

1. City Council Meeting Agenda

Documents:

[REGULAR COUNCIL - 02 JUL 2019 - AGENDA.PDF](#)

2. City Council Meeting Packet

Documents:

[REGULAR COUNCIL - 02 JUL 2019 - PACKET.PDF](#)



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
Tuesday, July 2, 2019 @ 6:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197**

REVISED 7-2-19

Page

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

- A. 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. CLOSED SESSION

- A. Closed Session to discuss pending litigation - *OMA 15.268(e)*

VII. INTRODUCTIONS

VIII. PRESENTATIONS

- A. Presentation of the GFOA Budgetary Award - Rheagan Basabica

IX. PUBLIC COMMENT (3 MINUTES)

X. ORDINANCES FIRST READING

- A. *Ordinance No. 1339* - An Ordinance entitled, "An ordinance to amend Ypsilanti City Code, Chapter 7, Medical Marijuana, to allow for the Transfer of Local Permits for Medical Marijuana"
1. Resolution No. 2019-126, determination
 2. Open public hearing
 3. Resolution No. 2019-127, close public hearing

XI. CONSENT AGENDA

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS

- A. Resolution No. 2019-145, approval of non-residents to Boards and Commissions.
- B. Resolution No. 2019-146, approving the minutes of June 4, June 11, and June 18.
- C. Resolution No. 2019-147, approving the sponsorship of the 2019 Heritage Festival in the amount of \$2,500.
- D. Resolution No. 2019-148, approving the Heritage Festival in the amount of \$3,000.
- E. Resolution No. 2019-149, approving an increase in hourly pay for election inspectors and chairs.
- F. Resolution No. 2019-150, approving Michigan Department of Transportation Contract No. 19-5231 for 2019 Major Street Resurfacing Project
- G. Resolution No. 2019-151, approving the purchase of Doheny's Vector Truck.
- H. Resolution No. 2019-152, supporting the Summer Without Any Guns initiative and creation of SWAG houses as safe spaces.

XIII. LIAISON REPORTS

- 1. SEMCOG Update
- 2. Washtenaw Area Transportation Study
- 3. Urban County
- 4. Ypsilanti Downtown Development Authority
- 5. Friends of Rutherford Pool
- 6. Housing Equity Leadership Team

XIV. COUNCIL PROPOSED BUSINESS

XV. COMMUNICATIONS FROM THE MAYOR

XVI. COMMUNICATIONS FROM THE CITY MANAGER

XVII. COMMUNICATIONS

A. Nominations

Zoning Board of Appeals

Jared Talaga **(Re-appointment/Planning Commission Member)**

329 Worden

Ypsilanti, MI 48197

Downtown Development Authority

Yolandia Portis **(Re-appointment)**

8763 Trillium
Ypsilanti, MI 48197

Dangerous Buildings Officer
Kari Burton (New Appointment)
102 Spring St Apt #1
Ypsilanti, MI 48197

Parks and Recreation Commission
Julia Collins (New Appointment)
206 Oak Street
Ypsilanti, MI 48197

XVIII. PUBLIC COMMENT (3 MINUTES)

XIX. REMARKS FROM THE MAYOR

XX. ADJOURNMENT

- A. Resolution No. 2019-153, adjourning the City Council Meeting.



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
Tuesday, July 2, 2019 @ 6:00 PM
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- [Supporting Documents - Pdf](#)

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[2019-145 - Pdf](#)
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[2019-151 - Pdf](#)
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2. Washtenaw Area Transportation Study
3. Urban County
4. Ypsilanti Downtown Development Authority
5. Friends of Rutherford Pool
6. Housing Equity Leadership Team

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XVI. COMMUNICATIONS FROM THE CITY MANAGER

XVII. COMMUNICATIONS

- 100 - 103** A. **Nominations**

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Julia Collins **(New Appointment)**
206 Oak Street
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[Kari Burton App Redacted](#)

[Julia Collins App Redacted](#)

XVIII. PUBLIC COMMENT (3 MINUTES)

XIX. REMARKS FROM THE MAYOR

XX. ADJOURNMENT

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- A. Resolution No. 2019-153, adjourning the City Council Meeting.
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REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: John Barr
DATE: June 18, 2019
SUBJECT: Proposed Amendment to Code of Ordinances, Ch. 7 – Medical Marijuana

DESCRIPTION:

Proposed Amendment to Code of Ordinances, Ch. 7 – Medical Marijuana

SUMMARY:

The current ordinance on medical marijuana does not expressly forbid transfers of the city permit for a medical marijuana facility, but neither does it contain a provision authorizing transfers or spelling out a procedure for them.

City Council has expressed a desire to make transfers of the permit possible. However, Council is also cautious about changes to the status quo and about the effect of a transfer provision on Ypsilanti residents' experience of marijuana facilities in their City. The proposed amendment attached here would balance these interests in a policy that is also fair to the proprietors of our medical marijuana facilities.

This change also provides an opportunity to clarify the components of the application for the permit. The amendment creates three application types: one for an initial permit, one for a renewed permit, and one for the transfer of an existing permit. It makes the application for an initial permit (slightly) more robust, makes renewal applications easier for city staff to evaluate (but also more robust), and gives staff the discretion to waive certain components of an application for the transfer of an existing permit.

The proposed amendment also provides guidelines for city staff to evaluate applications. These guidelines were synthesized from recent City Council resolutions, staff suggestions, review of similar policies of other Michigan municipalities, and input from Ypsilanti medical marijuana operators. The guidelines focus on application quality,

compliance with state and local law, safety, crime reduction, financial responsibility, and character of fitness.

Last, the amendment makes a few minor spelling and grammar changes to the ordinance.

ATTACHMENTS:

Proposed Amendment to the ordinance

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2019-126
June 18, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "An Ordinance to Amend Ypsilanti City Code, Chapter 7, Medical Marijuana, to Allow for the Transfer of Local Permits for Medical Marijuana Facilities." be approved on first reading.

OFFERED BY: _____

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
18 day of June 2019

#Resolution No. 2019-126



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
ORDINANCE NO. 1339**

An Ordinance Entitled "Ord 1339"

THE CITY OF YPSILANTI ORDAINS:

CHAPTER 7 – MEDICAL MARIJUANA

Sec. 7-4. – Permit required.

- (a) No person shall own, operate, or maintain a ~~marihuana~~ marijuana facility in the city without first applying for an receiving a permit ~~from~~ through the City Clerk.
- (b) Any medical marijuana ~~dispensary~~ provisioning center or medical marijuana growing/manufacturing facility licensed by the City of Ypsilanti and opened prior to the adoption of the MMFLA must file for a permit under this chapter no later than February 1, 2018. No other applications will be accepted by the city until March 1, 2018. Within 30 days after a pre-existing application is denied, the pre-existing dispensary or growing/manufacturing facility shall discontinue all operation unless the building or other code official determines it must be closed sooner for safety reasons.
- (c) For the purposes of the permit required by this chapter, a processor and grower are treated as one permit. More than one state operating license(s) required for the operation of such may be combined at the same location under one permit.
- (d) The number of permits issued and renewed in any year shall be capped at seven for provisioning centers and three for growers/processors.
- (e) Effective June 15, 2018, any permit shall automatically terminate and become void if the use permitted by this chapter stops for 90 days or more.
- (f) A permit ~~shall~~ may be issued or renewed, or its transfer authorized, by the City Clerk upon payment of the required fee and submission of a completed application in compliance with the provisions of this chapter, and compliance with all provisions and requirements of this chapter, the MMMA, the MMFLA, and the MTA. ~~Application~~ An application to renew a permit under this chapter shall be filed at least 30 days prior to

#Ordinance No. 1339-Ord 1339

the date of expiration. Such renewal shall be annual and shall be accompanied by the annual fee. A permit-transfer application shall be required of

- (1) a medical marijuana operator who will be the transferee of both an existing state operating license and an existing city permit;
- (2) a medical-marijuana operator who will be the recipient of a new state operating license and the transferee of an existing city permit;
- (3) a permit holder who will continue operation of an existing medical marijuana facility if any of the following will occur:
 - i. The applicant or operator name on the permit holder's state operating license changes.
 - ii. Any change in any interest in a city permit, including, but not limited to, any change in ownership interest of the permit holder, including change of owners, stockholders, partners or members, and any change in the management of the permit holder, including change of directors, officers or managing members or partners.
- (g) Every applicant shall pay a fee at the such time of the as the city reviews its application for an initial ~~or renewal~~ permit, renewal of a permit, or transfer of a permit, which fee shall be set by council resolution. Said fee is non-refundable if the application is reviewed.
- (h) The permit requirements set forth in this chapter shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state, or local law.
- (i) The issuance of any permit pursuant to this chapter does not create an exception, defense, or immunity to any person in regard to any potential criminal liability the person may have for the production, distribution, or possession of marijuana, possession of drug paraphernalia, or presence in places where drugs are being used, stored, or kept.
- (j) All ~~marihuana~~ marijuana facilities shall have a sign measuring at least 11 × 17 inches installed and maintained in a conspicuous location visible to all persons entering the premises located inside the building that reads as follows:

THE MICHIGAN MEDICAL MARIHUANA ACT ACKNOWLEDGES THAT "FEDERAL LAW CURRENTLY PROHIBITS ANY USE OF MARIHUANA EXCEPT UNDER VERY LIMITED CIRCUMSTANCES." SEE MCL 333.26422(c). IF YOU HAVE ANY QUESTIONS OR CONCERNS PLEASE CONSULT WITH YOUR ATTORNEY.

Sec. 7-5. – Application.

- (a) Initial permit. Every applicant for ~~a~~ an initial permit under this chapter shall file an application under ~~notarized~~ oath with the City Clerk upon a form provided by the city, which shall fulfill all of the requirements indicated on the form, including, but not limited to:

(1) The name, age, and address of applicant and operator:

~~(a)~~

- (i.) Name, age, and address of the applicant and all partners of the applicant, including proof that the applicant and/or proposed employees are at least 21 years of age;

~~(b)~~

- (ii.) Name, age, and address of the operator of the ~~marihuana~~ marijuana facility in cases where this differs from the applicant;

~~(c)~~

- (iii.) In the case of corporations, partnerships, non-profit organizations, or other business types, the applicant shall be the highest level official or employee of the entity such as, board president, chief executive officer, executive director, or comparable position;

~~(d)~~

- (iv.) If the applicant is a corporation, a copy of the articles of incorporation and current corporation records disclosing the ~~identity~~ identities, ages, and residential addresses of all directors, officers, and shareholders. Include the address of the corporation ~~itself~~ office, if different from the address of the ~~marihuana~~-marijuana facility, and the name and address of the resident agent for the corporation;

- (v.) If the applicant is a limited liability company, a copy of the LLC operating agreement and current company records disclosing the identities, ages, and residential addresses of all officers, directors (if any), and members. Include the address of the company office, if different from the address of the marijuana facility, and the name and address of the managing member for the company;

~~(e)~~

- (vi.) If the applicant is a partnership, the names, ages, and residence address of each of the partners and the partnership ~~itself~~ office, if different from the address of the ~~marihuana~~ marijuana facility, and the name and address of the resident agent;

~~(f)~~

- (vii.) Photo identification of the applicant and operator and/or driver's license; and

~~(g)~~

- (viii.) The professional licensing history of the applicant; whether such person has had a professional license issued, revoked, or suspended.

If the applicant has had a professional license revoked or suspended, the reason therefore, and the business activity or occupation subsequent to such action of suspension or revocation.

(h)

(ix.) A copy of the application for the state operating license.

- (2) The location and mailing address and all telephone numbers where the business is to be conducted, and the name and address of the owner, if different from the holder of the permit, and written evidence of the applicant's right to possession of the premises.
- (3) An area map, drawn to scale, indicating within a radius of 1,000 feet from the boundaries of the proposed ~~marihuana~~ marijuana facility site, the proximity of the site to any school or existing ~~marihuana~~ marijuana facility and zoning permit or similar clearance from the zoning administrator verifying the proposed use of the location at which the license will be utilized is in compliance with the zoning ordinance.
- (4) A certificate of occupancy or similar clearance from the building department verifying the structure and premises at which the permit will be utilized is in compliance with building, property maintenance, and all other applicable local code provisions. The certificate of occupancy is required within 60 days of the permit being issued, and is required before opening of the ~~marihuana~~ marijuana facility.
- (5) A statement that the applicant will not violate any of the laws of the state of Michigan or the ordinances of the city of Ypsilanti in conducting the business in which the permit will be used, and that a violation on the premises may be cause for objecting to renewal of the permit, or for requesting revocation of the permit.
- (6) A signed release included with the application form permitting the police department to perform a criminal background check to ascertain whether the applicant and operator named on the application have been convicted of a felony.
- (7) A description of the security plan for the facility, including, but not limited to, any lighting alarms, barriers, recording/monitoring devices, and/or security guard arrangements proposed for the ~~marihuana~~ marijuana facility and premises.
- (8) Proof of insurance for fire damage in the amount of the value of the premises and liability insurance with minimum limits of \$500,000.00.

- (9) ~~Description~~ A description of the process for and proof of compliance with the statewide monitoring system as required by the MMFLA and MTA.
- (10) A description of the products and services to be provided by the ~~marijuana~~ marijuana facility, including retail sales of food and/or beverages, if any, and any related accommodations or facilities.
- (11) A description of the facility's safety and quality-control procedures.
- (11)
- (12) ~~Detailed~~ A detailed description of all marijuana storage facilities.
- (13) A detailed description of the facility's procedures for storage and point of sale.
- (b) Renewal of permit. Every applicant for the renewal of a permit under this chapter shall file an application under oath with the City Clerk upon a form provided by the city, which shall fulfill all of the requirements indicated on the form and not waived under subsection (c) of this section, including, but not limited to:
- (1) Items (1) through (6), (8) through (10), and (12), under subsection (a) of this section.
- (2) A detailed description of any changes to the facility's security plan since the applicant's most recent application.
- (3) A detailed description of any crimes or attempted crimes, reported or unreported, that have occurred on-site at the facility or at another location but in connection with the activities of the facility, since the applicant's most recent application.
- (4) A detailed description of any changes to the facility's safety or quality-control procedures since the applicant's most recent application.
- (5) A detailed description of any changes to the facility's storage or point-of-sale procedures since the applicant's most recent application.
- (c) Transfer of permit. State approval of the transfer of a state operating license or issuance of a new state operating license shall be a prerequisite for any transfer of a city permit except under section 7-4(f)(3)(ii) of this chapter. Every applicant for the transfer of an existing permit under this chapter shall file an application under oath, by both the transferor and transferee, with the City Clerk upon a form provided by the City, which shall include all of the following:
- (1) The names of the transferor and transferee;

- (2) All information required for an application for a new permit by the proposed transferee;
- (3) Any materials submitted at the state level during the approval process for the transfer of a state operating license.
- (4) The City Clerk may waive any minor irregularities or incompleteness of an application for the transfer of an existing permit to the extent that a sufficiently thorough review and investigation of the application and parties can be made in a timely manner.

Sec. 7-6 – Approval of application.

The City Clerk may issue, renew, or authorize the transfer of a permit under this chapter if inspections for safety, zoning compliance, criminal history background checks, and all other information available to the city verify that the applicant has submitted a full and complete application, paid the appropriate fee, has made improvements to the business location consistent with the application, and is prepared to operate the business within compliance with this Code and any other applicable law, rule, or regulation. The city manager or designee will deny any application that does not meet the requirements of this chapter or any other applicable law, rule, or regulation or that contains any false or incomplete information. In evaluating an application for an initial permit, renewal of a permit, or transfer of an existing permit, city staff may consider whether the following factors apply:

- (1) All information in the application is true and the application contains no errors.
- (2) The application is informative and contains no omissions. The components of the application provide enough detail for city staff to thoroughly evaluate the strength of the application.
- (3) On its face, the application is organized and well thought out.
- (4) The application evidences the applicant's intention and ability to comply with all provisions and requirements of this chapter, the MMMA, the MMFLA, the MTA, and other applicable state and local laws. Where necessary, the application explains how the facility's policies ensure compliance.
- (5) The background check evidences the applicant's suitable character and fitness.
- (6) For application for an initial permit, the facility's security plan is detailed and provides reasonable assurance that the facility's design and standard operating procedures deter crime.

- (7) For applications for an initial permit, the application describes safety procedures that provide reasonable assurance of the safety of patients and employees.
- (8) For applications for an initial permit, the application describes storage design and point-of-sale procedures that provide reasonable assurance that marijuana products are stored and sold safely and securely.
- (9) For applications for the renewal of an existing permit, the facility has not made any changes to its security plan that diminish deterrence of crime.
- (10) For applications for the renewal of an existing permit, the facility has not made any changes to its safety procedures that diminish the safety of patients or employees.
- (11) For applications for the renewal of an existing permit, the facility has not made any changes to its storage design, storage procedures, or point-of-sale procedures that diminish the ability to track or safely store marijuana products.
- (12) For applications for the transfer of an existing permit, the proposed transfer would not drastically change the status quo for the residents of Ypsilanti with respect to their experience of the presence of medical marijuana facilities in their city, with particular regard for:
 - (i.) The appearance of buildings, particularly in the downtown area and all historic districts.
 - (ii.) Signage visible to the public.
 - (iii.) The effect on local businesses.

Sec. 7-7 – Violations and penalties.

Any person who is found to be in violation of this article shall be responsible for a misdemeanor and shall be subject to a fine of up to 90 days in jail and/or not more than \$500.00.

Sec. 7-8. – Conditions necessary.

No permit shall be issued, renewed, or transferred under this chapter unless the city confirms the proposed marijuana facility complies with all of the following minimum requirements:

- (1) All provisions of the city building, fire, electrical, and health codes have been fulfilled.

- (2) All relevant provisions of chapter 122 of this Code have been fulfilled.
- (3) The applicant and operator shall not have any felony convictions.
- (4) The applicant or business has no outstanding back taxes, fines, fees, or liens owed to the city.
- (5) A business license has been obtained from the city assessor.
- (6) A state operating license has been issued or pre-approved for the operator.
- a. If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.
- b. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.
- c. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.
- d. The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the Ann Arbor News. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS _____ DAY OF _____, 2019

Andrew Hellenga, City Clerk

Attest

I do hereby confirm that the above Ordinance No. _____ was published in the Washtenaw Legal News on the ____ day of _____, 2019.

#Ordinance No. 1339-Ord 1339

Andrew Hellenga, 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 _____, 2019.

Andrew Hellenga, City Clerk

Notice Published: _____

First Reading: _____

Second Reading: _____

Published: _____

Effective Date: _____

#Ordinance No. 1339-Ord 1339



Resolution No. 2019-127
June 18, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for an ordinance entitled "An Ordinance to Amend Ypsilanti City Code, Chapter 7, Medical Marijuana, to Allow for the Transfer of Local Permits for Medical Marijuana Facilities." be Officially Closed.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
18 day of June 2019

#Resolution No. 2019-127



Resolution No. 2019-145
July 2, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

<u>NAME</u>	<u>BOARD</u>	<u>EXPIRATION</u>
Ben Harrington (reappointment) A2 SPARK 330 Ann Arbor, MI 48104	DDA	7/1/2022
Andy French (reappointment) 6238 Vineyard Ave Ann Arbor, MI 48108	DDA	7/1/2022
Andy O'Neal (reappointment) 1423 Henry St Ann Arbor, MI 48104	DDA	7/1/2022

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
2 day of July 2019

#Resolution No. 2019-145



Resolution No. 2019-146
July 2, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of June 4, June 11 and June 18, 2019 be approved.

OFFERED BY: _____

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
2 day of July 2019

#Resolution No. 2019-146



MINUTES REGULAR COUNCIL Meeting

7:00 PM - Tuesday, June 4, 2019
Council Chambers

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Tuesday, June 4, 2019, at 7:00 PM, in the Council Chambers, with the following members present:

PRESENT: Mayor Beth Bashert, Council Member Jennifer Symanns, Council Member Steven Wilcoxon, Council Member Nicole Brown, Mayor Pro-Tem Lois Richardson, Council Member Anthony Morgan, and Council Member Annie Somerville

ABSENT:

I CALL TO ORDER

The meeting was called to order at 7:00 pm.

II INVOCATION

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

III PLEDGE OF ALLEGIANCE

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

IV AGENDA APPROVAL

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

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

V APPOINTMENT OF COUNCIL MEMBER TO WARD 3

a) Resolution No. 2019-114, appointing a Council Member to Ward 3.

Council Member Lois Richardson moved, seconded by Council Member Steven Wilcoxon, to appoint Desirae Simmons to the Ward 3 Council Seat

RESULT:	DEFEATED.
MOVER:	Council Member Lois Richardson
SECONDER:	Council Member Steven Wilcoxon
AYES:	Steven Wilcoxon and Lois Richardson
NAYS:	Beth Bashert, Jennifer Symanns, Nicole Brown, and Anthony Morgan

Council Member Nicole Brown moved, seconded by Council Member Jennifer Symanns, to appoint Tyler Weston to the Ward 3 Council Seat

RESULT:	DEFEATED.
MOVER:	Council Member Nicole Brown
SECONDER:	Council Member Jennifer Symanns
AYES:	Beth Bashert, Jennifer Symanns, and Nicole Brown
NAYS:	Steven Wilcoxon, Lois Richardson, and Anthony Morgan

Council Member Anthony Morgan moved, seconded by Council Member Jennifer Symanns, to appoint Annie Somerville to the Ward 3 Council Seat

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Council Member Jennifer Symanns
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, and Anthony Morgan
NAYS:	Nicole Brown and Lois Richardson

Council Member Anthony Morgan moved, seconded by Council Member Jennifer Symanns, to appoint Annie Somerville to the Ward 3 Council Seat

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Council Member Jennifer Symanns
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, and Anthony Morgan

b) Oath of Office for Ward 3 Appointment

City Clerk Hellenga gave the Oath of Office to Council Member Somerville.

VI INTRODUCTIONS

Mayor Bashert introduced the following individuals; AAATA CEO Matt Carpenter, Human Resources Manager Rebecca Craigmile, Finance Director Rheagan Basabica, Deputy City Clerk Sarah Stachnik, City Clerk Andrew Hellenga, Economic Development Director Joe Meyers, City Planner Bonnie Wessler, DDA Director Christopher Jacobs, Assistant to the City Manager Ryan Hunter, City Manager Frances McMullan, Interim Public Services Director Brad Holman, Interim Fire Chief Ken Hobbs, Police Chief Tony DeGuisti, Housing Commission Director Zach Fosler

VII PRESENTATIONS

a) Proclamation of National Gun Violence Awareness Day

Mayor Bashert added that we lost a member of our community from our city last month and encourages continued conversations about gun violence. Council Member Morgan added that certain populations are affected more by gun violence and violence increases during the warmer months. He encourages practicing gun safety and awareness and to find ways to get guns off the street.

b) Proclamation observing National Pollinator Month

c) Ypsilanti Housing Commission Update - Zach Fosler

Housing Commission Director Zach Fosler provided a presentation about the Housing Commission and their recent projects.

Council Member Morgan asked what the demographics are of the 1,000 residents in the current affordable housing. Mr. Fosler responded that they are largely minority, with an estimated 70-80% African American. Mr. Morgan also asked how long people stay in low-income housing. Mr. Fosler responded that there is a range and the goal is not always self-sufficiency. Mayor Bashert noted that so much of what they are doing is cutting edge. Mayor Pro-Tem Richardson noted that public housing has produced many professional people in the past, including John Barfield. Ms. Richardson thanked Mr. Fosler for bringing it back.

d) Ypsilanti Transit Center Update - AAATA Rep. Matthew Carpenter

Jesse Miller, the Ypsilanti appointed member to the AAATA and AAATA CEO Matthew Carpenter provided presentations about the Ypsilanti Transit Center update.

Council Member Wilcoxen asked about other potential sites. Mr. Carpenter gave examples including Depot Town, Water Street, Key Bank, and car dealership lot. Mayor Pro-Tem Richardson has been active in the increasing of the bus transportation network and it really to see the difference in increased service. It was a pleasure to have worked with AAATA and excited for the expansion.

Council Member Morgan asked if AAATA will continue to cover 100% of the operating cost. Mr. Carpenter replied that this will continue. Mr. Morgan also asked about the projection of ridership and how that will affect the City and economic development impact. Mr. Carpenter replied that this is a good next step. Mr. Wilcoxen asked if there was any consideration about having 2 terminals. Mr. Carpenter replied there was not much consideration. He sees the potential for a stop in Depot Town and collecting commuter rail passengers. There is not enough space in Depot Town and it not necessarily what you want there with the high traffic volume. Two terminals in a city of this size would create a complicated network.

Mr. Wilcoxen inquired about the potential for long-range buses. Mr. Carpenter responded that it is possible, but it depends on what the community needs. Ms. Richardson asked if Greyhound still makes a stop here. Mr. Carpenter added that he knows that parking is a sensitive topic and TheRide will be a willing partner. Ms. Bashert said that improving public transit is in the Master Plan and looks forward to increasing services.

VIII PUBLIC COMMENT (3 MINUTES)

1. TC Collins, 3109 Wooden Hills Ann Arbor, stated that he is the founder of Willow Run Acres. He teaches gardening to several demographics and organizations throughout Southeast Michigan and Ohio and has a seed bank. His son also has a seed bank and taught his peers about gardening and farming.
2. Jim Fink, 206 S Washington, stated that staff may have misunderstood the neighborhood request for speed bumps on Washington. The issue is that people do not stop at the stop sign. He wants to see speed bumps at the stop signs. The weather does affect speed. He asked that council not adopt the staff recommendation.
3. Aaron Johnson, 119 S Washington, has the same issue about speed control on Washington. He noted that the percentage of speeding is understated in the report. There are also seasonal options for speed bumps that would not interfere with snow removal equipment.
4. Steve Pierce, 118 S Washington, stated that children living by speed bumps are 50% less likely to be injured by a car. In the neighborhood study, 40% of cars did not stop at the stop sign and they did not receive the city traffic study. Traffic enforcement has not been given and speed bumps are the next best option. Please put them at the stop sign.
5. Celeste Kampuwala, 1739 Timber Trail Ann Arbor, represents Moms Demand Action for Gun Sense in America and Everyone for Gun Safety. National Gun Violence Awareness Day is on Friday. There will be an event on Saturday in Riverside Park. She thanked council for their work to end gun violence.
6. Risa Roache, 108 Buffalo, does not want speed bumps on S Washington.
7. The Cream Incorporated, 301 W Michigan, represents the Knowledge Chapter which is a 501(c)(3) non-profit offering business and volunteer opportunities and marketing services. They are offering a free performing arts camp for males age 5-12. They also offer community service and empowerment resources.
8. Pace Nielson, 215 S Washington, has young children and asked council to install speed bumps on Washington.
9. Matthew Kirkpatrick, 109 Catherine, has a young daughter and supports speed bumps on Washington because people blow through the stop signs on Catherine and Washington. It is very dangerous.
10. Amber Fellows, Ward 3, congratulated Annie Somerville. She has also noticed a progressive erosion of democracy. She knows that Desirae Simmons and said that council does not respect the voices of democracy. She says that they need to take heed of what the public wants. Public comment should be moved prior to presentations to encourage more participation.
11. Brian Geiringer, 415 Pearl, congratulated Annie Somerville and thanked Mayor Pro-Tem Richardson and Council Member Wilcoxen. He stated that Desirae Simmons had more vocal support and is disappointed in Council's decision but it willing to move forward.
12. Melvin Parson, 806 Hilyard Robinson Way, Executive Director of We the People Opportunity Center and is concerned about what happens in the community. Traffic controls are necessary for New Parkridge on Armstrong and Hilyard Robinson Way. The community strongly encourages speed bumps and speed humps as soon as possible.

13. Zac Fosler, Ypsilanti Housing Commission, asked for traffic control on Armstrong. Staff recommendations are acceptable and there is potential for financial assistance. Hilyard Robinson Way is owned by the Housing Commission and they are planning to do analysis on that street.
14. Sam Jones-Darling, Ward 3, gave parting advice. Council needs to hold the AAATA accountable and there should be more representation. He advocates for the continued support of affordable housing and to work with the County and Ann Arbor. There should be a training program about gentrification. He welcomed and congratulated Council Member Somerville.
15. Phalynn Pasha, 806 Armstrong, is in favor of traffic controlling methods to protect her children.
16. Anthony Williamson, Parkridge Community Center, is frustrated because the folks he represents are never there and their voices are not heard. He is tired of what has not been happening. This stuff needs to be fairer for those folks who are more disadvantaged.

IX CONSENT AGENDA

- a) Resolution No. 2019-115, approving the Consent Agenda

Council Member Annie Somerville moved, seconded by Council Member Nicole Brown, to approve the Consent Agenda

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Nicole Brown
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- b) Resolution No. 2019-116, approving the minutes from May 16, 2019.
- c) Resolution No. 2019-117, approving appointments to Boards and Commissions.

X RESOLUTIONS/MOTIONS/DISCUSSIONS

- a) Resolution No. 2019-107, approving the collective bargaining agreement with POAM. **(Postpone)**

Council Member Steven Wilcoxon moved, seconded by Council Member Jennifer Symanns, to postpone Resolution No. 2019-107 until the June 18th Council Meeting

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxon
SECONDER:	Council Member Jennifer Symanns
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- b) Resolution No. 2019-118, approving the appointment of a non-resident to boards and commissions.

Mayor Bashert noted that Mr. Collins is a nonresident and there is one nonresident seat on the Sustainability Commission. Ms. Bashert thinks his work

is great. Council Member Morgan asked what the purpose is of a nonresident seat. Ms. Bashert replied that it was in an effort to not limit outside sustainability expertise. Council Member Wilcoxon was concerned about the lack of information given. Ms. Bashert noted that his application was not reflective of his work but through conversations with him felt that he would be an excellent addition to the commission.

Council Member Lois Richardson moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2019-118

RESULT:	CARRIED.
MOVER:	Council Member Lois Richardson
SECONDER:	Council Member Jennifer Symanns
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- c) Resolution No. 2019-119, approving the Retainer Agreement between the City of Ypsilanti and Governmental Consultant Services, Inc.

Council Member Steven Wilcoxon moved, seconded by Council Member Lois Richardson, to approve Resolution No. 2019-119

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxon
SECONDER:	Council Member Lois Richardson
AYES:	Steven Wilcoxon, Lois Richardson, Beth Bashert, Jennifer Symanns, Nicole Brown, Anthony Morgan, and Annie Somerville

- d) Resolution No. 2019-120, requesting the Michigan State Legislature to pass House Bills 4351 through 4360.

Mayor Pro-Tem Richardson requested this resolution. She stated that it is a very serious issue and hoped that Council passes unanimously. Council Member Morgan reiterated that this is a monetary issue after they served their time. Michigan is a high penal state. Mayor Bashert is excited to see these bills and this is just one of many much-needed prison reforms.

Council Member Lois Richardson moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2019-120

RESULT:	CARRIED.
MOVER:	Council Member Lois Richardson
SECONDER:	Council Member Steven Wilcoxon
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- e) Resolution No. 2019-121, approving Ordinance No. 1337 –An Ordinance to amend Budget Appropriations by Department and Major Organizational Unit for 2018-2019 and 2019-2020 Fiscal Years. **(Second Reading)**

Council Member Nicole Brown moved, seconded by Council Member Anthony Morgan, to approve Resolution No. 2019-121

RESULT:	CARRIED.
MOVER:	Council Member Nicole Brown
SECONDER:	Council Member Anthony Morgan
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Anthony Morgan, and Annie Somerville
NAYS:	Lois Richardson

- f) Resolution No. 2019-122, approving *Ordinance No. 1338* - An Ordinance entitled, "2019-2020 Tax Levy Ordinance" **(Second Reading)**

Council Member Jennifer Symanns moved, seconded by Council Member Nicole Brown, to approved Resolution No. 2019-122

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Nicole Brown
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- g) Resolution No. 2019-123, authorizing the City Finance Director/Treasurer to levy and assess unpaid special assessments on the July 2019 tax roll.

Mayor Pro-Tem stated that the documents were hard to follow with the parcel number and requests that items are listed by property address in the future. Mayor Bashert requested a more detailed report of outstanding fines.

Council Member Anthony Morgan moved, seconded by Council Member Nicole Brown, to approved Resolution No. 2019-123

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Council Member Nicole Brown
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- h) Resolution No. 2019-124, approving the Fee Schedule for Fiscal Year 2019-2020

Council Member Wilcoxon asked for clarification about the zoning map amendment. Economic Development Director Joe Meyers provided a brief presentation about the changes made to the fee schedule. Some fees were adjusted to cover the costs including special events, planning, parking, and building. Mr. Morgan asked if there was a difference between commercial and residential buildings. Mr. Meyers replied that there is no difference. Other changes were made to reflect mailing and staffing costs. Ms. Richardson asked why some fees were doubled. Mr. Meyers added that they evaluated the cost of mailing and staff time. Some fees have not been changed in 10 years. Mr. Barr explained that many ordinances set fees which would require a change to the ordinance. Several years ago staff pulled all fees to see the fee schedule

altogether and allow changes throughout the year. Mr. Barr also added that the City cannot make a profit on fees, just cover the cost.

Mayor Bashert asked why special event parking space rental and parking space rental are different fees. Mr. Meyers replied that one is just special events and the other would, for example, taking up a spot on Michigan Ave like Herbal Solutions. The park reservation fee is a per two-hour charge. Mr. Morgan asked when the site restoration fee is charged. Mr. Meyers replied that it includes the cost to clean up the site and overtime. Mr. Holman noted that a dumpster used on Saturday would not be picked up until Monday and there could be damage that occurs over the weekend. This fee covers minor charges like trash. City Manager McMullan added that the City does charge when there is extensive damage that occurs.

Ms. Richardson asked about the increased costs of appeals and area variances. Mr. Meyers responded that it is the cost of mail noticing and staff time.

Council Member Annie Somerville moved, seconded by Council Member Anthony Morgan, to approve Resolution No. 2019-124

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Anthony Morgan
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Anthony Morgan, and Annie Somerville
NAYS:	Lois Richardson

- i) Discussion on recommendations of the Traffic Review Committee to install traffic calming methods on Armstrong

City Planner Wessler gave a brief presentation about traffic calming on Armstrong. Ms. Richardson stated that the speed bumps costs should be separate from these other methods. The residents asked for speed bumps and that should be the focus. Mr. Morgan brought up the new development nearby and asked why they did not do more traffic calming. Ms. Wessler replied that they did do some, however, speed bumps were not possible because of snow removal equipment. Ms. Bashert would like to know what equipment would be needed to put in a crosswalk to crosswalk speed bumps.

- j) Discussion on recommendations of the Traffic Review Committee to install traffic calming methods on Washington

Ms. Wessler gave a brief presentation about traffic calming on Washington. Ms. Richardson stated that because the residents began the process before the 51% resident petition requirement, they should be exempt. Marking of the crosswalks is not enough because people speed and do not stop at the stop signs. Ms. Brown stated that she thinks temporary speed bumps near the stop signs make a lot of sense. Ms. Brown asked if there is a possibility to move the

stop signs and address the greenery that may cover the signs. Ms. Wessler replied that it is not feasible until the street is redone but the greenery is mostly public. Ms. Bashert stated that she is hesitant about the speed bumps because of the lack of support from residents. Mr. Morgan added that it may also be residents who are speeding and it may be helpful to have a speeding awareness campaign. Ms. Somerville asked about Safe Routes to Schools. Ms. Wessler responded that they are hoping to work with schools over the summer. Ms. Brown stated that due to traffic volume she is in support of speed bumps even without the the support on the initial petition.

XI LIAISON REPORTS

1. SEMCOG Update - None
2. Washtenaw Area Transportation Study - None
3. Urban County - None
4. Ypsilanti Downtown Development Authority - None
5. Ypsilanti Youth Safety Collaboration - Mayor Bashert stated that they disbanding. Council Member Morgan is interested in recreating something in the future.
6. Friends of Rutherford Pool - None
7. Housing Equity Leadership Team - affordable versus inclusionary housing discussion

XII COUNCIL PROPOSED BUSINESS

Morgan

1. He would like to further discuss speed bumps and speed humps.
2. He welcomed Council Member Somerville to Ward 3.

Wilcoxon

1. People are bringing alleys up more and more. He would like to talk to Brad about filling them in and Joe about inspections.

Somerville

1. She asked about the sidewalk on the bridge in Depot Town.

Richardson

1. The dangerous building on Prospect must come down or be boarded up.
2. Parkridge will be hosting a summer camp starting on the first Monday in July.

XIII COMMUNICATIONS FROM THE MAYOR

1. There will be a resolution about Elvis Fest to name the days Elvisdays.

XIV COMMUNICATIONS FROM THE CITY MANAGER

1. Public Safety Open House on Saturday June 8.
2. Celebration for Pete Murdock on Sunday in Prospect Park.
3. Thanked Council and staff for their support during the budget process.

XV COMMUNICATIONS

a) Nomination

Human Relations Commission

V Rosser - Appointment Exp 7/1/2022

915 Woods

Ypsilanti, MI 48197

b) SmartZone LDFA Communications

Thirteen students have been placed in technology work environments for the summer.

c) Human Relations Commission Resolution No. 2019-006 recommending amendment to the Immigration Solicitation Ordinance

Mayor Bashert asked Mr. Barr if the Do Not Ask Policy is compliant. If it is she would like it brought to Council and if not would like to know.

d) Human Relations Commission Resolution No. 2019-007, recommending terms be increased from three years to five years.

Set aside.

XVI PUBLIC COMMENT (3 MINUTES)

1. Steve Pierce, 118 S Washington, thanked Council for the discussion about speed bumps, but the process can be improved. It is not just residents traveling through the area. The 51% resident petition was unknown to them. Traffic Review Committee should engage the community in the process and the report would have been more reflective. The information should be shared back to the community.
2. Sam Jones-Darling, Ward 3, would like to touch the no-solicitation ordinance. Don't listen to the legal counsel when they give bad legal advice. The Human Relations Commission term length was intended to outlast Counsel in order to not cede to political pressure. Ypsilanti can be a model.

XVII REMARKS FROM THE MAYOR

XVIII ADJOURNMENT

a) Resolution No. 2019-125, adjourning the City Council Meeting.

Council Member Nicole Brown moved, seconded by Council Member Jennifer Symanns, to adjourn the meeting at 10:08 p.m.

RESULT:	CARRIED.
MOVER:	Council Member Nicole Brown

SECONDER:	Council Member Jennifer Symanns
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville



MINUTES

WORK SESSION Meeting

7:00 PM - Tuesday, June 11, 2019
Council Chambers

The WORK SESSION of the City of Ypsilanti was called to order on Tuesday, June 11, 2019, at 7:00 PM, in the Council Chambers, with the following members present:

PRESENT: Council Member Jennifer Symanns, Council Member Steven Wilcoxon, Mayor Pro-Tem Lois Richardson, Mayor Beth Bashert, Council Member Anthony Morgan, and Council Member Annie Somerville

ABSENT: Council Member Nicole Brown

I CALL TO ORDER

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

II INVOCATION

Mayor Bashert asked all to stand for a moment of silence

III PLEDGE OF ALLEGIANCE

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

IV AGENDA APPROVAL

- a) Mayor Bashert requested a motion to approve the agenda

V PUBLIC COMMENT (3 MINUTES)

1. Bob Krzewinski, 706 Dwight, Non-Motorized Committee, asked the commission to keep in mind the non-motorized population, especially the disabled, during the roads discussion.

VI REMARKS FROM THE MAYOR

None

VII WORK SESSION

- a) Road infrastructure and funding

Mr. Early, OHM, provided a report regarding road basics and funding.

Mayor Bashert commented that roads have been underfunded for 3 decades. Mr. Early stated that the city received \$400,000 from WATS, but it is not ideal. Mayor Pro-Tem Richardson appreciated the work done by OHM and DPS. Ms. Bashert asked if the current funding model keeps the city in a perpetual state of maintenance. Mr. Early responded in the affirmative. Council Member Morgan asked the difference between local and major roads. Mr. Early replied that they are not interchangeable, but depends on traffic and truck volume. Ms. Bashert asked if additional funding from the state would affect the local level. Mr. Early responded that it would; however, the majority would go to MDOT. Ms. Richardson added that the state financial system is messed up and there needs to be a change. Mr. Early stated that it is helpful to have projects ready on the shelf if funding becomes available. Mr. Morgan asked how far in advance a project can be on the shelf and how many are allowed. Mr. Early responded that theoretically, you can have as many as you wanted. In the past, the City has had projects designed and ready to go. FHWA funds go through MDOT which has a 6-7 month bid process.

City Planner Wessler provided a report about long-range road planning. Ms. Wessler asked Council if they want to include traffic calming measures in future projects. Ms. Bashert asked if the additional burden would fall on the City. Ms. Wessler replied in the affirmative. Council generally agreed that they are in favor of pedestrian-friendly projects. Mr. Wilcoxon asked if some roads are required to have a bike lane when they are repaved. Ms. Wessler responded that some curb cuts get repaired during repaving, but there is no requirement for a bike lane. Ms. Bashert asked what snow removal equipment would be necessary for the crosswalk to crosswalk speed bumps. Ms. Wessler stated that cross-department planning would happen during the CIP discussion. Ms. Richardson stated that she has heard a lot of complaints that bump outs are dangerous. Mr. Morgan asked if there are measurable ways to determine the effectiveness of the traffic calming measures. Ms. Wessler stated that they generally look at national standards because there are not enough resources to always do local studies and it takes a few years to see the results. Ms. Richardson stated that enforcement also helps with speeding. Ms. Bashert added that for the past few years the police has not had the capacity to go to court when a speeding ticket is challenged which limits its ability to effectively enforce speed limits.

Ms. Richardson asked if the Cross Street bridge has to be completely replaced. Mr. Early responded in the affirmative. Ms. Somerville asked if there was any short term option for the sidewalk on the Cross Street bridge. Ms. Wessler that patching may be an option. Mr. Early added that some options for repairing roads are not suitable for sidewalks.

Mr. Wilcoxon asked if barriers for bikes lane are possible on Huron, Hamilton, and Washtenaw. Ms. Wessler responded that the number of driveways makes this challenging, but they are exploring options. Ms. Bashert asked when improvements will occur on Michigan Ave and W Cross. Ms. Wessler replied

that they will happen in 2022. Ms. Bashert added that the state of the roads gives her pause because the roads are going to look pretty rough and anything they can do about it would be good. Ms. Richardson asked if the intersection near Hamilton and Harriet will be repaired. Mr. Early stated that the problem is that is an MDOT trunkline. Ms. Richardson stated that there needs to be a protest. Ms. Bashert asked staff to look at the possibility of buying asphalt with the Township. Mr. Early replied that it is possible for local road projects, but not MDOT projects.

Ms. Symanns asked about the time frame for the Congress repaving. Mr. Early replied that they got the bids in on Friday and will be in front of Council on Tuesday. Construction should be underway by August and the completion date is the end of September.

b) Discussion regarding processes, procedures, and direction of medical/recreational Marijuana

Ms. Wessler provided a report about medical marijuana. Mayor Bashert asked if we allow recreations will it allow all business types, including transportation and testing. Ms. Wessler responded that at this point it is unclear. Ms. Richardson stated that she is opposed to expanding until the state finalized the procedure. Ms. Sommerville stated that she believes the state will all be bundled together. The process will be simplified. Ms. Symanns stated that she is inclined to wait and see what the state does. Ms. Wessler noted that the state has until November to decide or local can decide how to regulate. Ms. Symanns asked if there is a possibility of storage with transportation. Ms. Bashert added that there is tracking "from seed to sale." Every stage needs a license. Mr. Morgan stated that there is a lot of money involved and there is more potential risk in this business. He would prefer to wait until the state makes a determination. Mr. Wilcoxon stated that he thinks testing is a service that should be encouraged. Mayor Bashert agreed that the decision about transportation and testing might be premature, but noted that both types of business could lead to jobs in the city.

Ms. Richardson asked if council voted to opt-in to recreational. Ms. Bashert responded that they have not yet voted. Mr. Barr asked council how they felt about opting out versus opting in to recreational. Ms. Richardson stated that she is in favor of opting out of recreational. Ms. Somerville stated that there was overwhelming voter approval for recreational and is very much against opting out. Mr. Wilcoxon stated that he is also opposed to opting out. Ms. Richardson asked how many jobs were created by the medical marijuana industry. Ms. Bashert stated that we have recreational marijuana and the question is now whether they want to be involved in regulating it or not.

Ms. Wessler provided a brief presentation about the City's permit transfer policy. Mr. Wilcoxon asked what businesses have to do to comply with a permit transfer. Mr. Barr responded that the state does the vetting for the new owner. Ms. Richardson asked about liquor licenses. Mr. Barr responded that liquor licenses are transferable. If the state says the marijuana licenses are

transferable, that it would be reasonable to make the city permits transferable. Mr. Morgan asked if the City could face liability if they do not agree to accept a decision made by the state. Mr. Barr responded that it is possible, and that staff wants to make the transfer policy a rational and reasonable process for the city. Ms. Richardson suggested that council has a presentation from MML about marijuana. According to the presentation, there are some negative happenings in Colorado that are important to consider. Ms. Bashert said she is in favor of transferring permits. Ms. Symanns added that she is in favor of regulating medical and recreational marijuana in the same manner. Mr. Wilcoxon stated that there is a distinction between voters voting to legalize marijuana versus wanting recreational businesses in the city; further outreach would be useful to understand what voters want. Mr. Morgan stated that the economic benefit of marijuana business to the city is unclear, and is not in favor of opting in to recreational. Ms. Richardson does not want to see the city become the marijuana center for southeast Michigan.

Ms. Bashert asked staff to bring recreational forward in the future, but they need more information and are not prepared to make a determination. It would be useful to schedule a future working session. Ms. Somerville that there is an opportunity for equity in recreational marijuana, and there will be space for people to be involved in the business that has not been included in the past. Mr. Wilcoxon asked what the timeline is to decide whether to opt in or out. Ms. Wessler replied that if a city does not opt out by November, they effectively opt-in.

Ms. Bashert asked staff to bring forward language about transfers, arrange presentations about transportation and testing and separating processing and growing, and to keep council informed about the progress of the state.

VIII PUBLIC COMMENT (3 MINUTES)

1. Adam Tasselmeyer, 124 W Michigan, stated that the affect his business has had on the city has been positive. He hopes that council understands the will of the voters. For the next year, recreational will only be sold from places that already have their medical license.
2. Craig Arnoff, Arnoff Law, stated that the rules for recreational will be out by the end of the month. The real difference between recreational and medical is who is allowed in the store. There is now a state project that manages the process. He added that the City's old ordinance encouraged businesses to wait in line for a permit. The city should be mindful of those businesses.
3. Scott Roberts, Green Vitality, 50 Ecorse Rd, wanted to address the transfer issue stating that many businesses were unfairly denied state license. He asked that these businesses be considered for transfer.
4. Allison Ireton, 836 Railroad, wanted to address the lottery system. Recreational does not allow a lottery if there is a cap, it must be merit-based. There is more education available and there are ways to respect the queue.
5. Cary Burton, 102 Spring, stated that as a business it is just a choice where you get your product liquor store or dispensary. The plants are the same, it just depends if they are sold for recreational or medical purposes. The city has to reserve the right to regulate the services.

IX REMARKS FROM THE MAYOR

X ADJOURNMENT

Mayor Pro-Tem Richardson moved, seconded by Council Member Symanns to adjourn the meeting.

On a voice vote, the motion carried, and the meeting adjourned at 9:25.



MINUTES

REGULAR COUNCIL Meeting

7:00 PM - Tuesday, June 18, 2019
Council Chambers

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Tuesday, June 18, 2019, at 7:00 PM, in the Council Chambers, with the following members present:

PRESENT: Mayor Beth Bashert, Council Member Jennifer Symanns, Council Member Steven Wilcoxon, Council Member Nicole Brown, Mayor Pro-Tem Lois Richardson, Council Member Anthony Morgan, and Council Member Annie Somerville

ABSENT:

I CALL TO ORDER

II INVOCATION

III PLEDGE OF ALLEGIANCE

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

IV AGENDA APPROVAL

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

Council Member Brown moved to move Ordinance No. 1339 to the next council meeting.

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

V INTRODUCTIONS

Mayor Bashert introduced the following individuals; Huron River Watershed Council Watershed Planner Dan Brown, Parks and Recreation Commissioner Evan Sweet, Assistant to the City Manager Ryan Hunter, City Planner Bonnie Wessler, Economic Director Joe Meyers, Finance Director Rheagan Basabica, Interim Public Services Director Brad Holman, Clerk Andrew Hellenga, and City Manager Frances McMullan.

VI PRESENTATIONS

- a) Pen Dam and PFAS Presentation - Dan Brown, HRWC Watershed Planner

Planner Dan Brown provided a presentation about PFAS in the Huron River.

Council Member Wilcoxon asked what historical data is available for the Willow Run site. Mr. Brown responded that most places have data from the past 3-5 years. PFAS was phased out by most manufacturers in 2015. Mayor Pro-Tem asked about the safety level for people who have wells along the river. Mr. Brown responded that there are no regulatory pathways for private wells. The state is testing all public water for PFAS. Private wells must be tested by the owner. They are not seeing contamination from the Huron reach groundwater, but there has not been much testing. Unless there is a concern about a specific site, there is not much risk for those within the watershed. PFAS testing is prohibitively expensive at this point for many homeowners. Council Member Morgan asked if there is information available about where PFAS is coming from and how to reduce them. Mr. Brown responded that PFAS was used widely to make things waterproof or create smooth surfaces. PFAS are easy to track because prior to safety concerns, manufacturers were proud to use them to protect their workers from other chemicals and other practical uses. Mr. Morgan stated that he has been pushing for a regional water council to help with the misinformation about water safety and security. The city could be a leader in increasing information to the public.

- b) Parks and Recreation Annual Report - Evan Sweet, Parks and Recreation Commission Chair

Parks and Recreation Commission Chair Evan Sweet presented the 2018 Parks & Recreation Commission Annual Report. Mayor Bashert noted that there has been a staff absence and that is a conversation that is happening about how to fill that gap.

- c) Proclamation dedicating the days during Elvisfest as Elvisfest Days

VII PUBLIC COMMENT (3 MINUTES)

1. The Cream Incorporated, 301 W Michigan Ave, is a 501(c)(3) non-profit offers business services and corporate development including marketing media and web design. They are currently offering a performing arts and theater expression program for males age 5-12. Cream Inc. is in talks with the police department for a firearm buyback initiative to get guns off the street using cash incentives; they will be responsible for raising the funds. They are also in talks with the 14th District Courts for an amnesty day for minor offenses. Cream Inc. is looking for fundraising partners for these initiatives.
2. Jim Fink, 206 S Washington, wanted to address the traffic calming on S Washington. He stated that he appreciates the staff attention, but disagrees with some of the recommendations. There was a period of time when there were no stop signs on Washington. When they were installed, by resident request, they changed the neighborhood for the better. He asked council for speed bumps at the stop signs. He also encouraged the approval of the Barr Law Firm.

3. Kristine Johnson, 119 S Washington, stated that her 7-year-old son did his own traffic study after the last council meeting. He counted how many cars rolled through the stop sign without stopping and was excited to be involved in his community.
4. Aaron Johnson, 119 S Washington, stated that his son observed 23 out of 300 cars completely blow through the stop signs. There are 19 kids under the age of 10 living on that stretch of Washington. The worst behavior is in the morning when cars use the route as a cut through to avoid traffic.
5. Anthony Williamson, 591 Armstrong, stated that he supports efforts to provide a safe environment for young children throughout the city. He asked council to establish a commission for Parkridge. There is a lot that still needs to be done. Council, police, and the court system have to be involved to address this issue.
6. Rick Thompson, 2527 Redwood Dr, Flint, represented the National Organization for the Reform of Marijuana Laws. He stated that recreational marijuana will bring people and revenue to the city. Recreational marijuana is regulated by the state and under heavy control. The city still has control over inspection as it currently has with medical.
7. Allison Ireton, 117 N 1st St, Ann Arbor, wanted to address subsection (d) on the proposed ordinance. The current ordinance caps medical provisioning centers at 7. If there are caps for recreational, there must be a competitive process for the licenses. If a lottery is used for recreational it could lead to a lawsuit. Some communities have decided to limit based on zoning to create a natural cap, eliminating the need for a lottery system and potential lawsuits. She also stated that most secure transport and testing businesses are discreet and do not have storage.
8. Jason Atkins, 1371 Skyway Dr, is the president of Ypsilanti Youth Athletic Association, a 501(c)(3) non-profit that runs the Ypsilanti Braves. Their organization works with 120 youth annually mainly through football, but also mentors youth about the importance of school and ways to be successful in their community. He is interested in learning about any resources that may be available and work together to support the youth.
9. Steve Pierce, 118 S Washington, stated that he is not in disagreement with staff but encourages the installation of speed bumps. Painting stripes on the street and signage should happen during the normal course of business and should not come from this special fund. 50% of cars do not stop at the stop signs or look for pedestrians. He would like to see speed bumps at the stop signs.

In response to public comment, Mayor Pro-Tem Richardson commented that the people need to be given what they are asking for and what is needed. People are always speeding through New Parkridge and Washington Street; traffic control is especially important now that children are out of school. There was another shooting at New Parkridge over the weekend, and something has to be done. Council Member Brown stated that she would like to support these youth efforts as much as possible and recommended that these organizations work together and partner with the City to impact youth in a holistic way. Mayor Bashert will reach out to Mr. Williamson about this issue.

VIII ORDINANCES FIRST READING

- a) ~~Ordinance No. 1339 – An Ordinance entitled, "An ordinance to amend Ypsilanti City Code, Chapter 7, Medical Marijuana, to allow for the Transfer of Local Permits for~~

Medical Marijuana"

1. ~~Resolution No. 2019-126, determination~~
2. ~~Open public hearing~~
3. ~~Resolution No. 2019-127, close public hearing- (Removed)~~

IX CONSENT AGENDA

- a) Resolution No. 2019-128, approving the Consent Agenda.

Council Member Steven Wilcoxon moved, seconded by Council Member Anthony Morgan, to approve Resolution No. 2019-128

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxon
SECONDER:	Council Member Anthony Morgan
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- b) Resolution No. 2019-129, approving the minutes of May 21 & May 28, 2019.
- c) Resolution No. 2019-130, approving appointments to Boards and Commissions.
- d) Resolution No. 2019-131, approving the use of a receiving board of the August 6, 2019 WISD Special Election.

X RESOLUTIONS/MOTIONS/DISCUSSIONS

- a) Resolution No. 2019-132, approving assessing contract with WCA

Council Member Morgan asked if the prices are comparable to the past contract and if the same services will be provided. Doug Shaw, WCA Assessing, stated that it is 4% higher than the end of the last contract to cover the increasing costs of services. The services provided will remain the same.

Council Member Annie Somerville moved, seconded by Council Member Lois Richardson, to approve Resolution No. 2019-132

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Lois Richardson
AYES:	Lois Richardson, Annie Somerville, Beth Bashert, Jennifer Symanns, Nicole Brown, and Anthony Morgan
NAYS:	Steven Wilcoxon

- b) Resolution No. 2019-133, approving the Fire and Police Pension Administrative Contract for FY 2019-2020.

Mayor Pro-Tem Richardson asked if this amount covers the cost of the services. Finance Director Basabica responded in the affirmative.

Council Member Lois Richardson moved, seconded by Council Member Nicole Brown, to approve Resolution No. 2019-133

RESULT:	CARRIED.
MOVER:	Council Member Lois Richardson
SECONDER:	Council Member Nicole Brown
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- c) Resolution No. 2019-134, approving traffic calming strategies for Washington St.

City Planner Wessler provided an overview of traffic calming strategies for Washington St. Mayor Bashert asked for clarification about the costs of these strategies. Mayor Pro-Tem Richardson asked what the cost would be to just put in speed bumps on Washington and Armstrong. Ms. Wessler stated that the cost would be \$22,000 which is within the available funds. Ms. Richardson suggested that council approve the speed bumps and move everything else into next year's budget. Council Member Morgan suggested that the funds be split equally between the two neighborhoods to address the base level safety concerns. Council Member Wilcoxon asked if the other provisions were required under other statutes. Ms. Wessler responded that they are considered general maintenance; however, there is no comprehensive restriping plan because of budget concerns. It has been practice in the past to address the deferred maintenance when these safety concerns arise. Council Member Brown agreed that they should install speed bumps and see what money is available to address the other strategies. Council Member Somerville agreed that the speed bumps should be implemented.

Mr. Wilcoxon asked about the annual removal and replacement costs. Ms. Wessler responded that the cost of removal is \$500 per speed bump. Ms. Bashert agreed that they should put in speed bumps, but also look for opportunities for restriping and speed enforcement. Council Member Symanns asked staff what the logic is for placing speed bumps 10-20 feet behind each crosswalk rather than at the intersection. Ms. Wessler responded that this is to allow cars to come to a complete stop prior to the intersection.

Council Member Nicole Brown moved, seconded by Council Member Lois Richardson, to approve Resolution No. 2019-134 as amended

RESULT:	CARRIED.
MOVER:	Council Member Nicole Brown
SECONDER:	Council Member Lois Richardson
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

Council Member Lois Richardson moved, seconded by Council Member Steven Wilcoxon, to amend Resolution No. 2019-134

RESULT:	CARRIED.
MOVER:	Council Member Lois Richardson
SECONDER:	Council Member Steven Wilcoxon

AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville
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- d) Resolution No. 2019-135, approving traffic calming strategies for Armstrong.

Council Member Morgan asked why the cost was not to exceed \$10,000 rather than \$15,000 as with the Washington St resolution. City Planner Wessler responded that is a smaller project with fewer speed bumps.

Council Member Lois Richardson moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2019-135

RESULT:	CARRIED.
MOVER:	Council Member Lois Richardson
SECONDER:	Council Member Steven Wilcoxon
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- e) Resolution No. 2019-136, approving a second extension of the Memorandum of Understanding between Washtenaw Community College and the City of Ypsilanti Regarding Parkridge Center.

Mr. Anthony Williamson provided an overview of recent Parkridge events, programming, and partnerships. Council Member Morgan stated that Parkridge Center has proved that every bit of the center are used by all wards. The extension should be extended because one year is not enough to determine the impact of the community center. City Manager McMullan stated that staff is pleased with the work Mr. Williamson has done, and pledged full support as a partner to keep the center open. Ms. McMullan asked if Parkridge has any other partnerships aside from the City. Mr. Williamson replied that there are no other financial partners, but they have 30 partners that use the facility to provide programming for community residents for all ages. Mayor Pro-Tem Richardson stated that she has worked to maintain Parkridge since 2003 when the City removed recreation from its budget, and commended Mr. Williamson and Washtenaw Community College for their programming.

Ms. Richardson asked Ms. McMullan what is included in the FY19-20 budget for Parkridge. Ms. McMullan responded that the budget includes part-time wages for two staff members, office and operating supplies, public utilities, and custodial services. Ms. Bashert echoed that Parkridge is a great anchor in the community, and the we are lucky to have it.

Council Member Jennifer Symanns moved, seconded by Council Member Nicole Brown, to approve Resolution No. 2019-136

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Nicole Brown
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- f) Resolution No. 2019-137, approving the contract for legal services with Barr, Anhut & Associates, P.C.

City Manager McMullan highly recommended that council approve the contract considering the historical knowledge the firm has of the City, and the education they provide. This contract was budgeted for in the approved budget. Mayor Bashert and Mayor Pro-Tem Richardson expressed their gratitude for Mr. Barr's services.

Council Member Jennifer Symanns moved, seconded by Council Member Nicole Brown, to approve Resolution 2019-137

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Nicole Brown
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- g) Resolution No. 2019-138, approving a contract with Washtenaw County to provide IT services to the City of Ypsilanti.

City Manager McMullan stated that they are currently in the process of determining a new IT provider for next year. Further infrastructure costs were not in the CIP because they were not know. Ms. McMullan asked council to be aware of these necessary budget amendments for the next fiscal year.

Council Member Jennifer Symanns moved, seconded by Council Member Nicole Brown, to approve Resolution No. 2019-138

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Nicole Brown
AYES:	Jennifer Symanns, Nicole Brown, Beth Bashert, Steven Wilcoxon, Lois Richardson, Anthony Morgan, and Annie Somerville

- h) Resolution No. 2019-139, adopting the Michigan Local Agency Pavement Warranty Program.

Council Member Annie Somerville moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2019-139

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Steven Wilcoxon
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- i) Resolution No. 2019-140, approving the implementation of the Local Agency

Pavement Warranty Program.

Council Member Annie Somerville moved, seconded by Council Member Lois Richardson, to approve Resolution No. 2019-140

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Lois Richardson
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- j) Resolution No. 2019-141, authorizing the budget adjustment for road repairs for Congress, Harriet, and N. Huron.

Council Member Wilcoxon commented that it was strange that the line items are so disparate between the two bids. Mr. Early responded that this process goes through the MDOT bidding process, and the cost estimate when in three years ago. The difference in price depends on the contractor's specialty. If council rejects the bid they would have to substantially change the project before it goes out again. If council accepts the bid there may be opportunities to reduce the cost. Costs have also increased due to the cost of asphalt and concrete, likely due to the amount of road construction happening throughout the state.

Council Member Jennifer Symanns moved, seconded by Council Member Nicole Brown, to approve Resolution No. 2019-141

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Nicole Brown
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, and Annie Somerville
NAYS:	Anthony Morgan

- k) Resolution No. 2019-142, approving joining the amicus brief supporting the concept that gender is a protected class under Title VII.

Mayor Bashert stated that the brief is in compliance and support of our ordinance and values as a city. Council Member Morgan stated that gender, class, and race are elastic and not clearly defined. Council Member Somerville stated that gender issues are intersectional and deal with race, class, and sexual identity.

Council Member Anthony Morgan moved, seconded by Council Member Annie Somerville, to approve Resolution No. 2019-142

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Council Member Annie Somerville
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, and Annie Somerville
NAYS:	Anthony Morgan

XI BOARDS AND COMMISSIONS

XII LIAISON REPORTS

1. SEMCOG Update - none
2. Washtenaw Area Transportation Study - none
3. Urban County - none
4. Ypsilanti Downtown Development Authority - none
5. Friends of Rutherford Pool - Update from Parks Commission
6. Housing Equity Leadership Team - none

XIII COUNCIL PROPOSED BUSINESS

Wilcoxon

1. He met with the two new Sustainability Commissioners and had a great discussion. Some Commissioners are still bristling about Pen Dam. It is an issue that needs to be continually addressed. They are looking at funding sources, getting community input, and will be meeting with state agencies about how the project will progress.
2. He stated that Ward 2 residents have asked if alleyways are public and if there is a regrading schedule. Mr. Holman stated that alleys do not operate like roads. Money needs to be allocated to maintain. N/S Congress is part of the rotation of maintenance. They will probably be graded twice during the summer.

Morgan

1. He clarified a comment he made last week about recreational marijuana. He did not mean that existing dispensaries are parasitic. The recreational businesses involved in recreational marijuana could be potentially parasitic.
2. Y-Town SWAG is a summer without guns to create a gun-safe community and promote peace. SWAG houses are places that citizens can visit if they feel unsafe or need assistance. They will have two field days and have youth videos. The City could potentially be a partner.

Symanns

1. She had communications with Ward 2 residents about sewer, traffic, speed bump, and zoning ordinance issues, and thanked staff for their assistance

Bashert

1. She asked about the status of the N/S Congress intersection. Planner Wessler responded that it will be part of the Local Area Paving Project.

Richardson

1. She stated that it was disturbing to hear about the passing of Sue Melke. She hopes there will be a nice showing at her services.
2. She asked about the house on Prospect. Mr. Meyers responded that they are working to get someone appointed as a Dangerous Building Officer so they can remove it.
3. There were so many things happening on June 8th. The Fire and Police had their open house and the Interrupters had their annual gathering. It would be good for Council to support the Interrupters.

XIV COMMUNICATIONS FROM THE MAYOR

Mayor Bashert will be at the gathering for Sue Melke on Thursday and will deliver a proclamation in her honor.

XV COMMUNICATIONS FROM THE CITY MANAGER

XVI COMMUNICATIONS

- a) Reschedule/Cancel the August 6, 2019 Council Meeting - as a result of the WISD Special Election

Council decided to cancel the August 6th Council Meeting.

- b) **Nominations - Downtown Development Authority**

Ben Harrington
A2 SPARK 330 E Liberty
Ann Arbor, MI 48104

Andy French
6238 Vineyard Ave
Ann Arbor, MI 48108

Andy O'Neal
1423 Henry St.
Ann Arbor, MI 48104

XVII PUBLIC COMMENT (3 MINUTES)

1. Cary Burton stated that she is a transgender person naval pilot, combat wounded veteran, and Delta Pilot for 20 years and can be legally discriminated.
2. John Barr, 105 Pearl, stated the Sue Melke was a dedicated citizen who attended most council meetings and always spoke her mind very concisely.

XVIII REMARKS FROM THE MAYOR

XIX CLOSED SESSION

- a) Closed session to discuss labor negotiations. *OMA 15-268(c)*

**Council Member Steven Wilcoxen moved, seconded by Council Member Anthony Morgan, to adjourn to Closed Session at 10:14 p.m.
the meeting reconvened to Open Session at 10:28 p.m.**

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxen
SECONDER:	Council Member Anthony Morgan
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxen, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- b) Resolution No. 2019-144, approving the POAM 2019-2022 Collective Bargaining Agreement **(Postponed June 4, 2019)**

Council Member Nicole Brown moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2019-144

RESULT:	CARRIED.
MOVER:	Council Member Nicole Brown
SECONDER:	Council Member Steven Wilcoxon
AYES:	Steven Wilcoxon, Nicole Brown, Beth Bashert, Jennifer Symanns, Lois Richardson, Anthony Morgan, and Annie Somerville

XX ADJOURNMENT

- a) Resolution No. 2019-143, adjourning the City Council Meeting.

Council Member Wilcoxon moved, seconded by Mayor Pro-Tem Richardson to adjourn the meeting.

On a voice vote, the motion carried and the meeting adjourned at 10:30 p.m.



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Wendy Estey
DATE: July 2, 2019
SUBJECT: Application for Co-Sponsorship for the 2019 Ypsilanti Heritage Festival (YpsiFest)

DESCRIPTION:

Application for Co-Sponsorship for the 2019 Ypsilanti Heritage Festival (YpsiFest)

SUMMARY:

The Ypsilanti Heritage Festival (YpsiFest) has requested that the city co-sponsor this year's annual event. According to the City's Special Events Policy, "the City may jointly sponsor certain events with other organizations when City Council determines that the event is of general interest to the public and advances the City's public image. The City will provide financial support to these events as determined in the annual budget appropriation. These events must meet the other requirements of the Special Events Policy, and must reimburse the City for any costs in excess of the support level authorized by the budget appropriation."

The Ypsilanti Heritage Festival is an "all city" festival that includes booths for clubs and organizations, food vendors, and local businesses to promote their organizations and services to the community and festival goers. The festival also includes various forms of entertainment, for all ages, over the three day weekend, including an entertainment tent, a children's activity area, a health tent area, a food tent, and other various special events each year. This year YpsiFest is planning a concert Saturday evening, a children's luminary parade through the park, the Ring of Steel performance troupe, and the return of the Helicopter Rides that was such a hit two years ago. Additionally, there will be an expanded children's activity area with multiple lively participation-style activities throughout the weekend.

This resolution allows the City of Ypsilanti to lend support to this year's Ypsilanti Heritage Festival in their endeavors to promote the City of Ypsilanti as a friendly, safe and hospitable city with a long and notable historical heritage.

RECOMMENDED ACTION: Approval

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2019-147
July 2, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti adopted a Special Events Policy, and pursuant to the policy, the City may co-sponsor an event if it is of general interest to the public and advances the City's public image; and

WHEREAS, this year the Heritage Festival will take place August 23-25 in Riverside Park; and

WHEREAS, the Heritage Festival is requesting that the City be a co-sponsor of the 2019 Festival; and

WHEREAS, City Council agrees that becoming a co-sponsor of the 2019 Ypsilanti Heritage Festival would be in the general interest of the public and advance the City's public image.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves the request to be a sponsor of the 2019 Heritage Festival in the amount of \$2,500.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
2 day of July 2019

#Resolution No. 2019-147

Special Events Sponsorship & Financial Hardship Request



Please complete the form below. The City may provide support to Special Events on the following basis:

- Merit of the request
- Request is received no less than 30 days prior to the event
- Funds are budgeted and available to support the event

Event Name

Ypsilanti Heritage Festival (aka YpsiFest)

Event Start Date

08/23/2019

Event Location

Riverside Park

Event Organizer

Ypsilanti Heritage Festival Corp.

Event Contact Person

First name:

Les Heddle

Last name:

Heddle

Phone number:

734-223-0433

E-mail:

coordinator@ypsifest.com

Is your organization a non-profit or public tax-exempt organization as defined under Section 501(c)(3) of the Internal Revenue Code?

- ☒ Yes
☐ No

How is this event of general interest to the public?

The Ypsilanti Heritage Festival is an "all city" festival that includes booths for clubs and organizations, food vendors, and local businesses to promote their organizations and services to the community and festival goers. The festival also includes various forms of entertainment, for all ages, over the three day weekend, including, an entertainment tent, a children's activity area, a health tent area, a food tent, and other various special events each year.

The festival has been supported by the City over its 41 year (continuous) history through an enabling ordinance, and by financial support through services provided by the city in in-kind support and reduced city fees. The question below requires an either-or answer, but we believe, in this case, it is.

Is your organization requesting City Co-Sponsorship or a Financial Hardship waiver?

- ☐ City Co-Sponsorship
☒ Financial Hardship Waiver

City Co-Sponsorship: The City may jointly sponsor certain events with other organizations when City Council determines that the event is of general interest to the public and advances the City's public image. The City will provide financial support to these events as determined in the annual budget appropriation. These events must meet the other requirements of the Special Events Policy, and must reimburse the City for any costs in excess of the support level authorized by the budget appropriation [reference City of Ypsilanti Special Events Policy, Section 1.3(b)]

Financial Hardship Waiver (only applicable for non-profit corporations): City may, in its discretion, contribute the park rental fee to assist other Special Events operated by non-profit organizations with good cause shown or hardship (See City Code Section 10-270). For the purposes of this policy, good cause or hardship may be demonstrated by startup organizations, charitable events, or any other reasonable cause for lacking in operating capital.

Park fee contributions must be approved by City Council no less than 30 days prior the event. City Council may, in its discretion, waive park rental on a per day basis, up to three (3) days. City Council may also impose conditions and/or require repayment terms after completion of the event. These events must meet the all requirements of the Special Event Policy, and must reimburse the City for any City costs in excess of this support level. Non-Profit Organizations must submit a current IRS 501 C3 Statement.

List the benefits provided by the event to the City of Ypsilanti (e.g., advertisement materials, ticket sales, park improvements, etc...)

A long term benefit to the C of Y is the inclusive nature of the festival in bringing multiple aspects of the city into one activity over that weekend, as well as in the planning process. Additionally, it brings people and organizations from all over the region to the city to see the wonderful natural assets of the parks and river city residents can enjoy year-round.

The YpsiFest is promoted by the CVB (Ypsi Real/Destination Ann Arbor) to the community and statewide through their network; the festival is promoted through our website and FaceBook page as well as various community pages such as Ypsilanti Area Discussion (and "With Discerning Moderation"); East Side Neighborhood Association, Normal Park Neighborhood Association, and

How many days of park rental are requested to be waived?

Please describe the financial hardship (may include a list of the major operating expenses, financial obligations, etc...)

The City's fees total approximately \$14,000 to 17,000, depending the particulars of each festival. This year is expected to be in that same range for DPW services, park and parking lot rental, and administrative and police services.

We are requesting a \$3000 reduction in fees which will list the C of Y as a major sponsor of the festival in all PR promotions. Additionally we are requesting an additional \$2500 reduction in fees for the C of Y to host a delegation of dignitaries from the African nations of the Republic of Togo and the Republic of Benin. the Mayor has additional particulars of that request. We believe that would be an important event for our city government to promote and participate that weekend.

When do you need to receive the funds?

Reduction in fees

By typing my name below, I attest that this application represents my intent for the proposed event to the best of my knowledge. I am authorized to submit this application on behalf of the organization:

Applicant Full Name

Les Heddle

Date

06/26/2019

The Ypsilanti Heritage Festival is an "all city" festival that includes booths for clubs and organizations, food vendors, and local businesses to promote their organizations and services to the community and festival goers. The festival also includes various forms of entertainment, for all ages, over the three day weekend, including, an entertainment tent, a children's activity area, a health tent area, a food tent, and other various special events each year. This year we are planning a concert Saturday evening, a children's luminary parade through the park, the Ring of Steel performance troupe, and the return of the Helicopter Rides that was such a hit two years ago. Additionally we have an expanded children's activity area with multiple lively participation style activities throughout the weekend.

The festival has been supported by the City over its 41 year (continuous) history through an enabling ordinance, and by financial support through services provided by the city in in-kind support and reduced city fees. The question below requires an either-or answer, but we believe, in this case, it is both (see above). We chose "Financial Hardship Waiver" because we are sincerely trying to get the festival back on a stable, positive path and this financial support is critical to that end. We would point to the last two years of increased attendance and quality presentation of the festival as evidence of its benefit to the city and our residents.

A long term benefit to the C of Y is the inclusive nature of the festival in bringing multiple aspects of the city into one activity over that weekend, as well as in the planning process. Additionally, it brings people and organizations from all over the region to the city to see the wonderful natural assets of the parks and river city residents can enjoy year-round.

The YpsiFest is promoted by the CVB (Ypsi Real/Destination Ann Arbor) to the community and statewide through their network; the festival is promoted through our website and Facebook page as well as various community pages such as Ypsilanti Area Discussion (and "With Discerning Moderation"); East Side Neighborhood Association, Normal Park Neighborhood Association, and several others.

The City's fees total approximately \$14,000 to 17,000, depending the particulars of each festival. This year is expected to be in that same range for DPW services, park and parking lot rental, and administrative and police services.

We are requesting a \$3000 reduction in fees which will list the C of Y as a major sponsor of the festival in all PR promotions. Additionally we are requesting a \$2500 reduction in fees for the C of Y to host a delegation of dignitaries from the African nations of the Republic of Togo and the Republic of Benin. Mayor Bashert has additional particulars of that request. We believe that would be an important event for our city government to promote and participate that weekend.

Our total request is for \$5500. We are committed to putting on a top quality festival, another notch above the past two years.

Thank you in advance for you kind consideration.

The festival has been investing some of its cash reserve the last two years to build out the activities to make them more generally appealing. The costs have exceeded the income (mostly) as expected, with additional strain last year due to reduced attendance on Saturday, normally the biggest festival attendance day.



Resolution No. 2019-148
June 27, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti adopted a Special Events Policy, and pursuant to the policy, the City may co-sponsor an event if it is of general interest to the public and advances the City's public image; and

WHEREAS, this year the Heritage Festival will take place August 23-25 in Riverside Park; and

WHEREAS, the Heritage Festival is requesting that the City be a co-sponsor of the 2019 Festival; and

WHEREAS, City Council agrees that becoming a co-sponsor of the 2019 Ypsilanti Heritage Festival would be in the general interest of the public and advance the City's public image.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves the request to be a sponsor of the 2019 Heritage Festival in the amount of \$3,000.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 27 day of June 2019

#Resolution No. 2019-148



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Andrew Hellenga
DATE: July 2, 2019
SUBJECT: Election Chair/Inspector Pay Increase

DESCRIPTION:
Election Chair/Inspector Pay Increase

SUMMARY:

For each election the Clerk Department recruits election inspectors to staff each of the ten precincts, with additional inspectors needed for General Elections to staff count boards. Having the appropriate amount of inspectors is essential to the success of an election.

Election inspectors work long days and fatigue can create problems while trying to close out an election. This would result in the need of staff to identify were mistakes occurred and communicate to the county to ensure balanced results.

If Ypsilanti does not offer competitive pay surrounding townships will begin to attract inspectors currently working for the city. Also, the city will not be able to draw interest of new inspectors potentially from the high school and university.

RECOMMENDED ACTION: Approval

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2019-149
July 2, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Ypsilanti hires election inspectors and chairs to manage precincts and count boards on Election Day; and

WHEREAS, competitive pay is essential to attracting and retaining election inspectors; and

WHEREAS, City Council budgeted an increase in hourly pay in the amount of \$13 for inspectors and \$14 for chairs, payable out of account #101-7-2621-706-00.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council increase pay for election inspectors to \$13 and chairs to \$14.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
2 day of July 2019

#Resolution No. 2019-149

Washtenaw County Election Inspectors Rates : June 15, 2-18

<u>Municipality</u>	<u>Hourly Rate: Inspectors/Chairperson</u>	<u>Other Pay/Food</u>
Pittsfield Township	\$14/17	
Scio Township	\$12/14/15	
Northfield Township	\$13/13	*Chairs additional \$50 per election
City of Ann Arbor	\$11/15	* Will get a raise before November election
Augusta Township	\$13.16/14.16	
Freedom Township	\$10/11	*Looking at a raise this year
Superior Township	\$11/12/13	
Lodi Township	\$12/12	*Chairs additional \$50 per election/provides breakfast & dinner and all drinks during the day
City of Milan	\$10/10	* Chair extra \$50/Co Chairs extra \$25 *provides Breakfast/lunch/dinner and drinks during day
Dexter Township	\$11/14	
Lima Township	\$12.75/12.75	*Chair extra \$160 if Co-chair split the \$160
Webster Township	\$12/14	
Manchester Township	\$16/20	
Sharon Township	\$12/14	
York Township	\$12/14	
Bridgewater Township	\$10.50/11.50	
Lyndon Township	\$12/14	
Ypsilanti Township	\$12/13	**

**On agenda-board meeting June 19, 2018 request to raise rates Ypsilanti Township: \$13/hour-Inspectors, \$14/hour Co-Chairpersons and \$17/hour Chairpersons



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Brad Holman
DATE: July 2, 2019
SUBJECT: Michigan Department of Transportation Contract No. 19-5231 for 2019 Major Street Resurfacing Project

DESCRIPTION:

Michigan Department of Transportation Contract No. 19-5231 for 2019 Major Street Resurfacing Project

SUMMARY:

Federal Surface Transportation Program - Urban funding has been programmed in the Washtenaw County Transportation Improvement Program for resurfacing of Congress Street from Mansfield easterly to Elm Street; North Huron from W. Cross north to W. Forest; and Harriet from Hamilton to Huron in the 2019 construction season. This project is anticipated to include Hot Mix asphalt (HMA) cold milling resurfacing, all together with necessary related work.

The total project cost is estimated at \$615,900, less \$405,834 Federal Funds, the City's estimated share will be \$210,066 which includes \$37,872.50 non-participating costs.

The FY 2018-2019 budget allocated funding for the design engineering and the FY 2019-2020 budget includes funds for construction and construction engineering services needed for this project. Funding for this project will be expended from Major Street Account #202-7-9067-975-03.

RECOMMENDED ACTION: Approval

ATTACHMENTS:

MDOT Contract No. 19-5231, Resolution

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2019-150
July 2, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Federal Surface Transportation Program - Urban funding has been programmed in the Washtenaw County Transportation Improvement Program for the 2019 Major Street Resurfacing Program; and

WHEREAS, work for this project includes the resurfacing of Congress Street from Mansfield to Elm Street; North Huron from W. Cross to W. Forest; and Harriet Street from Hamilton to S. Huron in the 2019 construction season. This project is anticipated to include HMA cold milling, all together with necessary related work.

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

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the Michigan Department of Transportation Contract No. 19-5231; and

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

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
2 day of July 2019

#Resolution No. 2019-150

STP

DA

Control Section	STU 81000
Job Number	205586CON
Project	1900(693)
CFDA No.	20.205 (Highway Research Planning & Construction)
Contract No.	19-5231

PART I

THIS CONTRACT, consisting of PART I and PART II (Standard Agreement Provisions), is made and entered into this date of _____, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF YPSILANTI, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in the City of Ypsilanti, Michigan, hereinafter referred to as the "PROJECT" and estimated in detail on EXHIBIT "I", dated April 19, 2019, attached hereto and made a part hereof:

PART A - FEDERAL PARTICIPATION

Hot mix asphalt cold milling and resurfacing work along Congress Street from Mansfield Street easterly to Elm Street, along North Huron Street from Cross Street northerly to Forrest Street, and along Harriet Street from Hamilton Street easterly to Huron Street; and all together with necessary related work.

PART B - NO FEDERAL PARTICIPATION

Parking and sprinkler head installation work within the limits as described in PART A; and all together with necessary related work.

WITNESSETH:

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

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

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

09/06/90 STPLS.FOR 04/19/19

1

SURFACE TRANSPORTATION PROGRAM

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

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

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

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

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

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

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

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

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

- A. Design or cause to be designed the plans for the PROJECT.
- B. Appoint a project engineer who shall be in responsible charge of the PROJECT and ensure that the plans and specifications are followed.

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

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

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

PART A

Federal Surface Transportation Funds shall be applied to the eligible items of the PART A portion of the PROJECT COST up to the lesser of: (1) \$507,292.50 or (2) an amount such that 81.85 percent, the normal Federal participation ratio for such funds, for the PART A portion of the PROJECT is not exceeded at the time of the award of the construction contract. The balance of the PART A portion of the PROJECT COST, after deduction of Federal Funds, shall be charged to and paid by the REQUESTING PARTY in the manner and at the times hereinafter set forth.

PART B

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

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

6. A working capital deposit by the REQUESTING PARTY will not be required for this PROJECT.

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

7. At such time as traffic volumes and safety requirements warrant, the REQUESTING PARTY will cause to be enacted and enforced such ordinances as may be necessary to prohibit parking in the traveled roadway throughout the limits of the PROJECT.

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

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

Buy America Requirements (23 CFR 635.410) shall apply to the PROJECT and will be adhere to, as applicable, by the parties hereto.

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

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

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

If the REQUESTING PARTY refuses to participate in the cost of remediation, the DEPARTMENT shall terminate the PROJECT. The parties agree that any costs or damages that the DEPARTMENT incurs as a result of such termination shall be considered a PROJECT COST.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CITY OF YPSILANTI

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____
Department Director MDOT

By _____
Title:



April 19, 2019

EXHIBIT I

CONTROL SECTION STU 81000
JOB NUMBER 205586CON
PROJECT 1900(693)

ESTIMATED COST

CONTRACTED WORK

	<u>PART A</u>	<u>PART B</u>	<u>TOTAL</u>
Estimated Cost	\$495,600	\$37,900	\$533,500

COST PARTICIPATION

GRAND TOTAL ESTIMATED COST	\$495,600	\$37,900	\$533,500
Less Federal Funds*	<u>\$405,600</u>	<u>\$ -0</u>	<u>\$405,600</u>
BALANCE (REQUESTING PARTY'S SHARE)	\$ 90,000	\$37,900	\$127,900

*Federal Funds for the PART A portion of the PROJECT are limited to an amount as described in Section 5.

NO DEPOSIT

DOT

TYPE B
BUREAU OF HIGHWAYS
03-15-93

PART II

STANDARD AGREEMENT PROVISIONS

SECTION I COMPLIANCE WITH REGULATIONS AND DIRECTIVES

SECTION II PROJECT ADMINISTRATION AND SUPERVISION

SECTION III ACCOUNTING AND BILLING

SECTION IV MAINTENANCE AND OPERATION

SECTION V SPECIAL PROGRAM AND PROJECT CONDITIONS

03-15-93

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SECTION I

COMPLIANCE WITH REGULATIONS AND DIRECTIVES

- A. To qualify for eligible cost, all work shall be documented in accordance with the requirements and procedures of the DEPARTMENT.
- B. All work on projects for which reimbursement with Federal funds is requested shall be performed in accordance with the requirements and guidelines set forth in the following Directives of the Federal-Aid Policy Guide (FAPG) of the FHWA, as applicable, and as referenced in pertinent sections of Title 23 and Title 49 of the Code of Federal Regulations (CFR), and all supplements and amendments thereto.
 - 1. Engineering
 - a. FAPG (6012.1): Preliminary Engineering
 - b. FAPG (23 CFR 172): Administration of Engineering and Design Related Service Contracts
 - c. FAPG (23 CFR 635A): Contract Procedures
 - d. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments--Allowable Costs
 - 2. Construction
 - a. FAPG (23 CFR 140E): Administrative Settlement Costs-Contract Claims
 - b. FAPG (23 CFR 140B): Construction Engineering Costs
 - c. FAPG (23 CFR 17): Recordkeeping and Retention Requirements for Federal-Aid Highway Records of State Highway Agencies
 - d. FAPG (23 CFR 635A): Contract Procedures
 - e. FAPG (23 CFR 635B): Force Account Construction
 - f. FAPG (23 CFR 645A): Utility Relocations, Adjustments and Reimbursement

- g. FAPG (23 CFR 645B): Accommodation of Utilities (PPM 30-4.1)
 - h. FAPG (23 CFR 655F): Traffic Control Devices on Federal-Aid and other Streets and Highways
 - i. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments—Allowable Costs
3. Modification Or Construction Of Railroad Facilities
- a. FAPG (23 CFR 140I): Reimbursement for Railroad Work
 - b. FAPG (23 CFR 646B): Railroad Highway Projects
- C. In conformance with FAPG (23 CFR 630C) Project Agreements, the political subdivisions party to this contract, on those Federally funded projects which exceed a total cost of \$100,000.00 stipulate the following with respect to their specific jurisdictions:
- 1. That any facility to be utilized in performance under or to benefit from this contract is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities issued pursuant to the requirements of the Federal Clean Air Act, as amended, and the Federal Water Pollution Control Act, as amended.
 - 2. That they each agree to comply with all of the requirements of Section 114 of the Federal Clean Air Act and Section 308 of the Federal Water Pollution Control Act, and all regulations and guidelines issued thereunder.
 - 3. That as a condition of Federal aid pursuant to this contract they shall notify the DEPARTMENT of the receipt of any advice indicating that a facility to be utilized in performance under or to benefit from this contract is under consideration to be listed on the EPA List of Violating Facilities.
- D. Ensure that the PROJECT is constructed in accordance with and incorporates all committed environmental impact mitigation measures listed in approved environmental documents unless modified or deleted by approval of the FHWA.
- E. All the requirements, guidelines, conditions and restrictions noted in all other pertinent Directives and Instructional Memoranda of the FHWA will apply to this contract and will be adhered to, as applicable, by the parties hereto.

SECTION II

PROJECT ADMINISTRATION AND SUPERVISION

- A. The DEPARTMENT shall provide such administrative guidance as it determines is required by the PROJECT in order to facilitate the obtaining of available federal and/or state funds.
- B. The DEPARTMENT will advertise and award all contracted portions of the PROJECT work. Prior to advertising of the PROJECT for receipt of bids, the REQUESTING PARTY may delete any portion or all of the PROJECT work. After receipt of bids for the PROJECT, the REQUESTING PARTY shall have the right to reject the amount bid for the PROJECT prior to the award of the contract for the PROJECT only if such amount exceeds by ten percent (10%) the final engineer's estimate therefor. If such rejection of the bids is not received in writing within two (2) weeks after letting, the DEPARTMENT will assume concurrence. The DEPARTMENT may, upon request, readvertise the PROJECT. Should the REQUESTING PARTY so request in writing within the aforesaid two (2) week period after letting, the PROJECT will be cancelled and the DEPARTMENT will refund the unused balance of the deposit less all costs incurred by the DEPARTMENT.
- C. The DEPARTMENT will perform such inspection services on PROJECT work performed by the REQUESTING PARTY with its own forces as is required to ensure compliance with the approved plans & specifications.
- D. On those projects funded with Federal monies, the DEPARTMENT shall as may be required secure from the FHWA approval of plans and specifications, and such cost estimates for FHWA participation in the PROJECT COST.
- E. All work in connection with the PROJECT shall be performed in conformance with the Michigan Department of Transportation Standard Specifications for Construction, and the supplemental specifications, Special Provisions and plans pertaining to the PROJECT and all materials furnished and used in the construction of the PROJECT shall conform to the aforesaid specifications. No extra work shall be performed nor changes in plans and specifications made until said work or changes are approved by the project engineer and authorized by the DEPARTMENT.

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

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

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

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

- G. The REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, shall make such arrangements with railway companies, utilities, etc., as may be necessary for the performance of work required for the PROJECT but for which Federal or other reimbursement will not be requested.
- H. The REQUESTING PARTY, at no cost to the PROJECT, or the DEPARTMENT, shall secure, as necessary, all agreements and approvals of the PROJECT with railway companies, the Railroad Safety & Tariffs Division of the DEPARTMENT and other concerned governmental agencies other than the FHWA, and will forward same to the DEPARTMENT for such reviews and approvals as may be required.
- I. No PROJECT work for which reimbursement will be requested by the REQUESTING PARTY is to be subcontracted or performed until the DEPARTMENT gives written notification that such work may commence.

- J. The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of the work it agrees to undertake and perform.
- K. The REQUESTING PARTY shall pay directly to the party performing the work all billings for the services performed on the PROJECT which are authorized by or through the REQUESTING PARTY.
- L. The REQUESTING PARTY shall submit to the DEPARTMENT all paid billings for which reimbursement is desired in accordance with DEPARTMENT procedures.
- M. All work by a consulting firm will be performed in compliance with the applicable provisions of 1980 PA 299, Subsection 2001, MCL 339.2001; MSA 18.425(2001), as well as in accordance with the provisions of all previously cited Directives of the FHWA.
- N. The project engineer shall be subject to such administrative guidance as may be deemed necessary to ensure compliance with program requirement and, in those instances where a consultant firm is retained to provide engineering and inspection services, the personnel performing those services shall be subject to the same conditions.
- O. The DEPARTMENT, in administering the PROJECT in accordance with applicable Federal and State requirements and regulations, neither assumes nor becomes liable for any obligations undertaken or arising between the REQUESTING PARTY and any other party with respect to the PROJECT.
- P. In the event it is determined by the DEPARTMENT that there will be either insufficient Federal funds or insufficient time to properly administer such funds for the entire PROJECT or portions thereof, the DEPARTMENT, prior to advertising or issuing authorization for work performance, may cancel the PROJECT, or any portion thereof, and upon written notice to the parties this contract shall be void and of no effect with respect to that cancelled portion of the PROJECT. Any PROJECT deposits previously made by the parties on the cancelled portions of the PROJECT will be promptly refunded.
- Q. Those projects funded with Federal monies will be subject to inspection at all times by the DEPARTMENT and the FHWA.

SECTION III
ACCOUNTING AND BILLING

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

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

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

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

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

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

Within sixty (60) days after the date of the Notice of Audit Results, the REQUESTING PARTY shall: (a) respond in writing to the responsible Bureau or the DEPARTMENT indicating whether or not it concurs with the audit report, (b) clearly explain the nature and basis for any disagreement as to a disallowed item of expense and, (c) submit to the DEPARTMENT a written explanation as to any questioned or no opinion expressed item of expense, hereinafter referred to as the "RESPONSE". The RESPONSE shall be clearly stated and provide any supporting documentation necessary to resolve any disagreement or questioned or no opinion expressed item of expense. Where the documentation is voluminous, the REQUESTING PARTY may supply appropriate excerpts and make alternate

arrangements to conveniently and reasonably make that documentation available for review by the DEPARTMENT. The RESPONSE shall refer to and apply the language of the contract. The REQUESTING PARTY agrees that failure to submit a RESPONSE within the sixty (60) day period constitutes agreement with any disallowance of an item of expense and authorizes the DEPARTMENT to finally disallow any items of questioned or no opinion expressed cost.

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

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

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

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

The agency shall submit two copies of:

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

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

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

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

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

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

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

2. Agreed Unit Prices Work - All billings for work undertaken by the REQUESTING PARTY on an agreed unit price basis will be submitted in accordance with the Michigan Department of Transportation Standard Specifications for Construction and pertinent FAPG Directives and Guidelines of the FHWA.
3. Force Account Work and Subcontracted Work - All billings submitted to the DEPARTMENT for Federal reimbursement for items of work performed on a force account basis or by any subcontract with a consulting firm, railway company, governmental agency or other party, under the terms of this contract, shall be prepared in accordance with the provisions of the pertinent FHPM Directives and the procedures of the DEPARTMENT. Progress billings may be submitted monthly during the time work is being performed provided, however, that no bill of a lesser amount than \$1,000.00 shall be submitted unless it is a final

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

4. Final billing under this contract shall be submitted in a timely manner but not later than six months after completion of the work. Billings for work submitted later than six months after completion of the work will not be paid.
5. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with Federal monies, the DEPARTMENT will act as billing agent for the REQUESTING PARTY, consolidating said billings with those for its own force account work and presenting these consolidated billings to the FHWA for payment. Upon receipt of reimbursement from the FHWA, the DEPARTMENT will promptly forward to the REQUESTING PARTY its share of said reimbursement.
6. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with non-Federal monies, the DEPARTMENT will promptly forward to the REQUESTING PARTY reimbursement of eligible costs.

B. Payment of Contracted and DEPARTMENT Costs:

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

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

C. General Conditions:

1. The DEPARTMENT, in accordance with its procedures in existence and covering the time period involved, shall make payment for interest earned on the balance of working capital deposits for all projects on account with the DEPARTMENT. The REQUESTING PARTY in accordance with DEPARTMENT procedures in existence and covering the time period involved, shall make payment for interest owed on any deficit balance of working capital deposits for all projects on account with the DEPARTMENT. This payment or billing is processed on an annual basis corresponding to the State of Michigan fiscal year. Upon receipt of billing for interest incurred, the REQUESTING PARTY promises and shall promptly pay the DEPARTMENT said amount.
2. Pursuant to the authority granted by law, the REQUESTING PARTY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its obligations as specified in PART I and PART II. If the REQUESTING PARTY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the REQUESTING PARTY and the State Treasurer of the State of Michigan or such other state officer or agency having charge and control over disbursement of the Michigan Transportation Fund, pursuant to law, of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, said State Treasurer or other state officer or agency is then authorized and directed to withhold from the first of such monies thereafter allocated by law to the REQUESTING PARTY from the Michigan Transportation Fund sufficient monies to remove the default, and to credit the REQUESTING PARTY with payment thereof, and to notify the REQUESTING PARTY in writing of such fact.
3. Upon completion of all work under this contract and final audit by the DEPARTMENT or the FHWA, the REQUESTING PARTY promises to promptly repay the DEPARTMENT for any disallowed items of costs previously disbursed by the DEPARTMENT. The REQUESTING PARTY pledges its future receipts from the Michigan Transportation Fund for repayment of all disallowed items and, upon failure to make repayment for any disallowed items within ninety (90) days of demand made by the DEPARTMENT, the DEPARTMENT is hereby authorized to withhold an equal amount from the REQUESTING PARTY'S share of any future distribution of Michigan Transportation Funds in settlement of said claim.

4. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT and upon completion of the PROJECT, payment of all items of PROJECT COST, receipt of all Federal Aid, if any, and completion of final audit by the DEPARTMENT and if applicable, by the FHWA, shall make final accounting to the REQUESTING PARTY. The final PROJECT accounting will not include interest earned or charged on working capital deposited for the PROJECT which will be accounted for separately at the close of the State of Michigan fiscal year and as set forth in Section C(1).
5. The costs of engineering and other services performed on those projects involving specific program funds and one hundred percent (100%) local funds will be apportioned to the respective portions of that project in the same ratio as the actual direct construction costs unless otherwise specified in PART I.

SECTION IV

MAINTENANCE AND OPERATION

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

1. All Projects:

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

2. Projects Financed in Part with Federal Monies:

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

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

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

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

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

- B. On projects for the removal of roadside obstacles, the parties, upon completion of construction of each part of the PROJECT, at no cost to the PROJECT or the DEPARTMENT, will, within their respective jurisdictions, take such action as is necessary to assure that the roadway right-of-way, cleared as the PROJECT, will be maintained free of such obstacles.
- C. On projects for the construction of bikeways, the parties will enact no ordinances or regulations prohibiting the use of bicycles on the facility hereinbefore described as the PROJECT, and will amend any existing restrictive ordinances in this regard so as to allow use of this facility by bicycles. No motorized vehicles shall be permitted on such bikeways or walkways constructed as the PROJECT except those for maintenance purposes.
- D. Failure of the parties hereto to fulfill their respective responsibilities as outlined herein may disqualify that party from future Federal-aid participation in projects on roads or streets for which it has maintenance responsibility. Federal Aid may be withheld until such time as deficiencies in regulations have been corrected, and the improvements constructed as the PROJECT are brought to a satisfactory condition of maintenance.

SECTION V

SPECIAL PROGRAM AND PROJECT CONDITIONS

- A. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the acquisition of right-of-way must be under construction by the close of the twentieth (20th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that right-of-way.
- B. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the performance of preliminary engineering must be under construction by the close of the tenth (10th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that preliminary engineering.
- C. On those projects funded with Federal monies, the REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, will provide such accident information as is available and such other information as may be required under the program in order to make the proper assessment of the safety benefits derived from the work performed as the PROJECT. The REQUESTING PARTY will cooperate with the DEPARTMENT in the development of reports and such analysis as may be required and will, when requested by the DEPARTMENT, forward to the DEPARTMENT, in such form as is necessary, the required information.
- D. In connection with the performance of PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract.
- E. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

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

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the contractor's commitments under this Appendix.
6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.
9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Revised June 2011

**APPENDIX B
TITLE VI ASSURANCE**

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

1. **Compliance with Regulations:** For all federally assisted programs, the contractor shall comply with the nondiscrimination regulations set forth in 49 CFR Part 21, as may be amended from time to time (hereinafter referred to as the Regulations). Such Regulations are incorporated herein by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed under the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the contractor covers a program set forth in Appendix B of the Regulations.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** All solicitations made by the contractor, either by competitive bidding or by negotiation for subcontract work, including procurement of materials or leases of equipment, must include a notification to each potential subcontractor or supplier of the contractor's obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and facilities as may be determined to be pertinent by the Department or the United States Department of Transportation (USDOT) in order to ascertain compliance with such Regulations or directives. If required information concerning the contractor is in the exclusive possession of another who fails or refuses to furnish the required information, the contractor shall certify to the Department or the USDOT, as appropriate, and shall set forth the efforts that it made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Department shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to, the following:
 - a. Withholding payments to the contractor until the contractor complies; and/or
 - b. Canceling, terminating, or suspending the contract, in whole or in part.

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

Revised June 2011

APPENDIX C

TO BE INCLUDED IN ALL FINANCIAL ASSISTANCE AGREEMENTS WITH LOCAL AGENCIES

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

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

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

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

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



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Brad Holman
DATE: July 2, 2019
SUBJECT: Vactor Truck Purchase

DESCRIPTION:

Vactor Truck Purchase

SUMMARY:

The 2019-2020 fiscal year budget presentation included a request to purchase a Vactor Truck. This specialized vehicle will enable the proper cleaning, and maintenance, of the city's Storm drains and Manholes. This service adds value to the streets and roads and promotes durability.

After thoroughly researching available equipment, staff recommends the purchase of a Jack Doheny Vactor 2110i SE1-RDB, at a bid price of \$374,378.00.

Doheny Co. equipment has a proven record of durability. Doheny is a leader in the industry promoting safety through course training on storm drains and proper use of equipment. The 2110i is suited for the variety of depth and pipe size you have in city storms and manholes. This truck will also help with our ongoing labeling and GIS efforts provided through our SAW grant.

Staff is asking council to approve purchase of Doheny Vactor Truck model 2110i-SE1. Fund to be taken from Motor Pool account #641-7-9320-987-10 DPW.

RECOMMENDED ACTION: Approval

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2019-151
July 2, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Maintaining the City's storm water system is ongoing and vital to our road maintenance.

WHEREAS, The Vector Truck is vital to the necessary upkeep of roads and storm water system.

WHEREAS, The Council has already allocated the funds in the FY 2019-2020 budget for this purchase.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the purchase of Doheny's Vector Truck.

OFFERED BY: _____

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
2 day of July 2019

#Resolution No. 2019-151



Date: June 10, 2019

Customer: City of Ypsilanti - DPS

Address: One South Huron Street

City, State, Zip Ypsilanti, MI 48197

Phone: 734-483-1421

Email: bholman@cityofypsilanti.com

Attn: Mr. Bradford Holman, General Superintendent

Prepared By: David R. Snyder

JDC Quote ID:

Contract: Sourcewell Contract #122017-FSC; Contract Holder: Federal Signal Corporation

		List	Selected
	2110-SE1- 2100i Single Engine Fan, Single Stage, 10 yrd Debris, Combo	\$ 220,483	\$ 220,483

Debris Body Options

1	020PSTD	Double Acting Hoist Cylinder	STD	STD
1	026PSTD	Ex-Ten Steel Cylindrical Debris Tank	STD	STD
1	045PSTD	Suction Tube Storage - 4 Pipe	STD	STD
1	1001PSTD	Flat Rear Door w/Hydraulic Locks	STD	STD
1	1005PSTD	Dual Stainless Steel Float Shut Off System	STD	STD
1	1024PSTD	Debris Body Vacuum Relief System	STD	STD
1	1031PSTD	Debris Deflector Plate	STD	STD
1	1032PSTD	48" Dump Height	STD	STD
1	2023PSTD	Liquid Float Level Indicator	STD	STD
1	1003P	Debris Body Washout	\$ 1,472	\$ 1,472
1	3021P	Digital Debris Body Level Indicator	\$ 878	\$ 878
1	1005PA	S.S Float Ball Cage for Float Shut Off System	\$ 557	\$ 557
1	1008P	6" Rear Door Knife Valve w/Camlock, 3:00 position	\$ 1,210	\$ 1,210
0	1009P	Internally Mounted Trash Pump w/Screen	\$ 10,664	\$ -
1	1014PA	Centrifugal Separators (Cyclones), 304 Stainless Steel	\$ 6,639	\$ 6,639
1	1015P	Folding Pipe Rack, Curbside	\$ 1,021	\$ 1,021
1	1022P	Rear Door Splash Shield	\$ 1,499	\$ 1,499
1	1023P	Lube Manifold	\$ 2,225	\$ 2,225
1	1023PA	Plastic Lube Chart	\$ 61	\$ 61

Boom and Vacuum Options

1	014PSTD	Electric/Hydraulic Four Way Boom	STD	STD
1	019PSTD	Intuitouch Electronic Package	STD	STD
1	016PSTD	Color Coded Sealed Electrical System	STD	STD

2018 Price List
Rev: 8/1/18

Customer Initials: _____

1	018PSTD	Remote Pendant Control With 35' Cord	STD	STD
1	1016PSTD	SS Microstrainer Prior to Blower	STD	STD
1	4000PSTD	180 deg. Boom Swing	STD	STD
1	4010PSTD	Boom Hose Storage, Post	STD	STD
1	6017PSTD	Hydraulic Shutoff Valves	STD	STD
1	7006PSTD	Tachometer & Hourmeter for Centrifugal Compressor	STD	STD
1	S390ASTD	7" Vacuum Pipe Package - 18' Pipe	STD	STD
1	4016P	Rapid Deployment Boom - 10' Tele X 15' Hose Payout	\$ 19,900	\$ 19,900
1	4006PSTD	Front Joystick Boom Control	STD	STD
1	4011PB	Bellypack Wireless Controls, including hose reel controls	\$ 3,032	\$ 3,032
1	4013P	Rotatable Boom Inlet Hose	\$ 567	\$ 567
1	5023P	Fan Flushout System	\$ 500	\$ 500

Water System Options

1	2014PSTD	1000 Gallons STD (5, 10 yrd units)	STD	STD
1	5002PA	80 GPM/2500 PSI	STD	STD
1	030PSTD	Flexible Hose Guide	STD	STD
1	032PSTD	(3) Nozzles with Carbide Inserts w/Rack	STD	STD
1	2022PSTD	Additional Water Tank Sight Gauge	STD	STD
1	5010PSTD	Rodder System Accumulator	STD	STD
1	5010PA	Accumulator - on/off Control at Front Hose Reel	\$ 793	\$ 793
1	5011PSTD	3" Y-Strainer @ Water Pump w/3" Drain Valve	STD	STD
1	5015PSTD	Midship Handgun Coupling	STD	STD
1	5022PSTD	Side Mounted Water Pump	STD	STD
1	6007PSTD	Hose Reel Manual Hyd Extend/Retract	STD	STD
1	6009PSTD	Hose Reel Chain Cover	STD	STD
1	6020PBSTD	Hydraulic Extending 15", Rotating Hose Reel 800' Capacity	STD	STD
1	2001PSTD	Low Water Light w/Alarm and Water Pump Flow Indicator	STD	STD
1	2006P	Air Purge	\$ 1,273	\$ 1,273
1	2011PSTD	3" Y-Strainer at Passenger Side Fill, with 25' Fill Hose	STD	STD
1	3019PSTD	Digital Water Pressure Gauge	STD	STD
1	3020P	Digital Water Level Indicator	\$ 667	\$ 667
1	5008PB	Cold Weather Recirculator, 25 GPM for Automatic	\$ 1,688	\$ 1,688
1	6014P	High Pressured Hose Reel	\$ 1,423	\$ 1,423
1	5029P	Cyclone Washout System	\$ 486	\$ 486
1	6002PB	600' x 1" Piranha Sewer Hose 2500 PSI	\$ 900	\$ 900
1	6004PA	Hose Wind Guide, Auto, Non-Indexing with Pinch Roller	\$ 4,680	\$ 4,680
1	6005PDSTD	Digital Hose Footage Counter	STD	STD
1	6019P	Rodder Pump Drain Valves	\$ 489	\$ 489

Lighting Options

1	8001PB	Rear, Signal Master LED Arrow Stick, 8 Lights	\$ 2,021	\$ 2,021
1	8002PA	Hand Held LED Spot Light, Rechargeable	\$ 351	\$ 351
1	8020PL	14 Light Package, 14 Federal Signal Strobe Lights, LED	\$ 3,230	\$ 3,230
1	8027P	LED Mid-Ship Turn Signals	\$ 534	\$ 534
1	8028P	Worklights (2), LED, Boom	\$ 767	\$ 767

2018 Price List

Rev: 8/1/18

Customer Initials: _____

Specialty Systems

1	9021PSTD	Camera System, Rear Only	STD	STD
1	7005P	Hydraulic Oil Temp Alarm	\$ 366	\$ 366

Tool Storage Options

1	010PSTD	28w x 22h x 60d Curbside Toolbox - Fan Units	STD	STD
1	9070PA	Toolbox, Front Bumper Mounted, 16 x 12 x 18	\$ 1,938	\$ 1,938
1	9071PE	Toolbox, Behind Cab - 16w 30h x 96d	\$ 3,092	\$ 3,092
1	9075PA	Toolbox, Driver Side Subframe, 60w x 20h x 12d	\$ 1,444	\$ 1,444

Paint

1	P110STD	Module Paint, DuPont Imron Elite - Wet on Wet	STD	STD
1		Module, Boom, and Hose Reel Painted - White		
1		Chassis Painted - White		
1		Vactor 2100 Plus Body Decal - Multi Color		

Chassis

			Cost	Cost
1	FL - 114SD	2020 Freightliner 114SD 4x2; 370HP Cummins Single Axle Automatic per attached specifications	\$ 92,228	\$ 92,228.00

Chassis Options

1	011PSTD	Aluminum Fenders	STD	STD
1	012PSTD	Mud Flaps	STD	STD
1	7001PSTD	Tachometer/Chassis Engine w/Hourmeter	STD	STD
1	7003PSTD	Water Pump Hour Meter	STD	STD
1	7004PSTD	PTO Hour Meter	STD	STD
1	8000PSTD	Circuit Breakers	STD	STD
1	8025PSTD	LED Lights, Clearance, Back-up, Stop, Tail & Turn	STD	STD
1	9002PSTD	Tow Hooks, Front	STD	STD
1	9002PSTD	Tow Hooks, Rear	STD	STD
1	9003PSTD	Electronic Back-Up Alarm	STD	STD
1	S560STD	Emergency Flare Kit	STD	STD
1	S590STD	Fire Extinguisher 5 Lbs.	STD	STD

Additional Parts

1	046PSTD	1" Nozzle Pipe	STD	STD
1	048PSTD	1" x 25' Leader Hose	STD	STD
1	65297ASTD	3000 psi Handgun w/35ft Hose Assembly	STD	STD

2018 Price List

Rev: 8/1/18

Customer Initials: _____

Sourcewell Build-Quote Summary:

Module/Options Total:	\$ 286,186.00
Options Sourcewell Discount 3%:	\$ 8,585.58
Module/Options Total per Sourcewell Price Schedule:	\$ 277,600.00
JDC Supplied 2020 Vactor Compliant Chassis:	\$ 92,228.00
Total with Module, Options, and Chassis:	\$ 369,828.00
Freight and PDI:	\$ 2,550.00
On-Site Field Training:	\$ 2,000.00
Total:	\$ 374,378.00

Note: 2018 pricing subject to expiration July 1, 2019

Sincerely Yours,

David R. Snyder
Regional Sales Representative
Jack Doheny Companies, Inc.

This quotation becomes a contract for delivery and payment of the merchandise listed above only when signed by the customer or one of its officers.

Customer: City of Ypsilanti, Michigan

By:

Date:



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Anthony Morgan
DATE: July 2, 2019
SUBJECT: Summer Without Any Guns (SWAG) Initiative

DESCRIPTION:

Summer Without Any Guns (SWAG) Initiative

SUMMARY:

SWAG represents community harmony and symbolizes the denouncing of violence in the City of Ypsilanti. The focus is to create an environment safe for youth and citizens at large by offer safe places and encouraging gun safety throughout the community.

Safe places, entitled SWAG Houses, will be on a voluntary basis and will be able to identify and reach out to the proper authorities for support.

The program will offer summer events to enrich and inform the community.

RECOMMENDED ACTION: Approval

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2019-152
July 2, 2019

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the average gun deaths by intent average 36,383 per year with a high majority being suicides; and

WHEREAS, an additional 100,000 are injured by guns each year; and

WHEREAS, firearms are the second leading cause of death for American children and teens, and the leading cause of death for African American children and teens; and

WHEREAS, Ypsilanti youth need a safe place that promotes peace, and unity focusing on gun safety; and

WHEREAS, Town SWAG (Summer Without Any Guns) creates locations within the city that youth and citizens can visit if they feel unsafe, or need assistance;

WHEREAS, Town SWAG will hold events to enrich and educate the community.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council support the SWAG initiative and the creation of SWAG houses in the city.

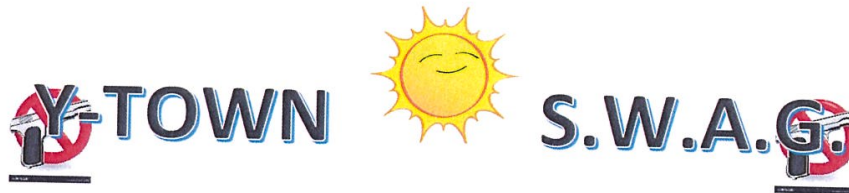
OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
2 day of July 2019

#Resolution No. 2019-152



Summer Without Any Guns

WHY S.W.A.G.?

SWAG represents community harmony and symbolizes the denouncing of violence within the City of Ypsilanti and creating a gun sense environment for youth and citizens at large. S.W.A.G. also seeks to create spaces that promote peace, unity and to make it "cool and hip" to be gun smart and safe.

What is a S.W.A.G. House? A S.W.A.G. House is a designated location within the city limits that youth and citizens can visit if they feel unsafe or need assistance and or support that may or may not involve danger. These sites will identify and reach out to the proper authorities for maximum support.

LOCATIONS? Where are the current S.W.A.G. Houses within the City limits?

SUMMER ACTIONS: What will be done over the 2019 Summer

- **FIELD DAYS** (actions) July 10th and 17th Parkridge Community Center 501 Armstrong Ypsilanti, MI
- **YOUTH VIDEOS: "Why We S.W.A.G.?"** Youth will create a 3 minute video explaining why they choose peace, how to not give in to the peer pressure of guns, what solutions can support the issue, how adults can help etc. Winning video entry will receive prize and be deemed Y-TOWN S.W.A.G. Official 2019 Anthem
- **Youth Enrichment / PLAY:** "Transformations" A play that will engage and offer youth ages (13-19) artistic expressions to participate and perform over the summer. (Riverside Arts Center, Parkridge Community Center DTMC)
- **S.W.A.G. House** Participants

EVENTS: Collaborative Spaces

A POST-SUMMER PARTY FOR YOUTH!!



2019 S.W.A.G. GOALS:

- **Elimination** and or reduction of deaths by gun violence in Ypsilanti.
- **Mobilization** around Summer S.W.A.G. ACTIONS, by local community in various capacities.
- **Creating** a more gun aware city, providing safer spaces for the youth of our community.
- **Develop** programming and enriching activities for youth involvement throughout the campaign.
- **Encourage** other cities to embrace S.W.A.G. in their communities.

TEE SHIRT CYCLE

S.W.A.G. SHIRTS \$10-15



MINIMUM 100 MAXIMUM 250

<u>Recreation</u>	<u>Transportation</u>	<u>Video Winner</u>	<u>Summer Party</u>
70 passes (\$5)	100 bus tokens (\$1)	1 st place \$100	\$500
[Ypsilanti Township]	[AATA]	[S.W.A.G. ANTHEM]	[Corner Health/ Ozone]
\$350	\$100	\$100	\$500

Youth SPOKESPEOPLE / Materials / Agendas / Expansion

Potential Partners/ Sponsors:

1. Mentor 2 Youth (Programming)
2. Moms Demand Action (Training)
3. United Sonz (Advertising)
4. Parkridge Community Center (Space, Recording)
5. City of Ypsilanti (Recognition, Funding, Support)
6. Ypsilanti Community Schools (Organizing, Dance)
7. Ozone House (SWAG house rep)
8. The Corner Health
9. Growing Hope (Community Engagement, Economics)
10. Riverside Arts Center (Space)



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	Kari Burton
Email Address	
Address	
City	Ypsilanti
State	Mi
Zip Code	48197
Phone Number	
Fax Number	Field not completed.
Number of Years in the Community	1
Ward You Live In	1
Education	College
Occupation	Field not completed.
Employer	Field not completed.
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:	Field not completed.
Party Affiliation	Field not completed.

Field not completed.

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

I believe that the citizens of the city need to be safe from dangerous buildings and the land lords need to be held accountable

Work/volunteer experience related to the board or commission:

35 years in construction trades

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

Email not displaying correctly? [View it in your browser.](#)

Citizen Advisory Boards and Commissions Participation Resume

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Name	Julia Collins
Email Address	[REDACTED]
Address	[REDACTED]
City	Ypsilanti
State	Michigan
Zip Code	48198
Phone Number	[REDACTED]
Fax Number	N/A
Number of Years in the Community	50
Ward You Live In	3
Education	Some College + Life + Fitness continuing Ed
Occupation	Fitness Studio Owner:,Fitness Trainer
Employer	Self
Are you applying for youth membership?	Yes
I would like to be considered and could devote sufficient time to serve on the following board or commission:	Parks and Recreation Commission
Party Affiliation	Democrat

Field not completed.

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

I would like to make a POSITIVE impact on my community.

Work/volunteer experience related to the board or commission:

Various festivals, fitness conventions & fitness studio owner, employer & manager.

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

Email not displaying correctly? [View it in your browser.](#)



Resolution No. 2019-153
July 2, 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: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
2 day of July 2019

#Resolution No. 2019-153