1. Council Meeting Agenda

   Documents:

   01-08-19 FINAL AGENDA.PDF

2. Council Meeting Packet

   Documents:

   JANUARY 8, 2019 COUNCIL PACKET.PDF

Revised 1-8-19

CITY OF YPSILANTI
CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, JANUARY 8, 2019
7:00 p.m.

I. CALL TO ORDER –

II. ROLL CALL –

Council Member Brown	P A	Council Member Symanns	P A
Council Member Morgan	P A	Council Member Wilcoxen	P A
Council Member Murdock	P A	Mayor Bashert	P A
Mayor Pro-Tem 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 –

Regional Waste Authority Articles of Incorporation

VIII. AUDIENCE PARTICIPATION –

IX. REMARKS BY THE MAYOR –

XI. CONSENT AGENDA – Resolution No. 2019-001

1. Resolution No. 2019-002, approving minutes of December 4 and December 11, 2018.

2. Resolution No. 2019-003, approving budget amendment for Peninsular Dam Removal Project.

3. Resolution No. 2019-004, approving Ordinance No. 1329, "Private Frontage Design for Single-Story Commercial and Large Single-Story Commercial Building Types" to create an additional commercial frontage designation for Large Single Story Commercial and Single Story Commercial building types in the form-based districts, called Thoroughfare Commercial, numbered 122-485. ***(Second Reading)***

4. Resolution No. 2019-005, approving appointment to Boards and Commissions.

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2019-006, approving contract with Michigan Office Supply (MOS) for managed print services.

2. Resolution No. 2019-007, approving Ordinance No. 1330, an ordinance to permit accessory structures in the form-based districts (CN, CN-Mid, CN-SF, etc) to be a maximum of 25’ in height or to match the height of the primary structure, whichever is lesser. ***(Second Reading)***

XIII. LIAISON REPORTS –

A. SEMCOG Update
B. Washtenaw Area Transportation Study
C. Urban County
D. Ypsilanti Downtown Development Authority
E. Ypsilanti Youth Safety Collaboration
F. Friends of Rutherford Pool
G. Housing Equity Leadership Team

XIV. COUNCIL PROPOSED BUSINESS –

XV. COMMUNICATIONS FROM THE MAYOR –

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

XVII. COMMUNICATIONS –

Nomination - **Added**

Police Advisory Commission
Andy Fanta – Reappointment (Term Exp. 2/1/2022)
1221 Westmoorland Blvd
Ypsilanti, MI 48197

XIX. AUDIENCE PARTICIPATION –

XX. REMARKS FROM THE MAYOR –

XXI. ADJOURNMENT –

Resolution No. 2019-008, adjourning the City Council meeting.

Revised 1-8-19

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Council Member Murdock	P A	Mayor Bashert	P A
Mayor Pro-Tem Richardson	P A		

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4. Resolution No. 2019-005, approving appointment to Boards and Commissions.

XII. __RESOLUTIONS/MOTIONS/DISCUSSIONS__ –

1. Resolution No. 2019-006, approving contract with Michigan Office Supply (MOS) for managed print services.

2. Resolution No. 2019-007, approving Ordinance No. 1330, an ordinance to permit accessory structures in the form-based districts (CN, CN-Mid, CN-SF, etc) to be a maximum of 25' in height or to match the height of the primary structure, whichever is lesser. ***(Second Reading)***

XIII. __LIAISON REPORTS__ –

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__Nomination - **Added**__

__Police Advisory Commission__
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1221 Westmoorland Blvd
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XIX. __AUDIENCE PARTICIPATION__ –

XX. __REMARKS FROM THE MAYOR__ –

XXI. __ADJOURNMENT__ –

Resolution No. 2019-008, adjourning the City Council meeting.

Resolution No. 2019-001
January 8, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2019-002, approving minutes of December 4 and December 11, 2018.

2. Resolution No. 2019-003, approving budget amendment for Peninsular Dam Removal Project.

3. Resolution No. 2019-004, approving Ordinance No. 1329, "Private Frontage Design for Single-Story Commercial and Large Single-Story Commercial Building Types" to create an additional commercial frontage designation for Large Single Story Commercial and Single Story Commercial building types in the form-based districts, called Thoroughfare Commercial, numbered 122-485. ***(Second Reading)***

4. Resolution No. 2019-005, approving appointment to Boards and Commissions.

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

Resolution No. 2019 - 002
January 8, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of December 4th and December 11th, 2018 be approved.

OFFERED BY: ____

SUPPORTED BY:____

YES: NO: ABSENT: VOTE:

Draft

CITY OF YPSILANTI
CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, DECEMBER 4, 2018
7:00 p.m.

I. CALL TO ORDER –

The meeting was called to order at 7:02 p.m.

II. ROLL CALL –

Council Member Brown	Present	Council Member Symanns	Present
Council Member Morgan	Present	Mayor Bashert	Present
Council Member Murdock	Present	Vacancy (Ward 2)	
Mayor Pro-Tem Richardson	Present		

III. INVOCATION –

Mayor Bashert 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 –

Council Member Morgan moved, seconded by Council Member Brown to approve the agenda.

Council Member Symanns moved to add a resolution, opposing Senate Bills 795 and 796, and urging the Michigan Legislature to oppose such legislation, to Resolutions/Motions/Discussions.

Council Member Murdock moved Resolution No. 2018-307, approving Ordinance No. 1330, to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit", from the Consent Agenda and add to Resolutions/Motions/Discussions.

Council Member Murdock moved Resolution No. 2018-301, establishing a Town Hall meeting for December 20, 2018 at the Riverside Arts Center for a presentation of the Rail Feasibility Study, to immediately after the Presentation of the Rail Feasibility Study.

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

VI. INTRODUCTIONS –

Mayor Bashert introduced the following individuals; City Clerk Frances McMullan, City Attorney John Barr, City Manager Darwin McClary, Economic Development Director Joe Meyers, Community Development Director/DDA Director Christopher Jacobs, and Fire Chief Max Anthouard, Fiscal Services Director/Treasurer Marilou Uy, Rich Hopgood, Rick Chelotti, OHM Engineer Kent Early, Huron River Watershed Director Laura Rubin, County IT Andy Brush, County Commissioner Ricky Jefferson, and OHM Engineer Rachel Jackson.

VII. WARD 2 APPOINTMENT –

- Final deliberation and appointment to the vacant seat in Ward 2. Term to expire in November 2020.

Council Member Symanns stated the city received many great applicants. The three candidates have great qualifications and have provided service to this city in some capacity already. This has been a very difficult decision, and suggested when there is this amount of time left in a term to hold a special election. Council Member Murdock stated that would require a Charter Amendment.

Council Member Morgan stated it was a difficult decision, and it is a different skillset to run a campaign then to be appointed. There has been a great deal of advocacy for each candidate from the public, which he has been conscious of when forming his decision.

- Resolution No. 2018-304A, appointing Council Member to the vacant seat in Ward 2.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT Steve Wilcoxen be appointed to fill the seat vacated by Mayor Bashert upon her election as Mayor, and fulfill the remainder of the term to expire in November of 2020.

OFFERED BY: Mayor Pro-Tem Richardson
SEONDED BY: Council Member Brown

On a roll call, the vote to approve Resolution No. 2018-304A was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	No	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

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

Council Member Murdock moved, seconded by Mayor Pro-Tem Richardson to make the vote unanimous.

On a roll call, the vote to approve Resolution No. 2018-304A was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VOTE: Carried

- Oath of Office

City Clerk McMullan provided Council Member Steve Wilcoxen the Oath of Office.

Mayor Bashert expressed her thanks to the other applicants Anne Stevenson and Benjamin Connor Barrie. This was a very difficult decision, all candidates had a tremendous amount of talent, and that is a testament to this city.

Council Member Brown stated this was a very difficult decision, and her decision was based off of Council Member Wilcoxen's presence in Council meetings and his honesty in answering Council's questions. She has worked with Council Member Wilcoxen through her time on Council, which is what gave him the edge on the other applicants.

Mayor Pro-Tem Richardson thanked Ms. Stevenson and Mr. Barrie for applying and interviewing for the position. She agreed it was a very difficult decision, and asked that they stay active in the community.

Council Member Symanns expressed her thanks. She stated she does hiring for a living and this was the most challenging selections. She is thankful to have Ms. Stevenson and Mr. Barrie in the community, as well as the others that applied. Those that applied add value to this community and will continue to do so and is looking forward to working with them in the future.

VIII. <u>PRESENTATIONS</u> –

- Amtrak Train Rail Platform Feasibility Study Final Report

OHM Engineers Kent Early, Rachel Jackson, Rich Hopgood, and from Bergmann and Associates Rick Chelotti provided a presentation regarding the Amtrak Train Rail Platform Feasibility Study.

Mayor Pro-Tem Brown asked if MDOT is onboard with the project. Mr. Early responded in the affirmative.

Council Member Wilcoxen asked how long the rail is out toward Michigan Ave. Mr. Early responded there is a tangent section that is long enough, but the issue with that location are the bridges and lack of space for parking. Also, it is on the border of City and Township. It is not unfeasible to have a multijurisdictional facility, but it is preferred to be a single jurisdictional project because of the permitting process.

Council Member Morgan stated the train ceased stopping in Depot Town in 1982, and asked how long it ran prior to that. Mr. Early responded he is not certain. Mr. Morgan stated the categorical exclusion is a seven to ten month study, followed by an environmental assessment. Mr. Early clarified the environmental process is one of three things; the categorical exclusion, you have to go through an environmental assessment, or an environmental impact statement. Mr. Morgan asked if either of these three studies can occur without a project in place. Mr. Chelotti responded the city would only want to complete an environmental study if there were a project in the works because of the cost of the study.

Council Member Murdock asked if the platform in the second alternative can accommodate the commuter rail. Mr. Early responded no, it would only accommodate the Wolverine Line. The commuter rail would require a secondary stop on the west side of the tracks. Mr. Murdock stated the tangent track will begin at 500 feet, but at some point will need to be extended to 700 feet. Mr. Chelotti responded it is possible 700 feet will be required in the future, but not at this time. Mr. Murdock asked if it is possible to extend the track by 200 feet. Mr. Chelotti responded in the affirmative. Mr. Murdock asked if those cost are included in this report. Mr. Chelotti responded no. Mr. Murdock stated the cost of the platform is not included because the Regional Transit Authority (RTA) would fund it. He does not recall the RTA claiming it would pay for the platform it its proposal. Mr. Chelotti responded he would follow up on what they would plan on funding. Mr. Murdock stated the commuter rail is the most important aspect of the train stop, which seems to be totally up in the air. Parking is already a concern in Depot Town and the train stop would add to that problem. He asked what would happen if the site does not meet the passenger threshold that is being estimated. Mr. Early responded that would be a question for MDOT. Mr. Murdock asked if Council approval is required to continue with the environmental study of the site. Mr. Early responded the city would need to accept the feasibility study prior to beginning the environmental process.

Mayor Bashert stated in what she read Amtrak completed two studies that showed a marketable reason to have a train stop in Ypsilanti. Mr. Early responded in the affirmative. She asked Council's job is to accept this report, and then make a decision on the design through public engagement. City Manager McClary responded Council might want to accept this report during this meeting or the next. The Council might also want to accept the report until after allowing for public input. However, as the engineers have indicated time is becoming a factor in starting the environmental aspect of the process.

Council Member Wilcoxen stated it seems an important aspect of this is the commuter line, and would like more information.

Mayor Bashert asked Council if there was a motion to accept the report.

Mayor Pro-Tem Richardson moved, seconded by Council Member Brown to accept the Amtrak Rail Platform Feasibility Study Final Report.

Council Member Brown asked if accepting the report does anything to enact a change.

Council Member Murdock stated he has not issue with accepting the report as long as it is clear no decision has been made.

On a roll call, the vote to accept the Amtrak Rail Platform Feasibility Study Final Report was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Council Member Wilcoxen	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VOTE: Carried

1. Resolution No. 2018-301, establishing a Town Hall meeting for December 20, 2018 at the Riverside Arts Center for a presentation of the Rail Feasibility Study. ***(Motion to Reconsider)***

   Council Member Murdock moved, seconded by Council Member Symanns to reconsider Resolution No. 2018-301.

On a roll call, the vote to reconsider Resolution No. 2018-301 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Council Member Wilcoxen	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VOTE: Carried

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS there is great interest in a train stop in Ypsilanti; and

WHEREAS the City has received the train stop feasibility study; and

WHEREAS the City is at a decision point; and

WHEREAS our decision based on certain assumptions will impact our City development, neighborhoods and budget; and

WHEREAS there is need for transparency and community input.

NOW THEREFORE BE IT RESOLVED that the City Council establish a Town Hall meeting for Tuesday, January 15, 2019; and

FURTHER RESOLVED that staff arrange for the consultants and other relevant persons to give a presentation of the feasibility study and answer questions from Town Hall participants.

OFFERED BY: Council Member Murdock
SEONDED BY: Council Member Symanns

Mayor Bashert stated SEMCOG is going to facilitate a public information meeting on January 15th. OHM and Bergmann and Associates will be present for questions and provide the presentation just received by Council. Following the study a portal will be created in order for the public to submit feedback regarding this issue. This information will be helpful in guiding Council on its decision for design. On Tuesday, February 19th Council will decide on the design of the platform. Following that there will be a second public engagement process after the environmental study has been completed, also to be facilitated by SEMCOG. A similar two week portal will be created for public input and following that City Council will decide on next steps. This public engagement process is a trail in order to ensure for more robust involvement from the community.

Mayor Pro-Tem Richardson asked if Council had received a list of meeting dates and information on the portal. Mayor Bashert responded no, and explained this all springs from the town hall Council is now considering.

Council Member Murdock asked when Council will approve of location. Mayor Bashert responded the first part of the process is to select the design. Mr. Murdock asked how a design can be decided without first knowing the location. Mr. Early responded with the acceptance of the study input will be incorporated. The environmental analysis will commence relative to a specific location. Once Council selects a location further discussion can occur regarding the design. OHM will need a determination on location, and then on the design. Mr. Early further explained designs are made to be generic and able to fit any location. Mr. McClary recommended following Council Member Murdock's resolution and hold the Town

Hall on January 15th. Council should than be ready, after receiving public comment, to make a determination on preferred location and currently decide on the preferred design.

Council Member Murdock stated he was under the impression a site was not to be decided until after the environmental assessment. Mr. Early responded during the public engagement process a site not previously thought of and he does not want the potential of another location closed.

Council Member Murdock stated the town hall is scheduled for the earliest date possible, with the holiday break. He appreciates the Mayor for doing this and her ideas for engaging the public.

On a roll call, the vote to approve Resolution No. 2018-301 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Council Member Wilcoxen	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VOTE: Carried

- Peninsular Dam Removal Study Report

Director of the Huron River Watershed Council Laura Rubin and Princeton Hydro Engineer Laura Wildman provided a presentation regarding the dam removal study.

Council Member Wilcoxen asked if the engineering survey included input from biologists. Ms. Wildman responded all reports included scientists and engineers, but this particular assessment only examined three critical issues. The study did not see anything critical ecologically. There would need to be further study if the dam was to be removed as a part of permitting for these type of projects.

Council Member Symanns asked what the next steps are for this process. Mr. McClary responded to hold a public informational meeting to present this information, and to hear what the public feels about either restoring or removing the dam. Council needs to examine the opportunities and determents of both possibilities. Ms. Symanns agreed public input is crucial to this process. She asked what the timeframe is for this process. Mr. McClary recommended the goal should be to have a preferred option by spring of 2019 in order to report to the Department of Environmental Quality (DEQ). Council Member Wilcoxen asked for a date the DEQ is expecting for a response. Mr. McClary responded DEQ is stated they would like repairs completed within a ten year period starting when the city was issued letters. There is still time, but the DEQ does want to know the plan.

Mayor Pro-Tem Richardson stated more than once Council was told further study was needed to make a determination. She asked if a decision should wait upon the completion of those studies. Ms. Wildman responded it will be important to have the results of those studies for the engineering phase. She does not believe the studies need to be completed to make this decision, what is more important is the community input. She suggested potentially examining funding possibilities for both removal and repair prior to making a decision. Ms. Symanns asked for when the DEQ issued its letters to understand when the ten years expires.

Mayor Bashert suggested February 13th as a potential date for a public engagement process similar to that described for the train.

Council Member Wilcoxen stated he understands this is an initial study, and asked the potential cost would be for additional study and what information would be gathered. Ms. Wildman responded this report handles the majority of the feasibility for dam removal. There are additional studies that need to be completed to get to final design. She believes the study needed in terms of sediment has been collected, but what is needed is additional survey of the river. Mayor Bashert asked if there is an emergency action plan for Penn Dam. Mr. Early responded in the affirmative. Mr. Wilcoxen explained his concern is the limited core samples included in the survey regarding the toxicity of the sediment. He asked if there is a more detailed survey that better defines what those are. Ms. Wildman responded if there were real hotspots greater analysis would be needed, however, there were very minor accidences. Mr. Wilcoxen asked if those were for class of compounds or individual compounds. Ms. Wildman responded there is a full breakdown of each sample, which showed no red flags.

IX. <u>AUDIENCE PARTICIPATION</u> –

1. Rev. Robert Bull, 5229 W. Michigan Ave., stated he is working with the Ypsilanti Community Schools to use two of their facilities to provide permit housing for homeless veterans. A fundraising program will begin in June at the EMU Convocation Center.
2. Beth Gibbons, 110 N Hamilton, thanked Council and the people in the community that made it possible to have a playground in Riverside Park. She encouraged Council to think about what is happening in Riverside Park when thinking about Peninsular Park. The public engagement process is critical to all projects. There are many feasibility question that need to be answered prior to removing the dam. She claimed removing the dam will improve recreation along the river as well as habitat. It will take steps to address failing infrastructure that could provide a health hazard.
3. Laura Lein, 1366 N. Huron River Dr., stated the decision of what to do with Penn Dam is a one with options. She sees three options; remove, repair, and restructure. Improvements to the Peninsular Park can be done through any one of the scenarios.
4. Brian Athy, 6166 1st St. Superior Township, stated has reviewed the sediment analysis and there are hotspots near the dam. It would be worthwhile to perform greater analysis regarding the sediment. This needs to be addressed more globally, ecologically, and biologically.
5. Jon Lusk, 1111 W. Clark Rd., stated he is disappointed about the Princeton Hydro report. It concentrates on dam removal in a very biased manner, and tried to make the decision for Council. The Huron River Watershed Council should be concentrating on the River and what is happening with the contaminants. There are so many costly unknowns in this report, and the City cannot not afford another Water Street.
6. Sally Lusk, 1111 W. Clark Rd., emphasized the $800,000 needed for repairs would be spread over ten years. Removal of the dam would greatly reduce property values and expects the city would be responsible for building retaining walls to protect from the increase flown of the river. There is very little benefit to removing the dam.
7. Ben Kuipers, 1366 N. Huron River Drive, stated he is wondering the approximate cost of maintenance under the repair scenario and were the report would be available.
8. Deborah Walker, 6166 1st Rd., Superior Township, stated she is a member of Friends of Penn Park and thanked Council for the continued desired and support. She is concerned about the trash and other hazards if the dam is removed, and exposing what is currently beneath the river.

Council Member Brown moved, seconded by Council Member Morgan to extend the meeting until 12:00 p.m.

On a voice vote, the motion carried, and the meeting was extended until 12:00 p.m. Mayor Pro-Tem Richardson opposed.

9. Marjorie Brown Dozie, 1620 Superior Road, stated years ago she and her husband purchased the property along the river and built their home. One thing that has not been mentioned is the beautiful aesthetics of a river if it is kept the way it is. Yes there are issues and it might be bigger than dam removal or dam repair, and that is the health of the river. She would like to see the dam repaired. The cost of the dam is spread out through ten years not a onetime payment.

10. Sue Melke, 330 Chidester, asked what would happen to the toxins at the Ford plant if the river flow changes.

X. REMARKS BY THE MAYOR –

None

XI. CONSENT AGENDA – Resolution No. 2018-304

1. Resolution No. 2018-305, approving minutes of November 13, and November 27, 2018.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of November 13 and November 27, 2018 be approved.

2. Resolution No. 2018-306, approving appointment to Boards and Commissions.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

NAME	BOARD	EXPIRATION
Evan Sweet (reappointment) 731 Charles St. Ypsilanti, MI 48198	**Parks and Recreation**	**7/1/2022**

~~3. Resolution No. 2018-307, approving Ordinance No. 1330, to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit". *(Second Reading)*~~ ***(Moved)***

OFFERED BY: Council Member Brown
SEONDED BY: Council Member Symanns

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

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

~~1. Resolution No. 2018-301, establishing a Town Hall meeting for December 20, 2018 at the Riverside Arts Center for a presentation of the Rail Feasibility Study. *(Motion to Reconsider)*~~ ***(Moved)***

1. Resolution No. 2018-307, approving Ordinance No. 1330, to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit". ***(Second Reading)***

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an ordinance entitled "An ordinance to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit." be adopted on Second and Final Reading.

OFFERED BY: Council Member Brown
SEONDED BY: Council Member Symanns

Council Member Murdock stated there were questions during last meeting regarding the waiting list for 2018. City Attorney John Barr responded he does not have a definite answer yet, but does recommend Council pass this resolution.

Mayor Bashert asked if the approval of this ordinance amendment is time sensitive. Economic Development Director Joe Meyers responded this would allow the city to process the 2019 permits without requiring the submission of the state license application which includes a great deal of paperwork.

Council Member Symanns stated she feels comfortable supporting this document.

Council Member Murdock stated he is comfortable supporting this ordinance amendment, but is concerned the permitting process after this. He is concerned this would squeeze out currently operating businesses in the city. Mr. Meyers responded this would apply to new applications not existing. Staff believes there could be one or more existing businesses that will not be granted a state license.

Council Member Morgan asked if this amendment is looking to protect current facilities operating in the city. Mr. Meyers responded this ordinance is geared toward new applicants.

Council Member Wilcoxen asked for expiration dates of permits. Mr. Meyers responded permits expire December 31, 2018. Mr. Wilcoxen asked how long have applications been on the waitlist. Mr. Meyers responded roughly March of 2018, all those that waiting to get on that list were aware there were no open permits. The notice released stated if a 2018 permit became available staff would review the first application on the waitlist. Mr. Wilcoxen asked the length of the state's prequalification process. Mr. Meyers responded that date keeps moving, and if a facility is legally able to operate by the state they can in the city.

Council Member Symanns called the question.

On a roll call, the vote to approve Resolution No. 2018-307 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Council Member Wilcoxen	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

2. Resolution No. 2018-308, approving Washtenaw County IT Services Contract for 2018-2019.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

WHEREAS, it is necessary for the city to execute a contract with the county to continue to provide IT services to the city for FY 2018-19 while the city completes its IT services migration plan and implementation;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby approve a supplemental appropriation to the appropriate accounts of the FY 2018-19 Budget as determined by the Finance Director in the total amount of $18,000 utilizing General Fund reserves for the 2018-19 IT services contract with Washtenaw county; and

BE IT FURTHER RESOLVED that the city council does hereby approve the 2018-19 IT technical support, consulting, and networking services contract with Washtenaw County at a base cost of $153,260.35 and authorize the City Manager to execute the contract after approval by the City Attorney as to form.

OFFERED BY: Council Member Richardson
SEONDED BY: Council Member Morgan

Council Member Murdock asked if the $153,260.35 has been budgeted. Mr. McClary responded the city budgeted approximately $136,000, and would need a supplemental amount of $18,000.

On a roll call, the vote to approve Resolution No. 2018-308 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Council Member Wilcoxen	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

3. Resolution No. 2018-309, approving Budget Amendment – Fire Department SAFER Grant Revenue and Expenditures.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, **The City of Ypsilanti Fire Department received the FEMA grant under the 2017 Staffing for Adequate Fire & Emergency Response (SAFER) Grants;** And,

WHEREAS, **the total amount awarded to the City of Ypsilanti Fire Department for 4 firefighters is $1,082,314. This calculation is based on an anticipated Period Of Performance starting January 1st, 2019 and ending Dec 31, 2021; And,**

WHEREAS, there is a 25% or $92,610 match for the first and second years and a 65% or $240,786 match for the third year; And,

WHEREAS, the grant Period Of Performance covers the last six months of the 2018-2019 FY and the difference between the six month match and savings realized result in a $12,751 surplus; And,

WHEREAS, the difference between the yearly match and savings realized for fiscal year 2019-2020 results in a $43,173 shortfall; And,

WHEREAS, the grant yearly matches are not included in the Fire Department current and next fiscal year. The Fire Department is requesting authorization to adjust its 2018-2019 and 2019-2020 budgets to fund the 2017 SAFER match.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council authorizes the City Manager to adjust the Fire Department budget to fund the 2017 SAFER match.

OFFERED BY: Council Member Morgan
SEONDED BY: Council Member Symanns

On a roll call, the vote to approve Resolution No. 2018-309 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Council Member Wilcoxen	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

4. Resolution No. 2018-310, approving 314 Parsons Street property disposition request.

WHEREAS, The City of Ypsilanti is interested in conveying its excess City-owned property to private owners; and

WHEREAS, to further this interest, the City Council for the City of Ypsilanti has approved the City Property Disposition Policy by adopting Resolution No. 2015-273; and

WHEREAS, this Policy provides that City Council will annually consider a resolution, after a public hearing, to approve the sale of residential land and authorize the City Manager to enter into purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate their conveyance.

NOW THEREFOR BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: The following City-owned properties are removed from the City Property Disposition Policy and allowed to be sold for non-homestead use:

11-11-09-191-008– 314 Parsons St

BE IT FURTHER RESOLVED, that the City Manager is authorized to enter into purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate the conveyance of these properties according to the City Property Disposition Policy, and that the City Manager may sign such documents on behalf of the City of Ypsilanti, subject to the review and approval of the City Attorney.

OFFERED BY: Council Member Symanns
SEONDED BY: Council Member Brown

Mr. Meyers provided an overview to why this has been submitted for approval.

Mayor Bashert stated she is not in support in allowing non-homestead properties in this program. Mayor Pro-Tem Richardson agreed, and would vote no on this resolution.

Council Member Murdock stated the site is extremely small, and asked if a three unit structure would meet the zoning requirements. Mr. Meyers replied the applicant is in attendance if Council would like to address them. Cornerstone Construction Representative Robert Squires stated from his understanding this is the only parcel that can be used for multifamily in that area. His goal is to use the lots sold under this program for new construction, new construction will create additional revenue. He encouraged Council to not hold a deed restriction on the property. Mr. Murdock asked if there is a time restriction for when the project must be complete. Mr. Meyers replied Council could place a time limit on the project if it decides to remove it from the program.

Council Member Morgan asked how many of the twenty lots had deed restrictions. Mr. Meyers responded all of them. Mr. Squires stated he attempted to purchase one of the parcels under this program from an individual selling the lot to make a profit. Mayor Pro-Tem Richardson asked for a report of what properties are under this program. Mr. Meyers replied this program does not say a purchaser must build a house, it only states if a home is built it must be a principle residence.

Council Member Murdock stated if this is past he would like to include a completion date for the project. Mr. Meyer added the other parcels allowed to be removed from the program the purchase price was increased. Mr. Murdock stated he would also like added if the property is not developed it cannot be sold and would divert back to the city.

Council Member Murdock moved, seconded by Council Member Morgan that the agreement include a definite development schedule.

Council Member Brown asked if Council Member Murdock would like the development schedule brought back to Council. Council Member Murdock recommended staff work that out with the developer.

Council Member Symanns asked if there has been an issue with these properties, or if approval is contingent on this being provided a schedule.

Mayor Bashert stated she does not like the idea of an absentee landlord, not just that it's not homesteaded.

Council Member Wilcoxen asking why is the owner building a home if their job is fluid.

Council Member Morgan explained he seconded the motion because he believes most projects need a definite schedule.

On a roll call, the vote to amend Resolution No. 2018-310 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	No
Council Member Murdock	Yes	Council Member Wilcoxen	Abstain
Mayor Pro-Tem Richardson	No		

VOTE:

YES: 4 NO: 2 (Richardson, Wilcoxen) ABSTAIN: 1 (Wilcoxen) ABSENT: 0 VOTE: Carried

Council Member Murdock stated after this property is sold there is potential the purchaser might not build. If this happen the parcel should revert back to the city.

Council Member Murdock moved, seconded by Council Member Symanns to include in the agreement that if the purchaser does not build on the parcel they could not sell it the parcel would revert back to the city.

On a roll call, the vote to amend Resolution No. 2018-310 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Abstain	Mayor Bashert	No
Council Member Murdock	Yes	Council Member Wilcoxen	Abstain
Mayor Pro-Tem Richardson	No		

VOTE:

YES: 3 NO: 2 (Richardson, Wilcoxen) ABSTAIN: 2 (Morgan, Wilcoxen) ABSENT: 0 VOTE: Failed

Mayor Pro-Tem Richardson stated her concern that removing the homestead requirement adds to the potential these parcels will end up being rentals.

On a roll call, the vote to approve Resolution No. 2018-310 as amended was as follows:

Council Member Brown	No	Council Member Symanns	Yes
Council Member Morgan	Abstain	Mayor Bashert	No
Council Member Murdock	Yes	Council Member Wilcoxen	No
Mayor Pro-Tem Richardson	No		

VOTE:

YES: 2 NO: 4 (Brown, Richardson, Bashert, Wilcoxen) ABSTAIN: 1 (Morgan) ABSENT: 0 VOTE: Failed

5. Resolution No. 2018-312, opposing Senate Bills 795 and 796, and urging the Michigan Legislature to oppose such legislation.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, during the lame duck session of the Michigan legislature, the Michigan Senate introduced, and has passed, two bills to amend the Public School Employees Retirement Act of 1979 and the Public Employment Relations Act of 1947; and

WHEREAS, Senate Bill 795 amends the Public School Employees Retirement Act to prohibit the granting of service credit for time that a public employee that is a member of a pension system is either on an employee organization professional services leave, professional services leave, employee organization professional services released time, or professional services released time; and

WHEREAS, Senate Bill 796 amends the Public Employment Relations Act prohibits public employers from entering into new collective bargaining agreements that allow any paid release time for a union officer or bargaining representative to conduct union business if the release time is paid by the public employer, except for certain employees including Act 312 employees (police and fire); and

WHEREAS, the Ypsilanti city council vehemently opposes this attempt by the state legislature to strip away the rights of public employers and its affiliated employees to handle management-labor relations during normal business hours;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the Ypsilanti city

council does hereby express its strong opposition to Senate Bills 795 and 796 and strongly urge the Michigan legislature to oppose such legislation or, in the alternative, strongly urge Michigan Governor Rick Snyder to veto such legislation if these bills should reach his desk; and

BE IT FURTHER RESOLVED that the Ypsilanti city council does hereby direct the City Clerk to forward copies of this resolution to State Representative Ronnie Peterson and Michigan Governor Rick Snyder, together with a letter from the Mayor expressing the city's opposition to these bills and the reasons therefore.

OFFERED BY: Council Member Symanns
SEONDED BY: Mayor Pro-Tem Richardson

Council Member Murdock stated he will be supporting this, but it could have been an omnibus resolution to oppose the entire lame duck session.

On a roll call, the vote to approve Resolution No. 2018-312 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Council Member Wilcoxen	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

XIII. LIAISON REPORTS –

A. SEMCOG Update – None
B. Washtenaw Area Transportation Study - None
C. Urban County - None
D. Ypsilanti Downtown Development Authority – None
E. Ypsilanti Youth Safety Collaboration – Council Member Morgan stated he has received information from staff and is establishing contact.
F. Friends of Rutherford Pool - None
G. Housing Equity Leadership Team – Mayor Bashert stated during the last meeting an interesting idea was proposed related to increasing the incentive for developers to include affordable housing units. Cities are waving fees in order to incentives the inclusion of affordable housing.

XIV. COUNCIL PROPOSED BUSINESS –

Brown

- She is not available on December 15th for the Council/Staff retreat and asked if it was going to be rescheduled. She hopes it could be scheduled for a time in the New Year.
- She would like hand sanitizer to be available at the dais for Council.

Mayor Bashert stated many dates have been suggested regarding the Council/Staff retreat. She understands Council Member Brown is unable to make it that date but every other Council Member was. There are many new members on Council that need this training and she does not want to wait deep into the year. Council will begin its Goal Setting Session in January and prioritizing for the budget. Council Member Brown respectfully disagreed that it would be difficult to move the retreat to January, and it could be a part of Goal Setting. She would like to be present for this retreat because there are new Council Members and staff members. Council Member Murdock stated all Council Members should be present for this retreat. He realizes the difficulty to pick a date that works with everyone's schedule, but supports rescheduling. Mayor Pro-Tem Richardson agreed. Mayor Bashert stated frustration that she has taken off the busiest day of the year in order to attend this retreat. The same two Council Members have canceled the two past scheduled retreats. Rather than take up more of this meeting she will send five dates for Council and staff to select. Council Member Brown interjected she does not recall any other retreat dates that were canceled because of her.

Richardson

- Asked why the speed bumps have been removed from Ferris.

  Council Member Murdock responded they were removed throughout the city for the purpose of plowing the snow.

- There are some bad potholes that need to be addressed on First.
- Encouraged the new Council Members to attend the Michigan Municipal League's training for newly elected officials. The training is held in January and will forward the information to Council.

Murdock

- Asked the status of the State Police investigation for China Trip.

  Mr. McClary responded no. Council Member Murdock asked if Council could be provided a report. Mr. McClary replied he is not certain the State Police will share their report, but he will request it.

- Asked if the city is still sweeping the streets.

  Mr. McClary responded he will follow up with the Interim Director of the DPS.

XV. COMMUNICATIONS FROM THE MAYOR –

- Nomination:

  Zoning Board of Appeals
  Jason Ringholz
  1219 Westmoorland
  Ypsilanti, MI 48197

- Congratulated City Clerk Frances McMullan for being featured by the Michigan Municipal League.
- Stated Council is elected to make hard decisions and required to take a stand in this community about everything. She does not believe it is ethical to abstain as a Council Member.

  Council Member Murdock agreed.

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- The North Washington Lot purchase agreement was approved by EMU.
- The city has issued over 240 passes for the recycling drop-off in Ann Arbor.

  Council Member Murdock asked if the permits are for individuals or homes. Mr. Meyers responded they can be for either because of multifamily structures. Mr. Murdock asked where people would go to apply. Mr. Meyer responded applications are at the Clerk's Office. Mr. McClary added the application can also be filled out online.

- The demolition has begun at the former recycling center.
- Provided an update on the collective bargaining.
- Continuing discussion with the Fire Fighter Union.
- Asked Council to reach out to him if they are having issues with their email.

XVII. COMMUNICATIONS –

XIX. AUDIENCE PARTICIPATION –

1. Sue Melke, 330 Chidester, understands tracking the recycling drop-off by cars, but staff needs to consider not everyone has access to cars. Something needs to be about the leaves in the street. Asked for the emails to be fixed for Council.
2. Sam Squires, 1895 Emerson Ave., stated he holds the license for Cornerstone Construction, the company working with the owners on Parsons. The parcel is zoned multifamily, meaning the parcel would need to be purchased by someone willing to rent it. The owner's daughter is willing to live in one of the units, however, she does not want to be told she needs to live there forever. He suggests a resolution that would satisfy the concerns brought up by Council.

XX. REMARKS FROM THE MAYOR –

XXI. ADJOURNMENT –

Resolution No. 2018-311, 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 three (3) members of Council.

OFFERED BY: Council Member Brown
SEONDED BY: Council Member Morgan

On a voice vote, the motion carried, and the meeting adjourned at 11:09 p.m.

Draft

CITY OF YPSILANTI AND
YPSILANTI PARKS AND RECREATION JOINT MEETING
SENIOR CITIZENS CENTER
1015 N. CONGRESS, YPSILANTI, MI 48197
TUESDAY, DECEMBER 11, 2018
7:00 P.M.

I. CALL TO ORDER –

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

II. ROLL CALL –

City Council

Council Member Brown	Absent	Council Member Symanns	Present
Council Member Morgan	Present	Council Member Wilcoxen	Present
Council Member Murdock	Present	Mayor Bashert	Present
Mayor Pro-Tem Richardson	Present		

Council Member Murdock moved, seconded by Council Member Symanns to excuse the absence of Council Member Brown.

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

Park and Recreation Commission

Commissioner Delois Wilson	Absent	Commissioner Cherisa Allen	Present
Commissioner Cathy Thorburn	Present	Commissioner Amanda Marshall	Present
Commissioner Evan Sweet	Present	Commissioner Kurt Kholman	Present
Commissioner Ashanti Harris	Present	Commissioner Ben Connor Barrie	Present

III. INVOCATION –

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

IV. PLEDGE OF ALLEGIANCE –

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

V. INTRODUCTIONS –

Mayor Bashert introduced the following individuals; Interim DPS Director Brad Holman, City Attorney John Barr, City Manager Darwin McClary, Economic Development Director Joe Meyers, Community Development Director Christopher Jacobs, City Planner Bonnie Wessler, and City Clerk Frances McMullan.

VI. AGENDA APPROVAL –

Council Member Wilcoxen moved, seconded by Council Member Symanns to approve the agenda.

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

VII. PRESENTATION –

Border to Border Trail Construction Partnership Opportunities– Planner Bonnie Wessler

City Planner Bonnie Wessler provided an update regarding the Border to Border Trail.

Mayor Bashert stated this would produce $900,000 for the trail of which the city would pay $20,000. Ms. Bashert asked if this is the agreement with the city. Ms. Wessler responded in the affirmative. Ms. Bashert asked if this will come to Council for a vote in January. Economic Development Director Joe Meyers responded it is dependent on the direction given by Council.

Council Member Murdock stated the document states a draft agreement is attached, and asked where the draft agreement is. Ms. Wessler responded the draft agreement was removed. Mr. Murdock asked if the draft agreement will be on the December 18th agenda. Ms. Wessler responded if Council receives the information well than yes, if revisions are need potentially no.

Council Member Morgan asked if the funds would be to close those two gaps on the trail. Ms. Wessler replied the costs are roughly $450,000 for Frog Island and $400,000 for Grove. Mr. Morgan asked if the project would be done in phases. Ms. Wessler replied the project would be completed all at once.

Council Member Symanns stated it appears the city is getting great value for this project. She is in support of this project.

Commissioner Connor Barrie stated the Commission is supportive of this project.

Council Member Morgan asked what the cost is for maintenance for the Border to Border Trail, and what would be the cost with the proposed changes. Ms. Wessler responded once construction is complete maintenance would fall to the city. Mr. Holman responded the cost is very minimal because the trail is not maintained during the winter months. Mayor Pro-Tem Richardson asked for clarification regarding winter maintenance. Mr. Holman replied they do not remove snow from the trail. Ms. Richardson asked if the trail would be usable in the winter. Mr. Holman responded in the affirmative, but it might change.

Council Member Wilcoxen stated he is in support of the trail, and commented on areas of the trail.

Mr. Holman stated the reason winter maintenance might change is due to the trail expanding and allowing for equipment to be used on the trail. Mayor Pro-Tem Richardson asked if DPS is proposing the city purchase small equipment in order to clear the path.

VIII. AUDIENCE PARTICIPATION –

1. Sue Melke, 330 Chidester #409, stated a couple of years ago the city purchased a piece of equipment to remove snow from sidewalks. She asked if that fit on the trail. The spring of this past year DPS informed Council it had the materials to construct picnic tables and asked why that has not happened. She asked if the Frog Island connection is near the recycling center. Her concern is contamination and does not want to see a similar situation as Water Street.
2. Douglas Peterson, 1713 Roosevelt, stated the neighbor to the west of him has added fencing and landscaping that has overstepped property lines. He asked Council to take action, or provide direction.

3. Amber Fellows, Ward 3, stated there was funding available from the Tony Hawk foundation to purchase skate parks. The money has been earmarked for the eastside of the county. It seems like the possibility of having the skate park in the city is slipping away. She encouraged the city to show more interest in this grant funding.
4. Sarah Walsh, 113 Linden Ct., stated she is the Vice-Chair of the Non-motorized Committee. The Non-motorized Committee is in support of the Border to Border Trail.

IX. **REMARKS BY THE MAYOR –**

Council Member Murdock stated the County Parks and Recreation Commission is the recipient of the grant. They have selected a site for the park on Clark Rd, across from the Ypsilanti Township Senior Center.

X. **RESOLUTIONS/MOTIONS/DISCUSSIONS –**

- Park Restroom Evaluation Study

Commissioner Sweet stated the Commission has had an at length discussion regarding park rest rooms. If the restrooms are to be reopened the Commission advises not opening all of the restrooms. The estimates seem to be only for the construction of the restrooms, no other park updates are listed. The Commission suggests only opening restrooms in parks with hi foot traffic, and not the neighborhood parks. There is a huge staffing costs as well as supplies to operate all facilities. Mr. Sweet suggested opening up perhaps two facilities.

Commissioner Connor Barrie agreed with Commissioner Sweet that only two facilities should be opened.

Commissioner Sweet stated the portable facilities are used in communities around the state, and has been affected in Ypsilanti.

Council Member Symanns stated she has concerns about the cost to fix the facilities and then to maintain them. In some ways she would like to start with the neighborhood parks, but can appreciate starting with Riverside Park.

Council Member Wilcoxen stated when this was originally discussed by Council it was determined to be costly. The estimates are above just getting the bathrooms functional, and there could be a way to open the bathrooms without fixing everything listed. It struck him that the estimations did not include alternative plans outside of standard plumbing.

Commissioner Marshall stated many of the structures in place need to be fixed. The structures themselves are a danger, and aside from the functionality of the facilities safety is important. Even if the facilities operate the doors will need to be locked because it is a liability.

Council Member Symanns stated she would like to prioritize safety issues in order for the structures to be useable.

Mr. Holman stated he is in favor of parks having some restrooms, but he does not believe there needs to be facilities in all of the parks. Depending on what restrooms are determined to be opened, an assessment needs to be completed on what is needed in those specific facilities. Once that is done a procedure on how the facilities will be policed needs to be developed.

Council Member Morgan asked if Ann Arbor has posted signs for hours bathroom facilities are unlocked. Mr. Holman responded he believes at least in one location. Mayor Bashert stated locks that can be controlled remotely can be installed.

Mayor Bashert stated choices can be made seasonally about how to police the facilities. She hears a consensus that not every park needs facilities and the port-a-johns are functioning well. If the city does do something Riverside Park would be the one to start with. Council Member Symanns agreed, and it might be a good idea to examine new technology. Council Member Murdock stated to fix all of these facilities would be costly, and the city does not have the resources. The security and operational issues need to be thought through, if not the city could see a similar situation to what happened before with the facilities. He disagrees with prioritizing Riverside Park because it is an event park, and the events have capacity to have port-a-johns. He would rather another park be the first park to have a restroom. Commissioner Sweet stated the city has not seen how the new playground at Riverside Park will affect attendance in the summer. The Commission would place other amenities as a priority prior to exploring fixing the bathroom facilities.

Mayor Pro-Tem Richardson stated the reason Council began talking about bathrooms in the parks is a result of public outcry. She is not saying have a bathroom in each park, although ideally that is what she would like, and work out a way to discourage vandalism. If there is a port-a-john in each park why are residents upset about not having facilities. If the city decides to use port-a-johns the city needs to figure out a way to secure them. Mayor Bashert stated during budget residents have stated the need for restrooms at the parks. Council directed staff to place port-a-johns at the parks this past season as a result. The question is if the port-a-johns are enough to solve this issue.

Council Member Morgan asked if there is criteria to address if a park is functioning as it is supposed to.

Mayor Bashert stated Council's next steps are Goal Setting, which begins the budget season, and determine if this is a priority. Mr. McClary agreed, some of the suggestions would need to be programed into the budget.

- Park Needs Assessment

Mayor Bashert stated every park needs weed suppression and new play surfacing under playground equipment.

Mayor Bashert provided a strategy to address the needs as listed by the Parks and Recreation Commission. She began the discussion with Parkridge Park.

Mayor Pro-Tem Richardson stated the door for the restroom and storage area needs to be replaced. The playground area needs resurfacing, basically everything on the list for Parkridge needs to be work.

Mayor Bashert stated council was told the DPS had materials to construct picnic tables and park benches, she asked if those materials were still present at the DPS Yard. Mr. Holman responded no, the DPS does not have those materials. A member of the Parks and Recreation Commission asked if those materials are cost prohibitive. Mr. Holman responded no, and the issue is it would be easier to replace what is currently there then to repair it.

Council Member Symanns stated the repairs listed for Parkridge Park seem reasonable. She suggested the repair of the water fountain at that park be a low priority. Commissioner Marshall interjected the water fountain is currently at around a forty-five degree angle, and very dilapidated. Something needs to be done in terms of safety, currently kids are jumping on it. Ms. Symanns agreed it needs to be made safe, but not concerned with it being a functional water fountain. Council Member Morgan asked how many water fountains are at the parks. Commissioner Conner Barrie responded zero. Mr. Morgan stated water fountains are important when participating in physical activity. He would like to see the cost for the replacement of the water fountains. Council Member Murdock stated at one time there was a water fountain at Prospect Park and it was vandalized than removed. Ms. Symanns stated most people are now used to carrying water bottles with them when they attend a park. She does not believe water fountains are a priority at this time.

Mayor Pro-Tem Richardson stated she is not certain what guardrail is referenced on the list. Commissioner Connor Barrie responded the railing by the school parking lot. Ms. Richardson agreed it needs to be repaired, and should be a higher priority. The gates at either end of the park need to repair, or replaced. Mr. Holman stated the gate on the south side will close, the gate by the school needs to be repaired. Ms. Richardson stated there needs to be a water fountain at every park for children. She asked when the tennis courts were examined at Parkridge. Commissioner Sweet responded the assessment was completed in the summer. Ms. Richardson stated the tennis court was supposed to be resurfaced. The group that has taken ownership of the park has tried to maintain the weeds in Parkridge. That groups issue is when the have cut down the weeds they have received pushback from the city. Mr. Holman stated a plan has been developed that includes the major parks. The basis of the plan is what is in "general sight", and agreement was made with that group the city would pick up the weeds that were stacked. The goal is to see everything in the park from the hill that policy caused some in the group to drop-off and DPS had to maintain the park. The DPS was only one staff member to maintain the city's park system. It is just a matter of organizing with those in the community that are interested in helping to maintain the park.

Mayor Bashert asked why there is only one employee to maintain all of the city parks. Mr. McClary responded funding and priorities, which can be discussed during goal setting. He stated a goal of providing better oversight of the park system and programs was stated when he asked Council to create a new Department of Economic and Community Development. That department would coordinate and organize the maintenance of the park system. That is one step to creating a Parks and Recreation Department, which is further into the future.

Mayor Bashert stated much of what is included in the list is for the parks to get mowed, and Friends Groups maintaining the parks. However, when the parks are mowed they should also be weed wacked. A person needs to be paying attention to growth under the playground equipment. At least two times during meetings Council has requested picnic tables and benches be added to the parks. Council was told it would happen and it hasn't which is frustrating. She agrees with the City Manager that part of the reason is because of lack of oversight. However, a lot of the things on the list are just a matter of neglect. Although, she understands staffing is an issue.

Mayor Bashert asked if adding additional trash cans should be a priority. Mayor Pro-Tem Richardson stated there is a need for additional trash cans. Council Member Morgan stated there is often trash scattered throughout Prospect Park and there are many trashcans. The issue is a lack of cleanup. Ms. Bashert stated she picked up two bags of trash while walking through the Border to Border Trail. Mr. Holman stated trashcans are positioned in a way that provides for ease of use.

Mayor Bashert stated increasing public recycling will most likely come up during goal setting, and asked the Park and Recreation Commission their thoughts. Commissioner Marshall responded this has been a discussion of the Commission. There has been research regarding grants, however, the city would need to be the applying body. Beyond that it needs to be determined who will pick up the recycling, and if the city has the staff to pick up recycling. She added the Commission wants recycling everywhere. Ms. Bashert asked if the city is missing opportunities to improve the parks. Ms. Marshall stated the commission does not have the processes setup in order to apply for grants in a timely manner.

Council Member Symanns supported the idea of having more opportunities for recycling in the park systems. She asked what the grants are, and if awarded what would activity would they provide funding. Commissioner Connor Barrie responded Snapple provides grants to communities for recycling by providing the jurisdiction with the bins, but there are other grants available. Ms. Symanns responded this could be used as a pilot program. Mayor Bashert stated Council has had discussions regarding the use of Bigbelly. The program is pricy but the cost be mitigated by having advertising on the bin.

Mayor Bashert expressed the play equipment needs better weed suppression and resurfacing in many of the parks. Council would most likely need to know the cost for budgeting. She asked for the cost of additional trashcans in the parks system.

Commissioner Connor Barrie explained the process of excavating, which would mean to remove the source of the weed, cover the area with a barrier, and resurface. Council Member Murdock stated that was the process in Prospect Park.

Council Member Murdock stated City Council authorized $100,000 to be used for deferred maintenance projects in city parks. He would like authorization to spend some of those funds prior to the summer. There are not currently costs attached to projects, which would be helpful. He would like a list of priorities of what can be done to improve the parks. Much of the priorities can be completed by the DPS at minimal costs, others can be done in conjunction with Friends groups. That is what he was hoping to get out of this discussion. Mayor Bashert stated her understanding is a work session involves only discussions, no decisions. Ms. Murdock stated this is a regular meeting, but even if it is not a priority list can be created. Ms. Bashert stated Council could formulate a proposal from this discussion. Mr. Murdock interjected the Parks and Recreation Commission would need to recommend where to allocate those funds.

Mayor Bashert asked if the Parks and Recreation Commission recommends to Council how those funds are to be allocated. Mr. McClary responded the Parks and Recreation Commission provides advice to City Council. He is not entirely certain what fund Council Member Murdock is referring, but the $100,000 would be allocated by Council. It would be important to engage the Parks and Recreation Commission what priorities they see for the parks system. Council Member Murdock responded the City Manager should talk to individuals that have been involved in this process. The $100,000 went into a fund that also is allocated funds created through park rentals. Mr. McClary responded he does not believe that was staff's understanding, but ultimately that is at the discretion of Council.

City Attorney John Barr stated City Council controls the purse of the city. He suggested safety concerns be made a high priority for liability issues.

Council Member Murdock stated the Parks and Recreation Commission can make a recommendation, but Council does not necessarily need to follow that recommendation.

Mayor Bashert asked for input regarding Recreation Park.

Council Member Symanns stated removing the curbing from the basketball courts should be a low priority. Commissioner Sweet stated the curbing is a trip hazard for those using the basketball court. The curbing also makes it difficult for the court to drain when it rains. Ms. Symanns understands, but when she is trying to prioritize. She added the trip hazard is open and obvious, but would defer to the City Attorney. She does not see removing the shuffleboard court as a necessity, and it could be removed later. Widening and paving the walking path would be nice, but really more of a luxury. She would rather add a path on the south side of the park.

Mayor Pro-Tem Richardson asked if the pavilions roof had been repaired. Commissioner Sweet responded in the affirmative.

Mayor Bashert asked how bad the condition of the baseball fence is. Commissioner Sweet responded he does not think it needs to be replaced, but does need some repairs. Ms. Bashert stated that should be a priority it is used heavily by the little league. The parking lot is in very poor condition, and asked if it could be included when DPS fills potholes. Mr. Holman responded, it needs to be resurfaced and sealed. Ms. Bashert asked for a cost estimate for that project. She asked for new barriers under the playground equipment.

Mayor Bashert introduced discussion for the Edith Hefly Tot Lot.

Commissioner Connor Barrie stated the Edith Hefly Tot Lot needs minimal attention. Mayor Bashert stated she has been asked for additional pea gravel for years, and asked for some to be added at minimal expense. Council Member Symanns stated she would love to see a picnic table and bench there.

Council Member Morgan stated in 2008 residents of Paradise Manor were saying they had been going to City Council requesting for two years requesting a line of sight be cut in order to see children on the playground. He helped to cut the line of sight down at Paradise Manor, and sees this is an opportunity to engage the people in the community. Council can cut cost be leveraging assistance from the community. People will invest their time and energy to improve their neighborhood. Mayor Bashert stated the DPS does have rules on what people are allowed to do if not employed by the city. This is based off of union rules and other liabilities that create a tension. This is a balancing act, and there needs to be a middle ground that all can be satisfied with the outcome.

Council Member Symanns stated the park system does get a lot of love from citizens groups.

Mayor Bashert introduced discussion regarding Candy Cane Park.

Council Member Symanns stated she would like to see the grills repaired in this park. Mayor Bashert stated it should be a fairly inexpensive item. Ms. Symanns stated the tennis courts have cracks, and they do get a bit of use in that park. There is also a backstop that could use some attention. Council Member Wilcoxen stated the backstop was an Eagle Scout Project. He asked how it was approved if there is certain things the DPS would not allow the public to do. Commissioner Connor Barrie responded he believes it is based off of the scope of work.

Council Member Symanns stated the playground equipment need to have the weeds removed from underneath.

Mayor Bashert state the tennis courts at Parkridge and Candy Cane need attention. She said the pathways and signage seem to be a luxury item for this park. Council Member Wilcoxen agreed, and mentioned the park is small enough that signage is not required. He explained the problem with the park is it is poorly drained. He stated when the city comes to remove the trash from the cans it takes the longest possible route and badly damages the ground. Mayor Bashert stated the real solutions is to fix the drainage in the park. Council Member Symanns suggested keeping cars of the grass. Mr. Wilcoxen agreed, but it is the underlying soil that is causing that. One of the safety hazards in the parks is that many of the trees need to be trimmed. Mayor Bashert asked how long has it been since the city has examined the health of its tree inventory. Mr. Holman responded it occurs regularly. City Planner Bonnie Wessler added the last time an inventory was completed by an outside company was 2011. Ms. Bashert asked how long a study of that nature is valid. Ms. Wessler responded it is good until conditions significantly change.

Commissioner Connor Barrie stated traffic in city parks is a common theme. There needs to be a way to address people driving on the parks.

Mayor Bashert asked if the Parks and Recreation Commission assessed how many picnic tables, benches, trashcans, and grills are needed. Commissioner Sweet responded there is not a specific number. Ms. Bashert asked for an estimate within the next month or two.

Mayor Bashert introduced discussion regarding Peninsular Park, and explained depending on what is to happen with the dam could affect this park. She doesn't know what there is to talk about until a decision is made regarding the dam. Council Member Wilcoxen stated he was at this park during the weekend and there is concern about the brush. This is a low cost item and should be taken care of. Ms. Bashert stated the brush is a result of invasive that grow at a tremendous rate, she agreed it should be maintained.

Council Member Murdock asked to include the picnic tables because the will not be impacted by what is decided to be done with the dam.

Mayor Pro-Tem Richardson stated whether the dam stays or goes, for safety reasons the stairs need attention.

Council Member Wilcoxen stated last he went to Penn Park there were several cars parked there and he was the only one in the park.

Council Member Symanns stated this might be the most unsafe park in the city. Although, she understands changes could happen as a result of the dam she does not want this to fall off the radar. Mayor Bashert responded this park and its issue will most likely rise to the top of the priority list. Mr. Holman stated part of the issue with the stairs is accessibility. Council Member Murdock stated the projects at Penn Park are going to take significantly more money to fix. These projects would probably require a park grant to fund, regardless of the state of the dam.

Mayor Bashert introduced discussion of the Prospect Park.

Council Member Morgan stated there is not adequate lighting in the park.

Council Member Murdock stated the discussion from Friends of Prospect Park was regarding the condition of the playground equipment in the park. He outlined the equipment needing attention. He stated there is no ADA compliant playground equipment, possibly a swing in the future. Both pavilions need painting and repairs, and some of the repairs to the bathroom can be done. There was a lot of talk about identification signage as in the other parks, he requested a historical marker to be repainted. There is a possibility of getting the Historical Society to pay for the sign, and possible information signs. He listed additional repairs the park would require. The major concern was for better park maintenance. There is also a want to repair the sidewalk along Oak St.

Council Member Morgan asked if the city is not in compliance with the Americans with Disabilities Act if playgrounds to not have ADA equipment. Mayor Bashert responded no.

Commissioner Sweet asked if the baseball diamond at Prospect Park get the use the others do. Baseball diamonds are very difficult to maintain. Council Member Murdock stated there used to be some young kids that played there, but not much anymore. It is mostly now used for football, and does not think it is regulation size.

Mayor Bashert introduced discussion regarding the Charles Street Tot Lot. She mentioned the need for the sandbox to have gravel instead of sand. She said there is nothing major listed.

Mayor Bashert introduced discussion regarding Frog Island.

Council Member Morgan stated the concrete stage is at that park, yet he does not see it listed. Commissioner Sweet stated the facility did not need any serious repairs. Mr. Morgan asked if there is a way to add a cover for inclement weather.

Council Member Wilcoxen stated there are a number of trip hazards on the Border to Border Trail, as well as people spending all night by the river. Mayor Bashert stated that is another discussion, but Council is aware of the homeless population in this city.

Council Member Symanns started there is a lot of poison ivy close to the walkways in that park. Council Member Murdock stated when the trailhead is installed much of that will be removed.

Council Member Morgan asked if the tridge is a part of the park system, if so it could use some attention. Mr. Holman stated repairs were recently mad to the tridge. Mayor Bashert asked that the tridge be inspected. Council Member Wilcoxen pointed out some issues related to the bridge. Council Member Murdock stated there are lose boards by the Huron and asked that they be inspected.

Mayor Bashert stated the graffiti is not acceptable in city parks. Commissioner Marshall asked if a community mural would dissuade graffiti. Ms. Bashert responded there was a mural and graffiti is put on it, which is frustrating. Council Member Symanns stated she is in favor of murals, but possibly a section could be reserved for graffiti art. Ms. Bashert added that is possibly something the Parks and Recreation Commission could identify. Council Member Murdock stated the mural was commissioned by the Huron Watershed Commission and is their responsibility to maintain it.

Mayor Bashert introduced discussion regarding Candy Riverside Park.

Commissioner Connor Barrie stated some of the listed items have been completed.

Mayor Bashert stated Riverside is the city's festival park, but it is also a destination park. It is a very widely used park in the city, it has a lot of traffic.

Mayor Pro-Tem Richardson stated the walking path needs attention.

Council Member Wilcoxen stated the lighting in the park needs to be fixed.

Council Member Morgan stated that park needs water fountains.

Council Member Wilcoxen asked about the drainage of the park. Mayor Bashert agreed, but is not sure of the solution. However, the Huron Watershed Council is aware of the problem and is researching a solution. Council Member Murdock stated the Eastern Leaders Group and Convention and Visitors Bureau at one time attempted creating a storm water drainage plan. However, when the organization lost its funding the plan is in hiatus.

Mayor Bashert introduced discussion regarding Carrie Mattingly Tot Lot.

Mayor Pro-Tem Richardson stated this park needs signage. It needs constant care to maintain the weeds in order to be able to see children while they play. The park also needs its equipment replaced, and more equipment. Commissioner Sweet stated when entering the park it feels as if you are walking up someone's driveway. The park needs to be more accessible, and agreed additional signage is needed. The park is named after a former employee, and the sign is incorrect.

Mayor Bashert introduced discussion regarding Waterworks Park.

Commissioner Sweet stated the baseball fence at this park is overgrown with brush. He added the baseball diamond is no longer used, and recommends the removal of the fencing. Mayor Bashert agreed, the fencing is becoming a hazard.

Council Member Murdock stated at one time a Little League representative wanted to do something with that park. Commissioner Sweet responded in the affirmative, but he believes that is no longer the case. Mayor Pro-Tem Richardson interjected the park is used for baseball, however, she does not believe they are sanctioned by a league. Mr. Holman agreed, and said all fields in the city are of interest to Little League. Mayor Bashert stated that creates an issue with removing the fence.

Council Member Wilcoxen asked the history of the compost at Waterworks Park. Mr. Holman responded the city was taking it to the Clark Road site. Since then the location has changed several times, and now the compost is at Waterworks. Council Member Murdock asked if that site is permitted for compost. Mr. Holman asked for clarification of what is meant by permits. Mr. Murdock responded the county requires a site go through a process for permit. Mr. Holman responded the county has signed off on the site.

- Use of Council Authorized Funds for park maintenance

Council Member Murdock stated he was hoping the Parks and Recreation Commission would recommend the replacement of equipment at Prospect Park so it could be installed by next summer.

XI. <u>COMMUNICATIONS FROM THE CITY MANAGER</u> -

None

XII. <u>COMMUNICATIONS FROM THE PARKS AND RECREATION CHAIRPERSON</u> -

- Commissioner Sweet stated it would be beneficial to put together a parks maintenance plan.

  Mayor Bashert stated there needs to be a department head in charge of what is happening in the parks.

XIII. AUDIENCE PARTICIPATION -

1. Debra Walker, 6166 First Rd., stated she is a member of Penn Park's Friends group and asked for Council not to forget about Penn Park when allocating funds. The park needs additional lighting and patrols of the park.
2. Brian Athey, 222 N. Lincoln, stated he is glad he attended this meeting. He stated the city needs creative ideas, and it would be helpful to get the Friends groups together to discuss solutions.
3. Sue Melke, 330 Chidester #409, asked the fee structure of the port-a-johns in the parks. She asked why the city is examining bathroom facilities with more than one toilet. It does not make sense to look the bathrooms at night, she would rather the homeless population be able to use those facilities then the playground equipment. She does not understand why the picnic tables are not constructed, and asked why the tables are in the park. The park system needs greater oversight, and a grant writer needs to be hired. She said advertising could be for the Bigbelly system. Line of sight needs to be improved of the park system. She does not understand why the stairs need to be replaced at Penn Park.

XIV. REMARKS FROM THE MAYOR -

Nominations:

<u>Housing Commission</u>
Heidi Franknehauser (reappointment)
810 N. Congress
Ypsilanti, MI 48197

<u>Zoning Board of Appeals</u>
Tom Roach (new appointment)
912 Pearl St.
Ypsilanti, MI 48197

XV. ADJOURNMENT -

OFFERED BY: Mayor Pro-Tem Richardson
SECONDED BY: Council Member Symanns

On a voice vote, the motion carried, and the meeting adjourned at 9:58 p.m.

REQUEST FOR LEGISLATION

TO: **Mayor and City Council**

FROM: **Marilou Uy, Finance Director/Treasurer**

SUBJECT: **Budget adjustment to move Penn Dam removal feasibility study revenues and expenditure from FY 2017-18 to FY 2018-19**

Date: **January 8, 2019**

SUMMARY & BACKGROUND:

The Penn Dam removal feasibility study revenues and expenditures were budgeted in FY 2017/2018. The project was not completed and expensed by June 30, 2018 and it needs to be reprogrammed for FY 2018/2019. Therefore, attached is the budget amendment worksheet showing the budget amendments to be made for FY 2018/2019.

RECOMMENDED ACTION: Approval of the budget amendments

ATTACHMENTS: Resolution and budget amendment worksheet.

CITY MANAGER APPROVAL: ____________________________

COUNCIL AGENDA DATE: January 8, 2019

CITY MANAGER COMMENTS: ____________________________

FISCAL SERVICES DIRECTOR APPOVAL: ____________________________

Resolution No. 2019-003
January 8, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti budget for FY 2017/2018 included the Penn Dam removal feasibility study revenues and expenditures; and

WHEREAS, the project was not completed and expensed as of June 30, 2018; and

WHEREAS, the project needs to be reprogrammed in FY 2018/2019; and

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the budget amendments worksheet for FY 2018-2019 as attached.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

CITY OF YPSILANTI, MICHIGAN

BUDGET ADJUSTMENT WORKSHEET

FISCAL YEAR: 2018-19
FUND: General
DEPT: Peninsular Dam
REQUESTED BY: D. McClary
DATE: 12/21/2018
AMENDMENT # 2019-101-2653-01

ACCT #	ACCT NAME	ADOPTED	AMENDED	REVENUE CHANGE	EXPENDITURE CHANGE	NEW AMENDED REVENUE BUDGET	NEW AMENDED EXPENDITURE BUDGET	REASON
101-7-2653-818-00	Contractual Services	0	0		48,000	0	48,000	Peninsular Dam Removal Study and Restoration Study Cost Update
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	
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						0	0	
						0	0	
						0	0	
						0	0	

NET CHANGE IN BUDG[redacted]

Approved by City Manage[redacted]

Approved by City Council[redacted] ____________ Date: ________

Council Resolution No. 2017-282

REQUEST FOR LEGISLATION
18 December 2018

From: Bonnie Wessler, City Planner

Subject: Zoning Text Amendment: Private Frontage Design

SUMMARY & BACKGROUND:
The Planning Commission reviewed two applications for new construction &/or expansion for single-story commercial building types within the NC district and the GC district in 2018, the first applications since the Commercial frontage has been made mandatory as part of the "bug fix" in 2017. Both pursued variances from the strict requirements of that standard; one has been granted, another has not yet been reviewed.

The majority of applications Planning Commission has seen since 2015 have been for renovations/expansions of existing buildings, and the Commercial frontage has been "encouraged," not required from 2014 to 2017; this appears to have resulted in satisfactory developments. Both single-story developments since the 2017 update feeling that the full requirement necessitates a variance, however, signals that it may not be a good fit. However, it is not desirable to have private frontage standards be purely optional, as they were in the past.

The proposed change would create an additional commercial frontage designation for Large Single Story Commercial and Single Story Commercial building types in the form-based districts, called Thoroughfare Commercial, numbered 122-485. The maximum distance between openings would be 5'; minimum ground floor transparency would be 50%; and the maximum height to bottom of window be 3'. Further, when the Planning Commission makes a finding that the frontage will be less than 15' from the edge of the roadway, with no on-street parking permitted on the block, on a frontage with more than 15,000 ADT at the latest count, with a speed limit of 35 mph or above, Planning Commission may choose to waive in whole or in part the above requirements.

The Planning Commission recommended the ordinance change unanimously at their August regular Planning Commission meeting. Staff likewise recommended approval.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Staff Report, Planning Commission minutes excerpt, draft cutsheet.

CITY MANAGER APPROVAL: ________________________ COUNCIL AGENDA DATE: _________

CITY MANAGER COMMENTS: __________________________

FISCAL SERVICES DIRECTOR APPROVAL: _____________________________________

Resolution No. 2019-004
January 8, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City has an interest in protecting the walkability and health of the community; and

WHEREAS, the City has an interest in promoting and supporting local businesses and their growth; and

WHEREAS, Planning Commission has found that the strict requirements of §122-484 to be not well-suited to certain locations; and

WHEREAS, the Planning Commission has recommended the City Council adopt the proposed ordinance change that would provide flexibility;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the ordinance entitled Private Frontage Design for Single Story Commercial and Large Single-Story Commercial building types on Second and Final Reading.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

City of Ypsilanti
Pride. Diversity. Heritage.

Ordinance No. 1329

An Ordinance Entitled "PRIVATE FRONTAGE DESIGN FOR SINGLE STORY COMMERCIAL AND LARGE SINGLE-STORY COMMERCIAL BUILDING TYPES"

THE CITY OF YPSILANTI ORDAINS:

That the Zoning Ordinance be updated in the following manner:

- Sec 122-477 (single story commercial building) and Sec 122-478 (large single story commercial building), subsection "Private Frontages" be updated to read ""Thoroughfare Commercial Required"
- And to insert a new section 122-485 entitled "Thoroughfare Commercial" as attached.

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. 2019-005
January 8, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

NAME	**BOARD**	**EXPIRATION**
Jennifer Eastridge 1144 Roosevelt Ypsilanti, MI 48197	YDDA	7/1/2022

OFFERED BY: ____

SUPPORTED BY:____

YES: NO: ABSENT: VOTE:

Citizen Advisory Boards and Commissions Participation Resume

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

Name	Jennifer Eastridge
Email Address	[redacted]
Address	[redacted]
City	Ypsilanti
State	MI
Zip Code	48197
Phone Number	[redacted]
Fax Number	*Field not completed.*
Number of Years in the Community	10 Collectively
Ward You Live In	2
Education	BFA in Art History & Museum Studies
Occupation	Small Business Owner (Owns 114 W. Michigan Avenue and business, Unicorn Feed & Supply, a new retail gift shop downtown Ypsi)
Employer	Self
Are you applying for youth membership?	No
I would like to be considered and could devote sufficient time to serve on the following board or commission:	Ypsilanti Downtown Development Authority

Party Affiliation	*Field not completed.*
	Field not completed.
Why are you interested in serving on these boards/commissions?	I was encouraged to apply to be on the DDA because I am very vocal about my love of Ypsilanti. I was heartbroken when I had to leave Ypsi for a family emergency in 2013, but when I was able to begin my next chapter, I sold/donated almost everything of 43 years, and moved back with the full intention to buy another home, invest in the community and to be an active participant of the Downtown Ypsi resurgence (that is what I call it). I have formal education in the arts, experience working with small businesses as well as years of working for Corporate America in product development and marketing. I know that where the "creatives" are, economic development follows and I can honestly say that I have never lived anywhere more creative and dynamic as Ypsilanti. I want to be a part of moving Ypsilanti forward ~ economically, beautifully, sustainably, and creatively. I also own the building where my shop is located (114 W Michigan Ave), so I am not only emotionally invested, but also quite financially invested in Downtown Ypsi. I think the DDA would be a good fit
Work/volunteer experience related to the board or commission:	As a Downtown Ypsilanti business owner, I have been in constant contact with the DDA for guidance in relation to having my business downtown. I also pay the DDA for Dumpster service and pay the DDA for two parking spaces. I have also spoken to folks who have an interest in moving their businesses to a creative and thoughtful community, and I put them in touch with the DDA to continue the dialogue of possibilities..."Ypsibilities," perhaps? :)
I understand that appointment to a City of Ypsilanti board or commission requires regular attendance at board meetings.	Yes
I hereby certify that all of the information above is true.	Yes

REQUEST FOR LEGISLATION
8 January 2019

From: Bonnie Wessler, City Planner

Subject: Printing and Copying Contract Proposal

SUMMARY & BACKGROUND:

Staff have been looking at ways to reduce our technology overhead, including the cost of printers and in-house printing. Currently, each department's printers and printing are managed entirely by the departments. As a result, we have a very diverse fleet of machines, there is confusion about who to call for repairs, when a repair would be more cost-efficient than a replacement, and costs are challenging to track and control on a City-wide level.

Michigan Office Solutions (MOS) approached us at the end of 2016, and performed a printer audit and developed a cost proposal for managed print services that projected significant savings. "Managed print services" is a practice wherein one company provides repair/service/support, toner replenishment, and limited printer replacement. Generally this involves some fixed/flat fee that includes a certain number of color and black&white impressions; a cost per impression for each impression after that; and a commitment to use machines supplied by the vendor for in-service replacement or for upgrades. MOS' proposal, provided in April of 2017, projected savings of more than $2,000 per year; due to upcoming personnel changes and the budget season, we opted to not move forward with MOS at that time. Four additional vendors were approached, and we performed our own internal cost analysis.

This cost analysis showed our current annual expenditure on in-house printing is between $30,000 and $40,000 annually. $20,000 to $28,000 of this cost is departmental printing; the four contract machines cost approximately $12,000 to $13,000 per year.

To generate these quotes we approached three firms beyond Michigan Office Services. These were Applied Imaging, UTEC, and Michigan Computer Supplies. Michigan Computer Supplies was unable to provide a quote for managed print services. The City currently works with both Applied Imaging and Michigan Computer Supplies. With the exception of MOS, all quotes came in either at or above our current estimated annual expenditure. MOS could potentially save the City approximately six thousand dollars per year. UTEC's price roughly equals the low bound of our current expenditure. Applied Imaging exceeds our current expenditure.

At this time, staff recommends selecting MOS as the vendor for managed print serivces and to replace the second floor machine.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Contract and addenda

CITY MANAGER APPROVAL: ________________________ COUNCIL AGENDA DATE: _________

CITY MANAGER COMMENTS: __________________________

FISCAL SERVICES DIRECTOR APPROVAL: _____________________________________

Resolution No. 2019 - 006
January 8, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the attached contract documents for managed print services is hereby approved, and that the Mayor and City Clerk are authorized to sign the same on behalf of the City of Ypsilanti, subject to the approval of the City Attorney.

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

With 2nd floor,
w/o 4th floor

WE ARE PLEASED TO PRESENT YOUR CUSTOMIZED

CO-AUTHORED PROPOSAL

360° COMMITMENT TO SUPPORTING YOUR BUSINESS

Count on us.

We're here today to present the co-authored findings and solutions based on your Assessment Summary.

COMPILED EXCLUSIVELY FOR:

The City of Ypsilanti

1 South Huron Street
Ypsilanti, MI 48197

PREPARED BY:

Shane Collins

Michigan Office Solutions (MOS)
40000 Grand River Ave, Suite 500, Novi, MI 48375
800.442.9070 • 734.790.0321
mos-xerox.com

DATED:

June 8, 2017

CONFIDENTIAL

This document contains information, data and drawings that are strictly confidential. The information was provided with the understanding that it **cannot be shared, copied or distributed** without written consent from Michigan Office Solutions.

MOS
Michigan Office Solutions

A Xerox Company

COST ANALYSIS

UNDERSTANDING AND CONTROLLING YOUR TOTAL COST OF OWNERSHIP

Current Situation

Service Category	# of Devices	Volume	Total Costs
Total B&W	13	21,869	$1,077.99
Total Color	10	5,045	$566.46
Grand Total	23	26,914	$1,644.45

Total Validated Cost = $2,277.37

Monthly obligation of Ricoh devices leaving status quo:
Fire Station = $150.29
Police Station = $319.00
Development & Planning = $163.63

Proposed Solution - Refreshed & Enhanced Managed Program

Service Category	# of Devices	Volume	Total Costs
Total B&W	13	21,869	Included*
Total Color	7	5,045	Included*
Grand Total	20	26,914	[redacted]

[redacted]

- finisher = ~[redacted]
quarterly [redacted]

Projected total savings, based on current usage:

Current Monthly Cost | **Proposed Cost**

[redacted]

$718.58
Projected Savings

Proposal Details:

Included New Color Replacement Devices*:
- 1 - [redacted] (Color MFP with Finisher)
- 4 - [redacted] (Color Desktop MFP)

Included New B&W Replacement Devices*:
- 1 - [redacted] B&W Printer)
- 1 - [redacted] B&W Desktop MFP)
- 2 - [redacted] B&W Desktop MFP)

- Reduction of total models from 25 to 17
- Reduction of manufacturers from 4 to 3
- Reduction of Cost Per Page B&W and Color
- Reducing overall cost of ownership
- Replacement of numerous aged/inefficient devices

ADDITIONAL BENEFITS

PROPOSED ENVIRONMENT ADJUSTMENTS

Program Benefits

- MOS recommends placing 9 new Xerox assets and 11 existing HP laser assets on an all inclusive maintenance agreement. This agreement will support the fleet with parts, labor, and consumables (except for paper and staples).

- Utilizing the MOS Customer Care Center and device service tags will allow for any employee to place service or supply requests. Overall process will be streamlined and easy to budget accurately; monthly, quarterly and annually.

- All covered assets would be managed for supplies and service. One number to call, one bill to receive. Overages billed quarterly to assist in controlling costs.

- Dynamic and flexible agreement that grows as your environment grows or changes. The City of Ypsilanti may add or remove printers from service agreement at any time.

- Account reviews performed quarterly to annually depending on your current goals and by request.

- The City of Ypsilanti has the option to participate in the MOS Toner Recycling Program to assist with sustainability initiatives.

- Network eligible devices may take advantage of auto toner replenishment program based upon toner thresholds set by the City of Ypsilanti.

[redacted]

43.7%

Total Savings

Asset Tag Example

Customer Care Center
800.442.9070

MOS
Michigan Office Solutions
A Xerox Company

Equipment ID

B7225

Count on us.

Managed Assets	
Make & Model	Type
(1) [redacted]	Color MFP
(4) [redacted]	Color Desktop MFP
(3) HP assets (existing)	Color Desktop MFPs/Printers
(1) [redacted]	B&W Desktop MFP
(2) [redacted]	B&W Desktop MFP
(1) [redacted]	B&W Printer
(8) HP assets (existing)	B&W Desktop MFPs/Printers
TOTAL NUMBER OF ASSETS:	21

MOS
Michigan Office Solutions
A Xerox Company

CUSTOMER NUMBER	CONTRACT NUMBER

Rental Contract

CUSTOMER INFORMATION

FULL LEGAL NAME			STREET ADDRESS	
CITY OF YPSILANTI			1 SOUTH HURON	
CITY	STATE	ZIP	PHONE	FEDERAL TAX I.D.#
YPSILANTI	MI	48197	734-483-1100	
BILLING NAME (IF DIFFERENT FROM ABOVE)			BILLING STREET ADDRESS	
CITY	STATE	ZIP	E-MAIL	
EQUIPMENT LOCATION (IF DIFFERENT FROM ABOVE)				

SUPPLIER INFORMATION

NAME OF SUPPLIER			STREET ADDRESS	
Michigan Office Solutions			2859 Walkent Dr. NW	
CITY	STATE	ZIP	PHONE	FAX
Grand Rapids	MI	49544	800-442-9070	616-459-8705

MAKE MODEL / ACCESSORIES / SERIAL NO. / STARTING METER

XEROX C8045 -1
XEROX C405DN - 4
XEROX B400 - 1
XEROX B405DN – 1
XEROX 3335 – 2

CONTRACT TERMS / CONTRACT PAYMENT AMOUNT / SECURITY DEPOSIT

Term in Months	Payments of $
60 Months	$1,045.83 (Plus Applicable Taxes) Contract Payment Period is Monthly unless otherwise indicated

Payment includes 21,869 B&W copies per month	Overages billed quarterly at $.010692 per B&W
Payment includes 5,045 Color copies per month	Overages billed quarterly at $.063414 per Color

SUPPLIER ACCEPTANCE

Michigan Office Solutions	X		
SUPPLIER	SIGNATURE	TITLE	DATE

CUSTOMER ACCEPTANCE

You certify that all conditions and terms of this Contract including the terms on the reverse side have been reviewed and agreed to. The Contract shall commence on the day that the Equipment is delivered to you and the Contract shall be irrevocable and non-cancelable in all respects thereafter.

	X		
CUSTOMER	SIGNATURE	TITLE	DATE

[redacted]

Ypsilanti City Attorney

Count on us.

Michigan Office Solutions

A Xerox Company

1. CONTRACT: You agree to rent from us (Michigan Office Solutions) the personal property described under "MAKE/MODEL NO./ACCESSORIES" and as modified by supplements to this Master Contract from time to time signed by you and us (such property and any upgrades, replacements, repairs and additions referred to as "Equipment") for business purposes only. You agree to all of the terms and conditions contained in this Contract and any supplement, which together are a complete statement of our Contract regarding the listed equipment ("Contract") and supersede any purchase order or outstanding invoice. This Contract may be modified only by written Contract and not by course of performance. This Contract becomes valid upon execution by us and will begin on the rent commencement date and will continue from the first day of the following month for the number of consecutive months shown. The term will be extended automatically for month to month. If any provision of this Contract is declared unenforceable in any jurisdiction, the other provisions herein shall remain in full force and effect in that jurisdiction and all others.
2. RENT: Rent will be payable in installments, each in the amount of the basic rental payment shown plus any applicable sales, use or property tax. If we pay any tax on your behalf, you agree to reimburse us promptly along with a processing fee. Subsequent installments will be payable on the first day of each rental payment period shown beginning after the first rental payment period or as otherwise agreed. We will have the right to apply all sums received from you to any amounts due and owed to us under the terms of this Contract.
3. MAINTENANCE AND SUPPLIES: The charges established by this Contract include payment for the use of the designated Equipment and accessories, maintenance (during normal business hours); inspection, adjustment, parts replacement, drums and cleaning material required for the proper operation, as well as black toner and developer. Paper must be separately purchased by customer.
4. OWNERSHIP OF EQUIPMENT: We are the Owner of the equipment and have sole title to the equipment (excluding software). You agree to keep the equipment free and clear of all liens and claims.
5. LOCATION OF EQUIPMENT: You will keep and use the equipment only at your address shown above and you agree not to move it unless we agree to it. At the end of the Contract's term, you will return the Equipment to a location we specify at your expense, in retail resalable condition, full working order, and in complete repair.
6. LOSS OR DAMAGE: You are responsible for the risk of loss or for any destruction of or damage to the equipment. No such loss or damage relieves you from the payment obligations under this Contract. You agree to promptly notify us in writing of any loss or damage and you will then pay to us the present value of the estimated fair market value of the Equipment at the end of the originally scheduled term, all discounted at six percent (6%) per year. Any proceeds of insurance will be paid to us and credited, at our option, against any loss or damage.
7. COLLATERAL PROTECTION AND INSURANCE: You agree to keep the equipment fully insured against loss with us as loss payee in an amount not less than replacement cost until this Contract is terminated. You also agree to obtain a general public liability insurance policy from anyone who is acceptable to us. You agree to provide us certificates or other evidence of insurance acceptable to us, before this Contract begins or, should you wish us to waive this requirement, we will bill you and you will pay a property damage surcharge of up to .0035 of the total stream of payments as a result of our administrative costs, credit risk and other costs. We may make a profit on this program. As long as you are current at the time of the loss (intentional acts are not included), the remaining balance owed on the Contract will be forgiven. You must be current to benefit from this program. NOTHING IN THIS PARAGRAPH WILL RELIEVE YOU OF YOUR RESPONSIBILITY FOR LIABILITY INSURANCE COVERAGE ON THIS EQUIPMENT.
8. ASSIGNMENT: YOU HAVE NO RIGHT TO SELL, TRANSFER, AND ASSIGN OR SUBCONTRACT THE EQUIPMENT OR THIS CONTRACT. We may sell, assign, or transfer this Contract without notice. You agree that if we sell, assign, or transfer this Contract, the new Owner will have the same rights and benefits that we have now and will not have to perform any of our obligations. You agree that the rights of the new Owner will not be subject to any claims, defenses, or set offs that you may have against us.
9. DEFAULT AND REMEDIES: If you do not pay any Contract payment or other sum due to us or other party 15 days beyond terms, or if you break any of your promises in the Contract or any other Contract with us, you will be in default. If any part of a payment is late, you agree to pay a late charge of 4% of the payment which is late. If you are ever in default, we may retain your security deposit and at our option, we can terminate or cancel this Contract and require that you pay (1) the accelerated unpaid balance of this Contract (discounted at 6%); (2) the amount of any purchase option and if none is specified, 20% of the original equipment cost which represents our anticipated residual value in the equipment; (3) and return the equipment to us to a location designated by us. We may recover interest on any unpaid balance at the rate of 8% per annum. We may also use any of the remedies available to us under Article 2A of the Uniform Commercial Code as enacted in the State of MICHIGAN or any other law. You agree to pay our reasonable attorney's fees and actual court costs. If we have to take possession of the equipment, you agree to pay the cost of repossession. The net proceeds of the sale of any repossessed Equipment will be credited against what you owe us relating to any claim arising under this Contract including, but not limited to, or referral for collection. YOU AGREE THAT WE WILL NOT BE RESPONSIBLE TO PAY YOU ANY CONSEQUENTIAL OR INCIDENTAL DAMAGES FOR ANY DEFAULT BY US UNDER THIS CONTRACT. You agree that any delay or failure to enforce our rights under this Contract does not prevent us from enforcing any rights at a later time.
10. LAW: This Contract will be deemed fully executed and performed in the State of MICHIGAN upon signing by the Owner and will be governed by and construed in accordance with MICHIGAN law. You expressly consent to jurisdiction and venue of any state or federal court in the State of MICHIGAN and waive right to trial by jury for any claim or action arising out of or relating to this Contract or the Equipment. You waive right of defense of inconvenient forum.
11. OVERAGES AND COST ADJUSTMENTS: You agree to comply with any billing procedures designated by us, including notifying us of the meter reading at the end of each month. At the end of the first year of this Contract and once each successive twelve month period, we may increase the base usage charge per page and the per page charge over the base minimum by a maximum of 15% of the existing charge.
12. UPGRADE/DOWNGRADE PROVISION: AFTER INCEPTION OF THE CONTRACT AND UPON YOUR REQUEST, WE MAY REVIEW YOUR PAGE VOLUME AND PROPOSE OPTIONS FOR UPGRADING OR DOWNGRADING TO ACCOMMODATE YOUR NEEDS.

GUARANTEED MAINTENANCE AGREEMENT (GMA)

BILL TO	SHIP TO *
CUSTOMER NAME: SAME AS SHIP TO	CUSTOMER NAME: City of Ypsilanti
ADDRESS:	ADDRESS: 1 South Huron
CITY, STATE, ZIP: , ,	CITY, STATE, ZIP: Ypsilanti, Michigan, 48197

CONTACT PERSON	CUSTOMER PHONE NUMBER	METER CONTACT PERSON	DEPARTMENT/ROOM
	-	Bonnie Wessler	

PURCHASE ORDER #	SHIP TO PHONE #	SHIP TO FAX #
	734-483-1100	-

TERMS OF PAYMENT
TERMS ARE NET TEN (10) DAYS FROM DATE OF INVOICE.

*** IF MORE THAN ONE "SHIP TO" LOCATION, USE SEPARATE MULTIPLE SHIP TO FORM.**

QTY	PRODUCT CODE	DESCRIPTION	SERIAL NO.	START BLK MTR	START CLR MTR
1	C8045H2	AltaLink C8045 Multifunctional Copier/Printer/Scanner v			
1	097S04920	Office Finisher LX (2K Sheet Capacity w/ 50 Sheet Mult			
4	C405DN	VersaLink C405 Color Laser Multi Function Printer, Prin			
1	B400DN	VersaLink B400 Black & White Laser Printer, up to 47 F			
1	B405DN	VersaLink B405 Black & White Laser Multi Function Pri			
2	WC3335DNI	WorkCentre 3335 Black & White Laser Multifunction Pr			
		see device schedule for service only equipment			

EQUIPMENT TYPE: ☐ SALE ☐ DEMO ☐ PRE-ORDER ☒ LEASE ☐ LOANER ☐ EXCHANGE

☐ DECLINE CONTRACT

Email for Meters
bwessler@cityofypsilanti.com

TERMS
From: INSTALL
To: 5 YEARS

BASE	OTHER NOTES
Base:	**5 YEAR RATE LOCK**
Base Billed: Monthly	

MOS360 App Install ☐Accept ☐Decline (see #22) ☐N/A
360 App Install Contact: Bonnie Wessler
Phone: 734-482-9707
Email: bwessler@cityofypsilanti.com

Per Copy Agreement BW		OTHER NOTES
Per Copy		**21,869 MONTHLY COPIES**
Minimum	65,607	
Overage	$0.01069	
Overage Billed	Quarterly	

Per Copy Agreement Color		OTHER NOTES
Per Copy		**5,045 MONTHLY COPIES**
Minimum	15,135	
Overage	$0.06341	
Overage Billed	Quarterly	

ADDITIONAL NOTES

CUSTOMER IS RESPONSIBLE FOR REPORTING METERS WITHIN 5 DAYS OF THE REQUEST DATE OR WILL BE CHARGED A MANUAL PROCESSING FEE.

ITEMS COVERED

This GMA includes all parts, labor (during normal business hours), and travel cost, supplies, and drums/image units, but excludes staples, print heads, MICR toner, and Troy MICR toner.

CUSTOMER ACCEPTANCE: This **Guaranteed Maintenance Agreement**, consisting of the terms and conditions appearing above and on page 2 is hereby approved, accepted and executed by the respective parties for term set forth above. Customer acknowledges receiving a copy of page 1 and 2 of GMA.

AUTHORIZED CUSTOMER SIGNATURE: ____________ **Sales Rep** Shane Collins

SIGNER'S NAME (printed): ____________ **Mng.** Jack Bentley

TITLE: ____________ **DATE:** ____________ **REP#** ____________

GMA TERMS AND CONDITIONS:

1 Covers all labor, parts (see front of this document for possible exclusions), travel, preventative maintenance (PM) and emergency calls at no charge. The MOS Customer Care Center is also available M-F 8-5 to assist with your equipment repairs. On site service calls, at your request, will be made during normal business hours 8:00 a.m. to 5:00 p.m. Monday thru Friday (excludes holidays). Service calls during other hours are subject to overtime charges at MOS current published rates. Only MOS's authorized personnel may perform repairs.

2 MOS agrees to maintain the equipment covered by this agreement in good operating condition, providing necessary maintenance, service and parts for routine repairs. MOS service representatives will perform the MOS Total Call process when providing on-site service.

3 A down machine is defined as any copier / fax / printer which cannot produce a copy when the start button is depressed. Failure of any accessory, i.e., Automatic Document Feeder, Finisher, ETC. shall not constitute a down machine.

4 Preventative Maintenance (PM) calls will not be treated as emergency calls and therefore service response time may be longer.

5 Availability of replacement parts and supplies shall be guaranteed for a minimum of seven (7) years from end date of production. In the event a manufacturer discontinues part or supplies for your machine this agreement will be terminated and the unused portion can be transferred to a new machine purchase from MOS.

6 The effective term of this contract is indicated on the front of the agreement, and is billed likewise.

7 This contract will automatically renew at the end of the term for an additional 3 month period without written notice of termination from either party. 90 days written notification must be submitted by an authorized customer representative for termination of the agreement. Any charges accumulated during the 90 day period will be due upon receipt of invoice. For agreements that are written as bundled leases (CPP Lease, Value Lease, leases containing service) the agreement is non-cancellable and non-transferrable per the terms of the signed lease documents. Refer to additional lease terms and conditions on the lease agreement documents.

8 The minimum billing amount will be invoiced in advance. Actual copy usage over minimum will be billed in arrears. MOS will provide invoices in a standard system format. If customer requests a custom billing format, MOS will charge an administrative fee for doing so. A Print/Copy is defined as a standard 8.5"x11" print/copy.

9 This agreement shall be binding on and inure to the benefit of, the parties to it and their respective heir, legal representatives, successors and assigns.

10 Customer agrees to pay when due, all taxes, where applicable, relating to this agreement. If you fail to keep your account current (30 days) you will be in default and MOS may withhold service and supplies at its discretion.

11 Any transfer of equipment covered by this agreement to a customer other than listed in the equipment location automatically excludes such equipment from the terms of this agreement. Any damage caused by moving the equipment may be cause to void this agreement and repairs shall be at owner's expense.

12 This agreement will not apply to any equipment lost or damaged through accident, abuse, misuse, theft, loss, neglect, acts of third parties, fire, water, environment, casualty, or any other natural force.

13 Service calls determined by MOS to be the result of power fluctuations or improper power requirements will not be covered by this agreement Also, power requirements must meet manufacturer's specifications. Charges will be on a "per call" basis.

14 MOS is not responsible for data or productivity which is lost due to servicing. Customer understands that MOS is not legally responsible for any damage caused by installation of computer software or peripheral computer equipment to their system. MOS will not be held liable or bear any expense for the restoration of data or necessary repairs.

15 Warranty - if a supply included GMA type is selected this agreement begins with the starting meter upon installation date. A GMA excluding supplies carries a 90 day warranty from date of installation. Refurbished equipment carries a 30 day warranty. All warranties exclude consumable items.

16 This agreement shall not cover service or maintenance necessitated by the use of supplies or peripheral equipment not approved by MOS. Supplies covered by this agreement shall be obtained by the vendor selected by MOS. Unless otherwise specified on the front of this agreement, MOS is under no obligation to provide OEM, MICR, or Troy MICR toner under the terms of this contract.

17 The quantity of "included" supplies must be within 10% of manufacturer's yield. Any additional supplies needed will be billed at current MOS pricing.

18 Upon GMA cancellation, all supplies unused or unpaid for (per the conditions in 17) will be chargeable if not returned to MOS

19 It is the customer's responsibility to provide a key operator. It is the assigned key operator's responsibility to purchase, order and install supplies. It is also the key operator's responsibility to remove misfeeds and used toner. MOS service representatives do not carry or deliver supplies (toner, staples, etc.).

20 For all GMA's including toner, a freight fee will be assessed based on volume of use.

21 Customer agrees to allow MOS to install the MOS 360 App on their network. This will be used to collect meter readings for devices on the customer's network.

22 Submission of meters for devices not reporting on the MOS 360 App is the customers' responsibility and due upon request. Customer shall provide email contact information for the person(s) responsible for collecting meter reads on the various devices. For meter readings requiring manual collection and entry, MOS may assess a manual meter processing fee for each meter billing cycle. MOS may offer to provide on-site meter collection by an MOS employee for an additional charge to be negotiated. Meter reads not provided within 5 days of the contract billing date will be estimated. No credits will be given towards unused copy or print allowance. If customer does not submit meters when due, MOS may withhold supplies until which time meters are provided.

23 Addition of Equipment - Customer is required to immediately notify MOS of any additional equipment at customers' site capable of using MOS supplied toner cartridges. This will include any new equipment added or existing equipment not included in the original contract due to errors or omissions. In the event such equipment is discovered, it will automatically be added to this agreement with the meter at the time of the discovery or as reported by our Proactive Monitoring software being used as the start for meter coverage, or be added at the current flat rate.

24 Warranty: You acknowledge that the equipment covered by this Agreement was selected by you upon your own judgement. MOS makes no representations or warranties, express or implied, oral or written, including, without limitation, implied warranties of non-infringement; implied warranties of merchantability; or fitnessfor a particular purpose, all of which are specificially and unreservedly excluded.

25 Limitation of Liability - In no event, shall MOS be liable for any indirect, special, incidental, consequential damages, loss of profits, or punitive damages whether based in contract, tort, or any other legal theory and irrespective of whether MOS has notice of the posibility of such damages.

Bill to: same Ship to: City of Ypsilanti

Customer Signature ____________________ Date ____________

ADDENDUM TO AGREEMENT FOR
COPIER RENTAL, SERVICES AND FINANCING
CITY OF YPSILANTI AND MICHIGAN OFFICE SOLUTIONS

This Addendum shall be a part of a certain Guaranteed Maintenance Agreement between the CITY OF YPSILANTI, a Michigan municipal Home-rule corporation of One South Huron Street, Ypsilanti, Michigan 48197, the customer, referred to as "CITY;" and Michigan Office Solutions , a Michigan corporation of 2859 Walkent Drive NW, Grand Rapids, MI 49544, the equipment supplier, referred to as "MICHIGAN OFFICE SOLUTIONS." This Addendum is by and between the CITY and MICHIGAN OFFICE SOLUTIONS.

1. This Addendum is an addition and amendment to the Guaranteed Maintenance Agreement dated ____________________ between CITY and MICHIGAN OFFICE SOLUTIONS (the "Agreement"). . In the event of a conflict between the language of this Addendum and the Agreement, the language and terms of this Addendum shall take precedence.

2. Standard of Performance. MICHIGAN OFFICE SOLUTIONS shall perform the Contract faithfully and diligently and perform the services in a competent, professional, and proper manner and during the Contract term or extensions thereof, use every best effort and endeavor to promote the interests of the CITY and devote such time, attention, skill, knowledge and ability as is necessary to most effectively and efficiently carry out and perform the Agreement.

3. Term of Agreement. The Agreement does not automatically renew, and the contract terminates at the end of the 60-month term.

4. Installation and set-up. MICHIGAN OFFICE SOLUTIONS will deliver, install, setup and hookup in good operating condition, all hardware included in the contract, at the offices of CITY.

5. Training. MICHIGAN OFFICE SOLUTIONS will provide in-person training for CITY staff on operation of the equipment, hardware and software, of not less than 15 minutes of time for each copier installed.

6. Continuing obligations. City may, during the 60-month term of the Contract, upgrade server and computer equipment. MICHIGAN OFFICE SOLUTIONS will, as part of the Contract, review any prospective upgrades with CITY, to insure compatibility of all hardware and software.

7. This Contract is to be performed in Washtenaw County, Michigan, and all legal venue shall exclusively lie therein.

8. The parties agree that time is of the essence in the performance of this Contract by MICHIGAN OFFICE SOLUTIONS.

9. Each provision of this Contract shall be separately enforceable and, in the event, that a court of competent jurisdiction determines or adjudges that any provision of this Contract is invalid or illegal, such decision shall not affect the rest of the Contract which shall remain in full force and effect.

10. This Agreement shall be governed by and construed in accordance with the laws of Michigan.

11. Independent Contractor. The relationship of MICHIGAN OFFICE SOLUTIONS to the CITY is and shall continue to be that of an independent contractor and no liability or benefits such as worker's compensation, pension rights, or other rights or liabilities arising out of or related to a contract for hire or employer/employee relationship shall arise or accrue to either party as a result of the performance of this Contract.

12. Waiver of Liability. MICHIGAN OFFICE SOLUTIONS hereby waive any claim against the CITY and agree not to hold the CITY liable for any personal injury or damage incurred by it, its employees or associates on this project which is not held by a court of competent jurisdiction to be directly attributable to the sole and/or gross negligence or malicious intentional conduct of any employee of the CITY acting within the scope of their employment.

13. For the purpose of the hold harmless indemnity and insurance provisions contained in this Contract, the term "CITY" shall be deemed to include the City of Ypsilanti and all other associated, affiliated, allied or subsidiary entities, or commissions, officers, agents, representatives and employees.

14. Conflict of Interest. MICHIGAN OFFICE SOLUTIONS covenants that MICHIGAN OFFICE SOLUTIONS (individually, or if a corporation, trust, limited liability company or partnership, "the entity") nor any officer, principal, partner, agent or employee of the entity has any interest nor shall they acquire any interest, directly or indirectly, which would conflict in the manner or degree of performance with the Contract. Further that if any such conflict of interest develops and exists during the term of the contract that MICHIGAN OFFICE SOLUTIONS shall, within 7 days of the existence of such conflict of interest, notify the CITY in writing of the existence and nature of the said conflict of interest.

15. Contingent Fees. MICHIGAN OFFICE SOLUTIONS warrant it has not employed or retained any company or person other than bonafide employees working solely for MICHIGAN OFFICE SOLUTIONS, to solicit or secure this Contract, and that it has not paid or agreed to pay any company, or person, other than a bonafide employee working solely for MICHIGAN OFFICE SOLUTIONS, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award of making this Contract. For breach or violation of this warranty, the CITY shall have the right to annul the Contract without liability or, at its discretion, to deduct from the fees due MICHIGAN OFFICE SOLUTIONS, or otherwise, recover the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

16. MICHIGAN OFFICE SOLUTIONS further agrees to perform this Contract in accord with all federal, state and local laws and will not discriminate against, or give preferential treatment to, any person based on the person's actual or perceived race, color, religion, national origin, immigration status, sex, sexual orientation, gender identity, age, marital status, disability status, gender expression, familial status, education association, height, weight, or other criteria which is not relevant to the particular job. Breach of this provision may be regarded as material breach of the Agreement.

17.MICHIGAN OFFICE SOLUTIONS further agrees not to discriminate against any employee or applicant for employment based on a person's actual or perceived race, color, religion, national origin, immigration status, sex, sexual orientation, gender identity, age, marital status, disability status, gender expression, familial status, education association, height, or weight (except insofar as it relates to a bonafide or occupational qualification reasonably necessary to the normal operation of the business). Breach of this provision may be regarded as material breach of the Agreement.

18. Living Wage.

A. (1) Living Wages shall be paid according to the Ypsilanti Living Wage Ordinance, as provided in Chapter 2, Article VI, Division 4 of the Code of Ordinances for the City of Ypsilanti (The Ordinance); and

(2) Suitable notices shall be posted in the work place; and

(3) Evidence of compliance including payroll records shall be provided to the Ypsilanti Personnel Department within 10 days of written request from the Ypsilanti Personnel Department.

B. In the event of violation of the provisions of The Ordinance or this contract this contract may be modified or terminated to comply with the provisions of The Ordinance, including withholding of moneys in amount equal to Living Wages not paid in accordance with The Ordinance and the City may also take action to recover the amount of the contract provided to any person found to have violated The ordinance.

C. Any employee shall have a separate cause of action to enforce the provisions of this contract and The Ordinance and any rights conferred under The Ordinance, in law and or equity, and any court of competent jurisdiction upon proper proof and the prevailing of the employee in such action, shall award actual damages, wage restitution, interest and actual attorney fees.

D. The City shall have the right to enforce this contract and The Ordinance in law or equity by court process including specific performance.

19. Not in Default to City. MICHIGAN OFFICE SOLUTIONS hereby certifies that MICHIGAN OFFICE SOLUTIONS is not in default to the CITY, and that there are no unpaid taxes, real or personal, owed to the CITY by OFFICE SOLUTIONS, and MICHIGAN OFFICE SOLUTIONS has no other unfulfilled obligations to the CITY and is in compliance with all Ypsilanti City codes and ordinances. The parties understand that a breach of this provision is a material breach of the contract.

20. In accordance with PA 517 of 2012, MICHIGAN OFFICE SOLUTIONS must certify that MICHIGAN OFFICE SOLUTIONS is not an Iran linked business, as set forth in the act. Signing this addendum is such certification.

21. The Agreement and its attachments, including this Addendum, are the sole Agreement between the parties. Any changes, additions or deletions shall not be effective or actionable unless they are in writing signed by the parties.

IN WITNESS WHEREOF, the undersigned have set their hands this _____ day of ____, 2018.

MICHIGAN OFFICE SOLUTIONS

BY:_________________________________
(print name)

CITY OF YPSILANTI, a Michigan
Municipal Home-rule City

BY: _________________________
Beth Bashert, Mayor

BY:__________________________
Frances McMullan, City Clerk

APPROVED AS TO FORM:

____
JOHN M. BARR P10475
Ypsilanti City Attorney

Michigan Sales and Use Tax Certificate of Exemption

INSTRUCTIONS: DO NOT send to the Department of Treasury. Certificate must be retained in the seller's records. This certificate is invalid unless all four sections are completed by the purchaser.

SECTION 1: TYPE OF PURCHASE

☐ A. One-Time Purchase
Order or Invoice Number: ____________________

☐ C. Blanket Certificate
Expiration Date (maximum of four years):________________

☐ B. Blanket Certificate. Recurring Business Relationship

The purchaser hereby claims exemption on the purchase of tangible personal property and selected services made from the vendor listed below. This certifies that this claim is based upon the purchaser's proposed use of the items or services, OR the status of the purchaser.

Vendor's Name and Address
Michigan Office Solutions 2859 Walkent Drive NW Grand Rapids, MI 49544

SECTION 2: ITEMS COVERED BY THIS CERTIFICATE

Check one of the following:

1. ☐ All items purchased.
2. ☐ Limited to the following items: ____

SECTION 3: BASIS FOR EXEMPTION CLAIM

Check one of the following:

1. ☐ For Lease. Enter Use Tax Registration Number:______________________________
2. ☐ For Resale at Retail. Enter Sales Tax License Number: ______________________

The following exemptions DO NOT require the purchaser to provide a number:

3. ☐ Agricultural Production. Enter percentage: ______%
4. ☐ Church, Government Entity, Nonprofit School, or Nonprofit Hospital (Circle type of organization).
5. ☐ Contractor (must provide *Michigan Sales and Use Tax Contractor Eligibility Statement* (Form 3520)).
6. ☐ For Resale at Wholesale.
7. ☐ Industrial Processing. Enter percentage: ______%
8. ☐ Nonprofit Internal Revenue Code Section 501(c)(3) or 501(c)(4) Exempt Organization (must provide IRS authorized letter with this form).
9. ☐ Nonprofit Organization with an authorized letter issued by the Michigan Department of Treasury prior to June 1994 (must provide copy of letter with this form).
10. ☐ Rolling Stock purchased by an Interstate Motor Carrier.
11. ☐ Qualified Data Center
12. ☐ Other (explain): ____

SECTION 4: CERTIFICATION

I declare, under penalty of perjury, that the information on this certificate is true, that I have consulted the statutes, administrative rules and other sources of law applicable to my exemption, and that I have exercised reasonable care in assuring that my claim of exemption is valid under Michigan law. In the event this claim is disallowed, I accept full responsibility for the payment of tax, penalty and any accrued interest, including, if necessary, reimbursement to the vendor for tax and accrued interest.

Business Name	Type of Business (see codes on page 2)

Business Address	City, State, ZIP Code
Business Telephone Number (include area code)	**Name (Print or Type)**
Signature and Title	**Date Signed**

Instructions for completing *Michigan Sales and Use Tax Certificate of Exemption* (Form 3372)

Purchasers may use this form to claim exemption from Michigan sales and use tax on qualified transactions. It is the Purchaser's responsibility to ensure the eligibility of the exemption being claimed. All claims are subject to audit. Non-qualified transactions are subject to tax, statutory penalty and interest.

Sellers are required to maintain records, paper or electronic, of completed exemption certificates for a period of four years. Michigan does not issue "tax exempt numbers" and a seller may not rely on a number for substitution of an exemption certificate. Other documentation that sellers in the State of Michigan may accept are the Uniform Sales and Use Tax Certificate approved by the Multistate Tax Commission, the Streamlined Sales and Use Tax Agreement Certificate of Exemption, the same information in another format from the purchaser, or resale or exemption certificates or other written evidence of exemption authorized by another state or country.

SECTION 1:
Place a check in the box that describes how you will use this certificate.

A) Choose "One-Time Purchase" and include the invoice number this certificate covers.

B) Choose "Blanket Certificate" if there is a "recurring business relationship." This exists when a period of not more than 12 months elapses between sales transactions between the seller and purchaser.

C) Choose "Blanket Certificate" and enter the expiration date (maximum four years) when there is a period of more than 12 months between sales transactions.

Print the vendor's name and address in the area provided.

SECTION 2:
Place a check in the box for "All items purchased" or choose "Limited to" and list the items that are covered by the exemption claim.

SECTION 3:
Place a check in the box that applies and provide the additional information requested for that exemption. The exemptions listed are the most common. If the exemption you are claiming is not listed use "Other" and enter the qualifying exemption.

SECTION 4:
Use the number that describes your business or explain any other business type not provided.

01	Accommodations	10	Utilities
02	Agricultural	11	Wholesale
03	Construction	12	Advertising, newspaper
04	Manufacturing	13	Non-Profit Hospital
05	Government	14	Non-Profit Educational
06	Rental or leasing	15	Non-Profit 501(c)(3) or 501(c)(4)
07	Retail	16	Qualified Data Center
08	Church	17	Other
09	Transportation		

Print the name of the business, address, city, state and ZIP code. Sign and provide your title (i.e. owner, president, treasurer, etc.). Provide your printed name and date the certificate.

DO NOT SEND THIS EXEMPTION CERTIFICATE TO THE DEPARTMENT OF TREASURY.

City of Ypsilanti
Pride. Diversity. Heritage.

REQUEST FOR LEGISLATION
18 December 2018

From: Bonnie Wessler, City Planner

Subject: Zoning Text Amendment: Accessory Building Height Increase

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SUMMARY & BACKGROUND:
The applicant, Mr Estabrook, in the course of researching a proposed improvement on their property, discovered that the maximum height for detached accessory buildings is capped at 15 feet. The applicant's property is in a district that permits accessory dwelling units (ADUs) by right, and is interested in constructing a detached accessory structure that is both an ADU and a garage. As the square footage of detached accessory structures is capped, in this particular district, at 800 square feet, the applicant is interested in putting an ADU on the second story of a garage, and further believes that this is something that is important to have as an option for ADUs.

The proposed change would permit accessory structures in the form-based districts (CN, CN-Mid, CN-SF, etc) to be a maximum of 25' in height or to match the height of the primary structure, whichever is lesser. This echoes language that was in the Historic Overlay district prior to 2014, which permitted the same. The Form-based districts are those that tend to be in the older parts of the City, where taller outbuildings are more common. This change would not affect the R1 districts.

The Planning Commission recommended the ordinance change 5:1 at their October regular Planning Commission meeting. Staff likewise recommended approval.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Staff Report, application, Planning Commission minutes excerpt.

CITY MANAGER APPROVAL: ________________________ COUNCIL AGENDA DATE: _________

CITY MANAGER COMMENTS: ________________________

FISCAL SERVICES DIRECTOR APPROVAL: ____

Resolution No. 2019 - 007
January 8, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City has an interest in protecting the historic fabric of the community and in providing housing opportunities for its residents; and

WHEREAS, two-story outbuildings were common historically prior to the dominance of the automobile; and

WHEREAS, two-story outbuildings are well-situated to accommodate accessory dwelling units; and

WHEREAS, the Planning Commission has recommended the City Council adopt the proposed ordinance change;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the ordinance entitled Accessory Building Height Increase in the Form-Based Districts on Second and Final Reading.

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

Ordinance No. 1330

An Ordinance Entitled "ACCESSORY BUILDING HEIGHT INCREASE IN THE FORM-BASED DISTRICTS"

THE CITY OF YPSILANTI ORDAINS:

That the Zoning Ordinance be updated in the following manner:

- Sec 122-466 (mansion), Sec 122-467 (estate), Sec 122-468 (house), Sec 122-469 (cottage), subsection N be updated to read "the lesser of 25' or such that the highest point of the accessory structure is equal to or lesser than the height of the primary structure"
- And to append "except where otherwise noted" to Sec 122-651(b)(2)

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: __________________________________

CITY OF YPSILANTI
BOARDS AND COMMISSIONS
CITIZEN PARTICIPATION RESUME

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

NAME: ANDREW L FANTA

ADDRESS: [redacted]

YPSILANTI MI 48197

Number of years in the community: 25

HOME PHONE: [redacted] Call: A.M. or P.M. (please circle)

CELL PHONE: [redacted] WORK PHONE: [redacted]

EMAIL ADDRESS: [redacted]

EDUCATION: BA, J.D. PhD.

CURRENT OCCUPATION: ATTORNEY AT LAW

CURRENT EMPLOYER: SELF EMPLOYED

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

1. POLICE ADVISORY COMMISSION 2. ______

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

WORK/VOLUNTEER EXPERIENCE: CURRENT CHAIR POLICE ADVISORY COMM. 14 YEAR MEMBER YPSILANTI SCHOOL BOARD, CURRENT CHAIR TAX BOARD OF APPEALS; FOUNDER & MEMBER YPSILANTI COMMUNITY SCHOOLS FOUNDATION.

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

SIGNATURE: [signature] DATE: 1-7-19

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

Resolution No. 2019-008
January 8, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or three (3) members of Council.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE: