Overtime/Staffing analysis:**

Additional personnel will have a significant impact in the reduction of overtime.

My first analysis compares the overtime spending difference when the fire department was staffed with 15 personnel in 2013-14 and the 2015-16 period when the staffing was at 18. The yearly overtime decreased by \$202,522 or from \$253,364 to \$50,842.

A 2<sup>nd</sup> analysis compares the same 2015-16 period when the staffing was at 18 to a period starting September 2017 to February 2018 where the staffing was reduced to 15. The yearly overtime increased from \$50,842 to \$172,042 or by \$121,200.

Based on the second analysis, it is fair to estimate that hiring three additional will decrease overtime spending by the same amount. Considering the overtime reduction, the net cost per additional firefighter will be just below \$50,000.

**Impact on fire operation and firefighter safety:**

With 18 fire suppression personnel, 5 personnel will be on duty most of the time. Having five personnel is critical to immediately implement OSHA 2 in 2 out regulation before the arrival of Automatic Mutual Aid units. With 4 fire suppression personnel, fire attack is delayed. This places the first entry crew at higher risk exposure to flash over. In addition, delaying the fire attack exposes the structural elements of the building to fire for a longer period increasing the risks of structure collapse.

**Impact on the moral of the firefighters:**

Fire personnel are burned out, tired and are working an unsafe amount of hours to satisfy our daily minimum staffing. When no one is available to voluntarily work overtime, people are forced to work an extra shift instead of going home. With only 15 personnel, no one is responding to call backs approximately 50% of the time. During this time the city is left unprotected.

**Maintaining our Insurance Survey Office (ISO) rating:**

Restoring a staffing at 18 is very important to maintain our ISO rating at 4 to avoid an increase of insurance cost for the community businesses.

**2017 NFPA fire departments staffing survey**

Fire Departments staffing in the US varies greatly depending on the population protected, the risks associated with the makeup of a community and the service offered by the fire department. There is an average of 1.54 firefighters per 1000 citizens in US communities protected by a full-time fire department.

Fire departments staffing protecting large universities in the Midwest varies from 0.78 to 1.9 full-time firefighters per 1000 citizens. Including EMU permanent population of 9,000, the City of Ypsilanti Fire

Department ratio firefighter per 1000 population is 0.50. Hiring three firefighters will increase this ratio to 0.60.

**Hiring proposal:**

Apply for 6 SAFER positions to increase our staffing to 21. Deducting the overtime savings, the total average estimated yearly cost for the six positions is \$76,853.

If unfortunately our SAFER application is rejected, hire 3 additional firefighters to bring our staffing to 18. Deducting the overtime savings, the total estimated cost for the three positions is \$150,000

**Other notes:**

Impact on 289 funding:

Base on the 2017 figures, increasing the fire department budget by \$150,000 will provide an additional \$25,800 funding from the State.

Formula: 
$$\frac{\text{University's SEV}}{\text{State facility SEV} + \text{City SEVs}} \times \text{FD budget} \times \text{the Proration}$$

| Fire Department Hiring cost Analysis based on entry level firefighter salary |                                      |            |                                  |            |
|------------------------------------------------------------------------------|--------------------------------------|------------|----------------------------------|------------|
| Yearly cost per firefighter                                                  | \$                                   | 90,195.00  |                                  |            |
|                                                                              |                                      |            |                                  |            |
| SAFER 2017: yearly cost per fireifghter                                      |                                      |            |                                  |            |
|                                                                              |                                      | City share | FEMA share                       | Total      |
|                                                                              | 1st year 25%                         | \$ 22,549  | \$ 67,646                        | \$ 90,195  |
|                                                                              | 2nd year 25%                         | \$ 22,549  | \$ 67,646                        | \$ 90,195  |
|                                                                              | 3rd year 65%                         | \$ 58,627  | \$ 31,568                        | \$ 90,195  |
| Yearly average cost                                                          |                                      | \$ 34,575  | \$ 55,620                        | \$ 90,195  |
| Overtime saving per firefighter if staffing is increased to 18               |                                      |            |                                  | \$ 40,400  |
| Yearly net cost per firefighter to increase staffing from 15 to 18           |                                      |            |                                  |            |
| each safer position (averaged over 3 years)                                  |                                      |            |                                  | \$ (5,825) |
| each non-safer position                                                      |                                      |            |                                  | \$ 49,795  |
| Yearly net cost per firefighter to increase staffing above 18                |                                      |            |                                  |            |
| each safer position (averaged over 3 years)                                  |                                      |            |                                  | \$ 34,575  |
| each non-safer position                                                      |                                      |            |                                  | \$ 90,195  |
| 3 Non- SAFER vs. 6 SAFER Positions                                           |                                      |            |                                  |            |
|                                                                              | 3 Non-SAFER Positions<br>18 staffing |            | 6 SAFER Positions<br>21 Staffing |            |
| 1st year                                                                     | \$ 149,385                           |            | \$ 14,093                        |            |
| 2nd year                                                                     | \$ 149,385                           |            | \$ 14,093                        |            |
| 3rd year                                                                     | \$ 149,385                           |            | \$ 230,560.50                    |            |
|                                                                              |                                      |            |                                  |            |
| 3 Year Total                                                                 | \$ 448,155                           |            | \$ 258,746                       |            |



**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**Whereas**, on March 26, 2018 the Human Relations Commission determined that the amount of public input and understanding of the city budget was unacceptably low; and

**Whereas**, the Human Relations Commission has expressed the need for the city to act more transparently regarding matters of public importance; and

**Whereas**, the city budget is a matter of extreme public importance and a profound reflection of what the city is now and will be into the future; and

**Whereas**, citizens have voiced concern over the budget process and city budget priorities in past years.

**Be It Resolved** that the Ypsilanti City Council will conduct a town hall style meeting to provide the community with knowledge on the budget and solicit feedback regarding FY 18-19 budget priorities before the April city council budget work sessions take place.

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:

NO:

ABSENT:

VOTE:



## INFORMATION MEMORANDUM

April 3, 2018

To: City Manager, Mayor and City Council

From: Beth Ernat, Director of Community and Economic Development

Date: April 3, 2018

Subject: Water Street Marketing Plan Update

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Staff has been requested to update and present a Water Street Marketing Plan following the dissolution of the International Village Purchase Agreement. At this time, staff is seeking direction from City Council as to the development of a marketing plan, timing of a plan, and what items are desirable for inclusion or exclusion from marketing.

Items for consideration are:

1. Current development plan

The City's Master Plan currently describes the Water Street site as a dense mixed-use development with commercial focus along Michigan Avenue and multi-family development within the site with emphasis on the Huron River. Following the Master Plan a plan was drafted dividing the site into approximately two acre parcels with extensions of several roadways. This is the current plan marketed on the website.

The current marketing plan poses several issues mainly with the amount of infrastructure required to initiate the plan. The small parcels and the amount of roadway make the plan difficult to market and less appealing for development. Additionally, the infrastructure proposed would be difficult for the City to ultimately maintain and accept as part of a development plan.

Staff would recommend that marketing efforts return to the Master Plan proposed development site leaving for flexibility for creativity of development. Should the site be split, it is more feasible that it be split in half or in quarters rather than in multiple 2 acre parcels.

2. Environmental Contamination

Over the past two years, the existing environmental conditions have been studied and complete analysis of the entire site is available. It is often asked what the costs of remediation of the site are. The correct answer to this question is, it depends. The cost to completely remove all contamination and bring in new fill could exceed \$23 million dollars; however, most development plans would not require a complete dig, haul, and fill. The future uses and the location of each use will determine the correct path of remediation. In certain cases a concrete

or asphalt cap may remediate the environmental concerns. In other scenarios, a vapor barrier may be required or a dig, haul, and fill. It is safe to assume that for complete development of the site costs may range from \$8 million to \$23 million plus.

Once the Water Street Trail has received a certificate of completion from the MDEQ, environmental consultants, AKT Peerless will submit a final draft of a Document of Due Care and Compliance (DDCC) to MDEQ for approval. MDEQ will need to reject or approval the plan within 30 days of submittal. The DDCC has been preliminarily approved and the City was asked to include the trail remediation efforts prior to resubmittal. The DDCC will serve as the handbook and guideline for environmental remediation of the Water Street site. The DDCC includes the Phase II Environmental Assessment, the process for handling contaminated soils, the process for development on the site for consideration of surrounding properties and people. The DDCC will be a key part of any marketing of development on the site.

The Brownfield Plan approved for the property considers environmental costs up to \$23 million dollars as reimbursable per the rules of Act 381. The plan has been reviewed and is still relevant based on the updated reviews and DDCC.

### 3. Sale Price

Over five years ago, staff created a price of \$335,000 per acre. This cost was based on the debt incurred by the City in acquiring the property. This is an accurate cost based on the debt of the property but this cost is unrealistic as it far exceeds market value and will make financing difficult for anyone seeking to purchase the land at City asking price. Lenders (both traditional and development based) use market value of property as a key performance indicator for lending. Traditional pro-forma evaluation will not support an inflated purchase price based on debt to income ratios.

There has not been an appraisal of the property to determine the market rate in atleast five years. As the owner/potential seller of the property it would ideal to know the current market value to determine a sales starting point. Any purchaser will conduct their own appraisal but as the owner/seller it is key to know what the current market value is for negotiation purposes. The City has collected increment from the development of the Family Dollar property and could use that fund to pay for an appraisal of the property.

Also, the property has changed since the installation of the Border 2 Border Trail and the acceptance of the 100 foot recreation easement surrounding the trail. Based on the recreation easement, it appears the developable land has reduced to approximately 28 acres.

After determination of market value it would be ideal to have direction from City Council concerning what acceptable sales of the land would include. It has been industry practice for communities who own land to offer land below market rate to spur development. However, with existing debt on the property and a desire to have more public participation in the development process it would be ideal to determine at this point what the City would accept or entertain as a sale price.

### 4. Community Wants versus Market Support

The Master Plan typically serves as the ultimate guide for staff and developers as to the types of development desired. The Shape Ypsi plan identifies the Water Street site as a mixed-use

dense development. The community has rejected national chains and drive-thrus on the site in the past. Affordable housing proposals were very controversial but ultimately approved for purchase on the site to be followed by rejection from MSHDA (the tax-credit provider for affordable housing in the State). The County Park proposal for a recreation center was dissolved due to costs of development. A second lead for a recreation/wellness center did not advance due to oversaturation of the market for similar uses. The dense multi-family mixed use student housing development was very controversial but primarily due to the development source.

The current community conversation is very broad about development goals for the Water Street site.

Currently, there are several parties interested in the development of mixed-income or affordable housing. However, most conversations end with MSHDA and their lack of desire to fund development on the site due to current and future environmental concerns.

The economic development department has been flooded with recent (within the last year) inquiries for office space in the 10,000 to 20,000 square foot range. The downtown/depot town areas lack for office space and the remaining options for space are either too small, lack parking, or too challenging for redevelopment. Another area of current development interest is student housing. At this time, there is capacity for additional student housing, however, what the capacity is remains to be determined. If a proposal more near campus moves forward that will reduce the capacity for additional development. Also for consideration is the proximity to the American Center for Mobility and associated uses that will be created as the Center begins operations.

Water Street is a prime property for development. The proximity to multi-modal transit, the proximity to walkable downtown areas, the dedicated open space (linear parks) and riverfront are just some of the amenities. The cost of development here is the biggest challenge. Development does not occur without return on investment. The factors include cost of land, site preparation (environmental remediation), infrastructure improvements, rent/sale receipts, and holding costs. The price per square foot for residential, office, and retail rent are a major consideration. The current prices in Ypsilanti are well below the regional averages and have been prohibitive when encouraging the creation of new spaces (specifically office and retail). The current office rent is nearing \$1/sf. The cost of new construction (with no additional factors such as environmental, infrastructure, or historic renovation) is upwards of \$125/sf.

## 5. Community Benefits Ordinance

With the current development of the Community Benefits Ordinance and no time frame for approval or consensus for the terms of the Ordinance it seems premature to embark on a marketing plan for the biggest development opportunity in the community. The potential CBO will change the development process and it seems unfair to the parties involved (public, REDY, staff, and potential developers) to start a development campaign with an unclear process for development.

Being a certified Redevelopment Ready Community means that we commit to providing a clear and transparent development process and policies. A CBO will not affect our ability to provide a clear and transparent process but seeing that the policy has not been adopted the policy cannot be communicated.

### **Proposed Short Term Strategy**

1. Order market level appraisal of the Water Street property.
2. Work with Council to recommend marketing of full 30 acre site as shown in Shape Ypsi.  
Update marketing materials and order survey and visual marketing
3. Update website by May 1<sup>st</sup> to focus on full site and local amenities.

### **Proposed Longer Term Strategy**

1. Re-Identify ideal desired uses and undesirable uses
2. Re-establish sales price based on appraisal and debt
3. Enlist marketing firm to create national marketing package and provide national interest list based on ideal uses
4. Create Request for Qualifications and Interest
5. Identify interested developers
6. Vet financial sources

## PROPOSED APARTMENT RECYCLING ORDINANCE

### PURPOSE

- (a) Promote recycling and diversion of solid waste from landfill by requiring rental properties to source separate recyclable materials from all other solid waste for recycling and diversion from landfill and provide for the collection of recyclable materials.
- (b) Increase the recycling rate and reduce materials going to the landfill in the City of Ypsilanti as recommended by the Climate Action Plan
- (c) Contribute to the reduction of potential greenhouse gas emissions.
- (d) Establish requirements for recycling of recyclable materials generated by rental properties in order to increase the diversion of recyclable materials from landfill disposal, thus reducing greenhouse emissions, minimizing waste and helping to ensure the maintenance, restoration, enhancement, and protection of the environment, including natural resources.
- (e) Provide an enforcement mechanism to ensure that rental properties provide for the proper collection of recyclable materials

### SECTION 1

All multiple dwellings and one- or two-unit rental dwellings that are subject to registration under Section 18-131 and inspection under Section 18-112 of the Ypsilanti City Code are required to provide recycling services to their tenants.

### SECTION 2

MATERIALS MANDATED TO BE RECYCLED to be determined by the City Manager or designee and may be reviewed periodically.

### SECTION 3

CERTIFICATION OF COMPLIANCE The Registered Building owners must provide the Building Inspection Department an annual statement certifying compliance, including the name and address of their recycling hauler, the materials recycled and the recycling facility destination.

### DEFINITIONS

**Recycle or Recycling** means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become Solid Waste and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the market place. Recycling does not include burning, incinerating, or thermally destroying solid waste, or the use of material as daily landfill cover.

**Recyclable Materials** means materials that have been separated from the solid waste stream prior to disposal and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the market place and that are not landfilled. Recyclable Materials include any materials identified by the City Manager or his/her designee for which a market exists, including, but not limited to: plastic bottles and jars, paper, cardboard, glass, newspaper, metal containers or cans.

**Recycling Facility** means a Recycling, material recovery or re-use facility that is fully licensed, certified and eligible under federal, state and local laws and regulations and includes those material recovery or reuse facilities or operations that receive, process, and transfer to market Recyclable Materials that have been Source Separated from the Solid Waste stream. The Recycling Facility may be located at a Landfill.

These are the two sections of our Property Maintenance Code referred to in the proposed ordinance

**Sec. 18-112. - Inspections.**

(a)

*Generally.* The city building inspection department shall forthwith undertake systematic inspection of all multiple dwellings and one- or two-unit rental dwellings for the purpose of determining whether the units therein are in compliance with the codes noted above. Those multiple dwellings or one- or two-unit rental dwellings which are in compliance shall be issued a certificate of compliance.

(b)

*Phase-in of requirement.* The building inspection department shall inspect or cause to be inspected all multiple dwellings and one- or two-unit rental dwellings at two-year intervals for purposes of determining whether such units qualify for a certificate of compliance. It is anticipated that all multiple dwellings units shall have been inspected once and shall have complied with the city Code to qualify for such a certificate of compliance by September 1, 1986. It is anticipated that all one- or two-unit rental dwellings shall have been inspected once and shall have complied with the city Code to qualify for such a certificate of compliance by September 1, 1999.

(Code 1983, § 6.74(1), (2); Ord. No. 862, § 6.74(1), (2), 9-2-1997; Ord. No. 969, 12-3-2002)

- **DIVISION 2. - REGISTRATION**

- **Sec. 18-131. - Required.**

(a)

All persons owning a multiple dwelling, a one- or two-unit rental dwelling, or a vacant building shall register with the building inspection department indicating their name, address, telephone number and the address of all such structures owned by them, including the number and types of units in each structure, and whether such structures is vacant or "regularly occupied". Vacant buildings must be registered separately as vacant buildings even if already registered as a multiple dwelling or a one- or two-unit rental dwelling.

(b)

If the premises are managed or operated by an agent, the owner shall supply the agent's name, address and telephone number and indicate that such agent is authorized to receive notices and process under this article.

(c)

If the owner is a corporation, the names, addresses and telephone numbers of its officers shall be listed. If such corporation has no substantial assets other than the dwelling in question and is controlled in whole or in part by another corporation or corporations, then the name and address of the corporations and the names, addresses and telephone numbers of the officers shall be listed.

(d)

Any change in address of the owner or agent and any change in the number of units offered shall be noted in the registry by the owner or the agent.

(e)

For all multiple dwellings, one- or two-unit rental dwellings, and vacant buildings, an individual who is either an owner or an agent must be designated as the "owner/agent." For each "owner/agent," the following information shall be provided: name (including Jr., III, etc., and middle name if the individual's driver's license or state identification contains such information), address, driver's license number or

State of Michigan identification number, date of birth, race, sex, height, weight, hair color, and eye color. All changes to the "owner/agent" and to the information required by this subsection must be provided to the City of Ypsilanti building department in writing within 14 days of the change. The designation of an individual as the "owner/agent" shall be prima facie evidence that the named individual has sufficient control over the building to be named as a defendant in a legal action to enforce compliance with the applicable provisions of the Ypsilanti City Code with regard to buildings and fire prevention.

(Code 1983, § 6.83; Ord. No. 969, 12-3-2002; Ord. No. 974, 1-21-2003)

**TRAFFIC REVIEW COMMISSION  
MEETING MINUTES  
March 19, 2018  
4<sup>th</sup> floor Conference Room  
3:00 pm.**

**I. CALL TO ORDER**

The meeting was called to order at 3:05 pm

**II. ROLL CALL**

**Present:** Chief DeGiusti, DPS Director Kirton, DDA Director Meyers, City Planner Wessler,

**Staff:** Nan Schuette, Executive Secretary

**III. APPROVAL OF MINUTES**

DDA Director Meyers moved to approve the minutes of January 25, 2018 (Support: B. Wessler) and the motion carried unanimously.

**IV. OLD BUSINESS**

None

**V. NEW BUSINESS**

**1. Dockless Bike Sharing**

City Planner Wessler presented an Agreement, which had been prepared by our City Attorney, John Barr, between the City of Ypsilanti and Skinny Labs, Inc. d.b.a. Spin, to operate a Bike Share Pilot Program. This agreement gives Spin a non-exclusive, revocable, and non-transferrable license to utilize the city public right-of-way in order to provide bike share services within the city.

As previously stated, this bike sharing is controlled via app, and the bikes have locking/unlocking mechanisms built in, which is far more flexible than traditional bike sharing. Chief DeGiusti asked what happens to the grant money if the committee does not approve this agreement, to which, City Planner Wessler responded that the grant then expires and goes back to the agency involved.

After further discussion, DDA Director Meyers moved to recommend approval of the agreement to City Council for their approval (S. Kirton). A roll call vote was taken with a vote of 3:1. Chief DeGiusti opposed.

**VI. FUTURE BUSINESS DISCUSSION/UPDATES**

None.

**VII. ADJOURNMENT**

Since there was no further business, City Planner Wessler moved to adjourn the meeting (Support: S. Kirton) and the motion carried unanimously. The meeting adjourned at 3:20 p.m.

DRAFT

## Darwin McClary

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**From:** Darwin McClary  
**Sent:** Thursday, March 22, 2018 2:39 PM  
**To:** Tony DeGiusti  
**Subject:** RE: Question on Substance Abuse Protocols

Thank you for your excellent response, Chief!



### Darwin D. P. McClary

#### *City Manager*

One South Huron Street  
Ypsilanti, Michigan 48197  
(734) 483-1810 – office  
(734) 483-7260 – fax  
[www.cityofypsilanti.com](http://www.cityofypsilanti.com)

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**From:** Tony DeGiusti  
**Sent:** Thursday, March 22, 2018 2:31 PM  
**To:** Beth Bashert <beth\_bashert@yahoo.com>  
**Cc:** Darwin McClary <dmcclary@cityofypsilanti.com>  
**Subject:** Question on Substance Abuse Protocols

Good Afternoon Councilmember Bashert,

I have been advised that you wanted to know what our protocol is for dealing with intoxicated subjects (drugs or alcohol).

I wish that this was as easy as saying that we have set procedure, but as with most things in police work the officer has wide discretion.

As a department we do not look to penalize people that have substance abuse issues. As a wide philosophy we try to steer people towards help with their issues as opposed to arrest. That being said it is not always possible. There are many complexities to these situations as many of the people that have a substance dependency also have some mental health issues associated with it.

When dealing with these calls the officer must take some determining factors into account when they are deciding what course of action to take. What is the level of cooperation from the intoxicated person? How intoxicated is the person? Have they committed an actual crime besides their intoxicated state (under normal circumstances being drunk in and of itself is not a crime)? Are they a danger to themselves or others in their intoxicated state? In these situations we take the totality of the circumstances and try and do the best thing for all that are involved in that particular situation. Sometimes that is transportation to a medical facility, sometimes it's a ride home if that is feasible and unfortunately sometimes it results in an arrest.

The good news is that better solutions should be coming soon. Sheriff Clayton has asked me to sit on the Washtenaw County Mental Health Diversion Council. We have only had one meeting so far, but I am hopeful that we will be able to better position ourselves (as a county) to better service our community members that are facing these types of issues.

If you would like to discuss this topic further please feel free to call me or we can set up a time to meet.

Tony DeGiusti  
Chief of Police  
City of Ypsilanti Police Department  
505 W. Michigan Avenue  
Ypsilanti, MI 48197





Resolution No. 2018-081  
April 3, 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, APRIL 3, 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    | Absent  | Council Member Robb | Present |
| Mayor Pro-Tem Brown       | Absent  | Council Member Vogt | Present |
| Council Member Murdock    | Present | Mayor Edmonds       | Present |
| Council Member Richardson | Present |                     |         |

**III. INVOCATION –**

**IV. PLEDGE OF ALLEGIANCE –**

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

**V. AGENDA APPROVAL –**

**The agenda was approved as amended**

**Change:**

**Move: Resolution No. 2018-079, SAFER Grant Application, was moved from Section XIII, Consent Agenda, to Section XIV, Resolutions/Motions/Discussions.**

**VI. INTRODUCTIONS**

**VII. PRESENTATIONS –**

**VIII. AUDIENCE PARTICIPATION –**

**IX. REMARKS BY THE MAYOR –**

**X. PUBLIC HEARINGS -**

**XI. ORDINANCES – FIRST READING -**

**XII. ORDINANCES – SECOND READING –**

1. Resolution No. 2018-071, approving Ordinance No. 1303: Bell-Kramer Rezoning of Residential parcels currently zoned PMD to CN-Mid

**Offered By: Council Member Richardson; Seconded By: Council Member Vogt**

**Approved: Yes – 4; No – 1 (Robb); Absent – 2 (Brown, Bashert)**

**XIII. CONSENT AGENDA –**

Resolution No. 2018-072

1. Resolution No. 2018-073, approving minutes of March 20, 2018  
**Offered By: Council Member Murdock; Seconded By: Council Member Vogt**  
**Approved: Yes – 5; No – 0; Absent – 2 (Brown, Bashert)**
2. Resolution No. 2018-074, approving Ordinance No. 1304: Bell-Kramer Rezoning of city-owned vacant parcels currently zoned GC and PMD to P (Park)  
**Offered By: Council Member Murdock; Seconded By: Council Member Vogt**  
**Approved: Yes – 5; No – 0; Absent – 2 (Brown, Bashert)**
3. Resolution No. 2018-075, approving Ordinance No. 1305: Medical Marijuana Text Amendments in response to MMFLA  
**Offered By: Council Member Murdock; Seconded By: Council Member Vogt**  
**Approved: Yes – 5; No – 0; Absent – 2 (Brown, Bashert)**
4. Resolution No. 2018-076, approving Ordinance No. 1306: Medical Marijuana Text Amendment to permit Provisioning Centers in the General Corridor  
**Offered By: Council Member Murdock; Seconded By: Council Member Vogt**  
**Approved: Yes – 5; No – 0; Absent – 2 (Brown, Bashert)**
5. Resolution No. 2018-077, approving appointments to Boards and Commissions  
**Offered By: Council Member Murdock; Seconded By: Council Member Vogt**  
**Approved: Yes – 5; No – 0; Absent – 2 (Brown, Bashert)**
6. Resolution No. 2018-078, authorizing the Fire Department to donate the 1996 KME fire truck to the Michigan Fire Museum for exhibition  
**Offered By: Council Member Murdock; Seconded By: Council Member Vogt**  
**Approved: Yes – 5; No – 0; Absent – 2 (Brown, Bashert)**
7. ~~Resolution No. 2018-079, authorizing the Fire Department to apply for the SAFER grant~~ **(Moved and heard during Section XIV)**

**XIV. RESOLUTIONS/MOTIONS/DISCUSSIONS –**

1. Resolution No. 2018-079, authorizing the Fire Department to apply for the SAFER grant  
**Offered By: Council Member Murdock; Seconded By: Council Member Richardson**  
**Approved: Yes – 5; No – 0; Absent – 2 (Brown, Bashert)**
2. Resolution No. 2018-080, requesting City Council conduct a town hall style meeting on the budget and solicit feedback regarding FY 18-19 budget priorities  
**Offered By: Council Member Vogt; Seconded By: Council Member Robb**  
**Approved as Amended: Yes – 5; No – 0; Absent – 2 (Brown, Bashert)**
3. Water Street Marketing Plan Discussion
4. Proposed Apartment Recycling Ordinance Discussion

**XV. LIAISON REPORTS –**

City Council Action Minutes  
April 3, 2018

- 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

**XVI. COUNCIL PROPOSED BUSINESS –**

**XVII. COMMUNICATIONS FROM THE MAYOR –**

**XVIII. COMMUNICATIONS FROM THE CITY MANAGER –**

Traffic Review Committee Minutes of March 19, 2018  
Report on Substance Abuse Protocols

**XIX. COMMUNICATIONS –**

**XX. AUDIENCE PARTICIPATION –**

**XXI. REMARKS FROM THE MAYOR –**

**XXII. CLOSED SESSION –**

~~Closed Session to discuss personnel evaluation pursuant to OMA 15.268, Section 8(a)~~

**XXIII. ADJOURNMENT –**

Resolution No. 2018-081, adjourning the City Council meeting  
**The meeting adjourned at 10:05 p.m.**