



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
Tuesday, November 17, 2020 @ 7:00 PM
Zoom Meeting**

<https://us02web.zoom.us/j/86918037360>

One South Huron, Ypsilanti, MI 48197

Page

I. CALL TO ORDER

II. ROLL CALL

III. AGENDA APPROVAL

IV. PUBLIC COMMENT (3 MINUTES)

V. PRESENTATIONS

- A. Peninsular Paper Dam Removal Update - Daniel Brown, Huron River Watershed Council.

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- B. Presentation of CAFR Award 6/30/2019
[Certificate](#)

VI. ORDINANCES FIRST READING

5 - 41

- A. *Ordinance 1370 -An Ordinance Entitled "Medical and Recreational Marijuana Facility Zoning Modifications"*
1. Resolution No. 2020-246, determination.
2. Public Hearing
3. Resolution No. 2020-247. close the public hearing
[Supporting Documents - Pdf](#)

42 - 55

- B. *Ordinance 1371- An ordinance to amend City Code by merging Chapters 7 and 8.*
1. Resolution No. 2020-248, determination.
2. Public Hearing
3. Resolution No. 2020-249. close the public hearing
[Supporting Documents - Pdf](#)

VII. CONSENT AGENDA

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- A. Resolution No. 2020-250, approving the Consent Agenda.
[2020-250 - Pdf](#)

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- B. Resolution No. 2020-251, approving the minutes of November 9 and 10, 2020.
[2020-251 - Pdf](#)

- 73 - 76** C. Resolution No. 2020-252, approving Ordinance 1357 - An ordinance to amend Section 46-34 of the Ypsilanti City Code to provide that Ethics Complaints be filed with the City Clerk **(Second Reading)**
[2020-252 - Pdf](#)
- 77 - 93** D. Resolution No. 2020-253, approving Ordinance - 1369, An Ordinance Entitled "2019 WINTER TRAFFIC CONTROL ORDERS" **(Second Reading)**
[2020-253 - Pdf](#)

VIII. RESOLUTIONS/MOTIONS/DISCUSSIONS

- 94 - 114** A. Resolution No. 2020-254, approving to acquire and construct certain improvements to the Ypsilanti Community Utility Authority Wastewater Treatment Plant.
[2020-254 - Pdf](#)
- 115 - 123** B. Resolution No. 2020-255, approving the 2020 Winter Special Assessments.
[2020-255 - Pdf](#)
- 124 - 126** C. Resolution No. 2020-256, approving a late fine amnesty on all parking tickets issued on or before December 31, 2018 to extend through January 31, 2021.
[2020-256 - Pdf](#)
- 127 - 128** D. Resolution No. 2020-257, approving procedures for Board and Commission as a result in the voter approval of Prop A and B during the November General Election.
[2020-257 - Pdf](#)

IX. LIAISON REPORTS

1. SEMCOG Update
2. Washtenaw Area Transportation Study
3. Urban County
4. Ypsilanti Downtown Development Authority
5. Friends of Rutherford Pool

X. COUNCIL PROPOSED BUSINESS

XI. COMMUNICATIONS FROM THE MAYOR

XII. COMMUNICATIONS FROM THE CITY MANAGER

XIII. COMMUNICATIONS

- 129** A. 2021 Holiday Calendar
[2021 City Holiday Closings](#)

- B. Ward 1 Vacancy Interviews November 24, 2020 at 6:00 pm
- C. Housing Affordability Work Session December 8, 2020 at 7:00 pm

XIV. ADJOURNMENT

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- A. Resolution No. 2020-258, adjourning the City Council Meeting.
[2020-258 - Pdf](#)
- B. Please click [here](#) to access the City Council Contact Form. This form can be used to submit any comments/concerns you might have about this agenda.



Government Finance Officers Association

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Financial Report
For the Fiscal Year Ended

June 30, 2019



Executive Director/CEO



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Andy Aamodt
DATE: November 17, 2020
SUBJECT: Zoning Text Amendment: Medical and Recreational Marijuana Facility Modifications

DESCRIPTION:

Zoning Text Amendment: Medical and Recreational Marijuana Facility Modifications

SUMMARY:

Staff is proposing zoning ordinance text amendments pertaining to medical and recreational marijuana. The issues that are being addressed include but are not limited to: synchronizing use regulations across marijuana facility types and fixing conflicting information; merging medical and recreational marijuana uses into a single section when applicable, for example merging medical and recreational marijuana growing and/or processing into one section; modifying buffer regulations; and fixing errors and reformatting reference numbering.

The goal of these zoning text amendments is to make the zoning ordinance more readable and more consistent. Also, the City is working on merging and modifying Chapter 7 and 8 of the City Code at the same time. This will give City Council one review of all marijuana related ordinances, and allow the regulations and processes for potential applicants to be clearer going into the 2021 "application window."

Please see the attached Planning Commission staff review for further discussion/analysis.

RECOMMENDATION

Planning Commission recommended City Council adopt the ordinance text amendments at their October 2020 regular meeting. The motion passed with a 5-1 vote.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-246
November 17, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City has an interest in protecting the economic diversity and image of the community; and

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

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

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council adopt the ordinance titled Medical and Recreational Marijuana Facility Modifications.

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 17 day of November 2020

#Resolution No. 2020-246

Ordinance No. 1370

An Ordinance Entitled “Medical and Recreational Marijuana Facility Zoning Modifications”

Definitions (Article II, Sec. 122-203)

Eliminates *medical marijuana growing and/or processing facility* and *recreational marihuana growing and/or processing facility* definitions and replaces with the following:

Marihuana growing and/or processing facility means a facility for the cultivation and/or processing of medical or recreational marihuana into a usable form. Also a “grower” or “processor” as defined by the Medical Marihuana Facilities Licensing Act, PA 281 of 2016, as amended, or a “marihuana grower” or “marihuana processor” as defined by the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018.

Eliminates *recreational* from the following definitions: *recreational marihuana microbusiness*, *recreational marihuana retailer*, and *recreational marihuana safety compliance facility*.

Eliminates *medical marihuana* from the *medical marihuana provisioning center* definition.

Permissible Uses Charts (Article IV, Divisions 2 and 3)

Correctly match the text of uses to the modified definition names where applicable in PMD, C, NC, GC, HHS.

Specific Standards for Certain Uses (Article V, Division 1)

Eliminates section 122-537 Medical Marijuana Provisioning Centers and 122-538 Medical Marijuana growing and/or processing facilities, amending relevant text into section 122-550 and 122-548, respectively.

That Section 122-522 be amended as follows:

Designated consumption establishment.

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any

other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

- b) The following standards for a designated consumption establishment apply:
1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the designated consumption establishment is located to the outermost boundaries of the lot or parcel on which the school is located;
 3. The designated consumption establishment site shall not be located within five hundred (500) feet of a lawfully existing designated consumption establishment as measured from the outermost boundaries of the lot or parcel on which the proposed designated consumption establishment is located to the outermost boundaries of the lot or parcel on which the lawfully existing designated consumption establishment is located;
 4. All activity related to the designated consumption establishment shall be done indoors;
 5. The premises shall be open for inspection upon request by the Building Official, the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
 6. All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein,
 7. All designated consumption establishment licenses must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
 8. The dispensing of marihuana shall be prohibited.
 9. The designated consumption establishment and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.

That Section 122-525 be amended as follows:

Excess Marihuana Grower

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as

granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

b) The following standards for an excess marihuana grower apply:

1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
2. The excess marihuana grower site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the excess marihuana grower facility is located to the outermost boundaries of the lot or parcel on which the school is located;
3. Use of marihuana is prohibited on the premises unless otherwise noted;
4. All activity related to the excess marihuana grower facility shall be done indoors;
5. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
6. Drive-through and walk-up or similar facilities shall be prohibited;
7. All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein
8. That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ypsilanti Fire Department to ensure compliance with the Michigan Fire Protection Code;
9. All excess marihuana grower facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
10. The dispensing of marihuana shall be prohibited.

11. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.
12. The excess marihuana grower facility and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.

That Section 122-536 be amended as follows:

Marihuana secure transporter.

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for a marihuana secure transporter facility apply:
 1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the secure transporter facility is located to the outermost boundaries of the lot or parcel on which the school is located;
 3. The marihuana secure transporter facility site shall not be located within five hundred (500) feet of a lawfully existing marihuana secure transporter facility as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana secure transporter facility is located to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana secure transporter facility is located;
 4. Use of marihuana is prohibited on the premises unless otherwise noted;
 5. All activity related to the marihuana secure transporter shall be done indoors;
 6. The premises shall be open for inspection upon request by the Building Official, the Fire Department and law enforcement officials for compliance with all

applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

7. All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;
8. All marihuana secure transporter facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
9. The dispensing of marihuana shall be prohibited.
10. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.
11. The marihuana secure transporter site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.

That Section 122-548 be amended as follows:

Marihuana Growing and/or Processing Facilities.

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for marihuana growing and/or processing facilities apply:
 1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 2. The marihuana growing and/or processing facility site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost

boundaries of the lot or parcel on which the marihuana growing and/or processing facility is located to the outermost boundaries of the lot or parcel on which the school is located;

3. The marihuana growing and/or processing facility site shall not be located within five hundred (500) feet of a lawfully existing marihuana growing and/or processing facility as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana growing and/or processing facility is located to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana growing and/or processing facility is located. This requirement is waived in PMD zoning districts;
4. Use of marihuana is prohibited on the premises unless otherwise noted;
5. All activity related to the marihuana growing and/or processing facility shall be done indoors;
6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
7. Drive-through and walk-up or similar facilities shall be prohibited;
8. All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;
9. That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ypsilanti Fire Department to ensure compliance with the Michigan Fire Protection Code;
10. All marihuana growing and/or processing facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
11. The dispensing of marihuana shall be prohibited.
12. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

13. The marihuana growing and/or processing facility and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.

That Section 122-549 be amended as follows:

Marihuana Microbusiness

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for Marihuana Microbusiness apply:
 1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the marihuana microbusiness is located to the outermost boundaries of the lot or parcel on which the school is located;
 3. The marihuana microbusiness facility site shall not be located within one thousand (500) feet of a lawfully existing marihuana microbusiness, as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana microbusiness is located to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana microbusiness is located;
 4. Use of marihuana is prohibited on the premises unless otherwise noted;
 5. All activity related to the safety and compliance shall be done indoors;
 6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

7. Drive-through and walk-up or similar facilities shall be prohibited
8. All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein
administrative rules or regulations contained or adopted under the authority therein;
9. That portion of the structure where the storage of any chemicals shall be subject to inspection and approval by the Ypsilanti Fire Department to ensure compliance with the Michigan Fire Protection Code;
10. All marihuana microbusiness facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
11. Growing, cultivation, processing, testing and sales of marihuana in the microbusiness is allowed so long as it is done within the facility and has a maximum of 150 plants as allowed by the MRTMA and the State department of Licensing and Regulatory Affairs;
12. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.
13. The marihuana microbusiness and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.

That Section 122-550 be amended as follows:

Marihuana Retailers and/or Provisioning Centers.

(a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

(b) The following standards for recreational marihuana retailers and/or medical marihuana provisioning centers apply:

- (1) The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
- (2) A marihuana retailer and a provisioning center may be co-located in the same facility so long as it complies with Chapter 7 of the City Code of Ordinances, the MMFLA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
- (3) The marihuana retailer and/or provisioning center shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the marihuana retailer and/or provisioning center is located to the outermost boundaries of the lot or parcel on which the school is located;
- (4) The marihuana retailer and/or provisioning center shall not be located within five hundred (500) feet of a lawfully existing marihuana retailer and/or provisioning center as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana retailer and/or provisioning center is located to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana retailer and/or provisioning center is located;
- (5) Use of marihuana is prohibited on the premises;
- (6) All activity related to the marihuana retailer and/or provisioning center shall be done indoors;
- (7) The premises shall be open for inspection upon request by the Building Official, the Fire Department, and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
- (8) Drive-through and walk-up or similar facilities shall be prohibited;
- (9) All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA,

the MTA, the MRTMA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;

- (10) All marihuana retailers and/or provisioning centers must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
- (11) Growing, cultivation, or processing of marihuana in a marihuana retailer and/or provisioning center is prohibited;
- (12) If a special land use, the existing marihuana retailer and/or provisioning center facility and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.

That Section 122-551 be amended as follows:

Marihuana Safety Compliance Facilities

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for Marihuana Safety Compliance Facilities apply:
 - 1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 - 2. The marihuana safety compliance facility site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the marihuana safety compliance facility is located to the outermost boundaries of the lot or parcel on which the school is located;
 - 3. The marihuana safety compliance facility site shall not be located within five hundred (500) feet of a lawfully existing marihuana safety compliance facility as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana safety compliance facility is located to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana safety compliance facility is located;

4. Use of marihuana is prohibited on the premises unless otherwise noted;
5. All activity related to the marihuana safety compliance facility shall be done indoors;
6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
7. All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;
8. That portion of the structure where the storage of any chemicals shall be subject to inspection and approval by the Ypsilanti Fire Department to ensure compliance with the Michigan Fire Protection Code;
9. All marihuana safety compliance facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
10. The dispensing of marihuana shall be prohibited.
11. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.
12. The marihuana safety compliance facility and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.

To further amend Article V, Use Restrictions, Division 1: Specific Standards for Certain Uses, to ensure that the sections are located in alphabetical order; sections in said Division are re-numbered, and that references to those sections are updated throughout the Chapter.

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

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 _____, _____.

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 _____, _____.

Andrew Hellenga, City Clerk

Notice Published: _____

First Reading: _____

Second Reading: _____

Published: _____

Effective Date: _____



Resolution No. 2020-247
November 17, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for an ordinance titled Medical and Recreational Marijuana Facility Modifications 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 17 day of November 2020

#Resolution No. 2020-247

ACTION MINUTES
Planning Commission - Virtual Meeting
Wednesday, October 21, 2020 – 7:00 P.M.

Please be advised that due to COVID-19, City Hall will not be open to the public. This meeting will be held electronically on a video conferencing application. The access code is posted in the Public Notice on www.cityofypsilanti.com and attached in the packet. The public may choose to participate during Audience Participation or the Public Hearing through the video conferencing application, or may submit e-mailed comments to aaamodt@cityofypsilanti.com by 4 pm, October 19.

I. Call to Order

II. Roll Call

Matt Dunwoodie, Chair	P
Jared Talaga, Vice-Chair	A
Eric Bettis	P
Mike Davis Jr.	A
Jessica Donnelly	P
Phil Hollifield	P
Heidi Jugenitz	P
Michael Simmons	P

III. Approval of Minutes

- September 16, 2020 Meeting
Motion to approve
Offered By: Commissioner Hollifield; Seconded By: Commissioner Jugenitz
Approved: Yes – 6; No – 0; Absent – 2 (Talaga, Davis Jr.)
- October 5, 2020 Joint Meeting with Sustainability Commission
Motion to approve
Offered By: Commissioner Donnelly; Seconded By: Commissioner Jugenitz
Approved: Yes – 6; No – 0; Absent – 2 (Talaga, Davis Jr.)

Agenda was amended to remove the Site Plan Review for 902 W. Michigan.

IV. Audience Participation

Open for general public comment to Planning Commission on items for which a public hearing is not scheduled. Please limit to five minutes.

Motion to open audience participation.

Offered By: Commissioner Jugenitz; Seconded By: Commissioner Donnelly

Approved: Yes – 6; No – 0; Absent – 2 (Talaga, Davis Jr.)

Motion to close audience participation.

Offered By: Commissioner Hollifield; Seconded By: Commissioner Donnelly

Approved: Yes – 6; No – 0; Absent – 2 (Talaga, Davis Jr.)

V. Committee Reports

VI. Presentations and Public Hearing Items

- Medical & Recreational Marihuana Zoning Text Amendments.

- Public Hearing

Motion to open public hearing.

Offered By: Commissioner Hollifield; Seconded By: Commissioner Donnelly

Approved: Yes – 6; No – 0; Absent – 2 (Talaga, Davis Jr.)

Motion to close public hearing.

Offered By: Commissioner Simmons; Seconded By: Commissioner Hollifield

Approved: Yes – 6; No – 0; Absent – 2 (Talaga, Davis Jr.)

*Motion for the **approval** of the proposed text amendments to Chapter 122 Articles II, IV, and V, with the following findings:*

- (1) The proposed amendment is consistent with the guiding values of the Master Plan;*
- (2) The rezoning is consistent with description and purpose of the proposed district;*
- (3) The proposed amendment is consistent with the intent of this Zoning Ordinance;*
- (4) The proposed amendment will enhance the functionality, transportation network or character of the future development in the City;*
- (5) The proposed amendment will preserve the historic nature of the surrounding area and of the City;*
- (6) The proposed amendment will enhance the natural features and environmental sustainability of the City;*
- (7) The proposed amendment will protect the health, safety, and general welfare of the public;*
- (8) The proposed amendment will address a community need in physical or economic conditions or development practices;*
- (9) The proposed amendment will not result in the creation of significant nonconformities in the City;*
- (10) The proposed amendment is needed to align with recent changes in State law.*

Offered By: Commissioner Donnelly; Seconded By: Commissioner Hollifield

Approved: Yes – 5; No – 1 (Simmons); Absent – 2 (Talaga, Davis Jr.)

- Special Use Permit & Site Plan Review: 201 N Park.
 - Public Hearing

Motion to open the public hearing.

Offered By: Commissioner Jugenitz; Seconded By: Commissioner Hollifield

Approved: Yes – 6; No – 0; Absent – 2 (Talaga, Davis Jr.)

Motion to close the public hearing.

Offered By: Commissioner Jugenitz; Seconded By: Commissioner Simmons

Approved: Yes – 6; No – 0; Absent – 2 (Talaga, Davis Jr.)

*Motion to **approve** the Special Use Permit for an 8 unit multiple family dwelling at 201 N. Park with the following findings and conditions:*

Finding: The application is substantially in compliance with §122-324(b).

Condition: Special use approval shall be subject to approval of site plan.

Offered By: Commissioner Jugenitz; Seconded By: Commissioner Donnelly

Approved: Yes – 6; No – 0; Absent – 2 (Talaga, Davis Jr.)

*Motion to **approve** the Site Plan for the site improvements at 201 N. Park with the following findings and conditions:*

Finding: *The application substantially complies with §122-311.*

Conditions:

- *Remove 75 to 90 degree parking off alley due to inadequate maneuvering lane width.*
- *Provide elevation drawing for ground floor transparency.*
- *Specify height of plantings in accordance with Sec. 122-675.*



City of Ypsilanti

Community & Economic Development Department

October 21, 2020

Staff Review

Medical & Recreational Marihuana Zoning Text Amendments

GENERAL INFORMATION

Applicant: City of Ypsilanti

Action Requested: Recommendation to City Council to approve marijuana zoning ordinance text amendments to Chapter 122: Article II, Article IV and Article V.

SUMMARY

Staff is proposing zoning ordinance text amendments pertaining to medical and recreational marijuana. The issues that are being addressed include but are not limited to: synchronizing use regulations across marihuana facility types and fixing conflicting information; merging medical and recreational marihuana uses into a single section when applicable, for example merging medical and recreational marihuana growing and/or processing into one section; modifying buffer regulations; and fixing errors and re-formatting reference numbering.

BACKGROUND

The goal of these zoning text amendments is to make the zoning ordinance more readable and more consistent. Also, the City is working on merging and modifying Chapter 7 and 8 of the City Code at the same time. This will give City Council one review of all marijuana related ordinances, and allow the regulations and processes for potential applicants to be clearer going into the 2021 "application window."

DISCUSSION

Synchronizing use regulations across facility types including modifying buffer regulations

Staff encourages the importance of having more synchronized use regulations across facility types. This will help staff in the administration and enforcement of marijuana facilities, but also helps applicants and the general public understand the ordinance.

Possibly the most impactful modification staff is proposing is the modification to buffer regulations. Staff suggests to make the buffer regulations universal from one facility type to another of the same facility type, as well as one facility type to another facility type. Under the current regulations, the inconsistency from one facility type's buffer requirement to another facility type creates challenges. For example, under

the current regulations a new marihuana retailer could locate next to an existing marihuana microbusiness, but a new marihuana microbusiness could not locate next to an existing marihuana retailer. That could create issues with nonconformities. Also, this creates difficult scenarios with the way the City accepts annual applications, because all applications are accepted during an application window in which the higher scoring application (based on a rubric set by staff) is awarded a City Permit in the case that there is a cap or a buffer conflict. In all, staff recommends a universal 500 feet buffer from a facility to a facility of the same type. There would be no buffer requirement from a facility of one type to a facility of another type, but the 1,000 feet buffer from schools will still stand. See figures 1 and 2 below.

Figure 1: Existing Buffer Chart

Recreational Marijuana Zoning/Locational Chart		
License/ Facility Type	Zoning District & Use	Distance Requirement*
<i>Recreational Marijuana Retailer</i>	<i>C - Permitted GC - Special NC - Special**</i>	500 ft. buffer from same type; No buffer from other types
<i>Marihuana Microbusiness</i>	<i>C - Special GC - Special PMD - Special</i>	1000 ft. buffer from same type; 500 ft. buffer from other types
<i>Designated Consumption Establishment</i>	<i>C - Special GC - Special</i>	500 ft. buffer from same type; No buffer from other types
<i>Recreational Marijuana Growing and/or Processing Facility</i>	<i>GC - Special PMD - Special</i>	500 ft. buffer from same or other types***
<i>Marihuana Secure Transporter</i>	<i>GC - Special PMD - Special</i>	500 ft. buffer from same type; No buffer from other types
<i>Marihuana Safety Compliance Facility</i>	<i>HHS - Special PMD - Special</i>	500 ft. buffer from same type; No buffer from other types
<i>Excess Marihuana Grower</i>	<i>PMD - Special</i>	No buffer from other types****
NOTES *Distance requirement is distance, lot line to lot line, from marijuana facilities. All marijuana facilities are subject to 1000 ft. distance requirement from schools. **Recreational marijuana retailers are limited to 5,000 square feet of gross floor area in NC zoning districts. ***For growing and/or processing facility types, buffering from other types is waived in PMD zoning districts. ****Excess marijuana growers are capped at one (1) per <i>Chapter 8</i> . Chart is based on Zoning Ordinance Text Amendment adopted by City Council, effective October 1, 2020. Chart is not a substitute for the ordinance.		

Figure 2: Proposed Buffer Chart
Marijuana Zoning/Locational Chart

License/ Facility Type	Zoning District & Use	Distance Requirement*
<i>Marihuana Retailer / Provisioning Center</i>	<i>C - Permitted GC - Special NC - Special**</i>	500 ft. buffer from same type; No buffer from other types
<i>Marihuana Microbusiness</i>	<i>C - Special GC - Special PMD - Special</i>	500 ft. buffer from same type; No buffer from other types
<i>Designated Consumption Establishment</i>	<i>C - Special GC - Special</i>	500 ft. buffer from same type; No buffer from other types
<i>Marihuana Growing and/or Processing Facility</i>	<i>GC - Special PMD - Special</i>	500 ft. buffer from same type;*** No buffer from other types
<i>Marihuana Secure Transporter</i>	<i>GC - Special PMD - Special</i>	500 ft. buffer from same type; No buffer from other types
<i>Marihuana Safety Compliance Facility</i>	<i>HHS - Special PMD - Special</i>	500 ft. buffer from same type; No buffer from other types
<i>Excess Marihuana Grower</i>	<i>PMD - Special</i>	No buffer from other types****
NOTES *Distance requirement is distance, lot line to lot line, from marijuana facilities. All marijuana facilities are subject to 1000 ft. distance requirement from schools. **Marihuana retailers/provisioning centers are limited to 5,000 square feet of gross floor area in NC zoning districts. ***For growing and/or processing facility types, buffering from same types is waived in PMD zoning districts. ****Excess marihuana growers are capped at one (1) per <i>Chapter 8</i> . Chart is based on Zoning Ordinance Text Amendment proposed to Planning Commission, October 21, 2020. Chart is not a substitute for the ordinance.		

There are two other relevant modifications proposed. One is moving the “120 day cease of operation” provision away from the Zoning Ordinance altogether, and insert it in the proposed (merged) Chapter 7. That way there is no conflict with the fact that special land uses shall not be issued for certain time periods. This would put the enforcement of any operations ceasing for such length of time into Chapter 7, which specifies that the City Manager may revoke permits. The other modification is adding that the facility, if a special land use, must not expand or alter the facility or site without the approval of the Planning Commission. This is in line with our Special Land Use provisions (§122-328), but to ensure future compliance of sites, staff suggests this provision.

Merging relevant medical and recreational marihuana uses into a single section

With the Marijuana Regulatory Agency (Division of the State Department of Licensing and Regulatory Affairs) allowing for the co-location of "equivalent" license types, staff feels it is necessary to group equivalent medical and recreational marijuana under the same sections, zoning-wise. This pertains to both growing and/or processors, and marihuana retailers/provisioning centers.

STANDARDS FOR AMENDMENTS

§122-362(a)

(a) Text Amendment. For a change to the text of the Zoning Ordinance, the Planning Commission shall consider and the City Council may consider, whether the proposed amendment meets the following standards:

(1) The proposed amendment is consistent with the guiding values of the Master Plan; and

Applicable guiding values of the Master Plan include:

- Diversity is our strength: per the decision-making rubric. This maintains and potentially improves the diversity of the mix of businesses in Ypsilanti.
- Ypsilanti is sustainable: this action maintains, and has the potential to create, job opportunities for Ypsilantians.
- Great place to do business, especially green and creative: This action retains and fosters the growth of local businesses.

(2) The rezoning is consistent with description and purpose of the proposed district, and.

The amendment is an update only and does not materially change the existing zoning; it is consistent with existing zoning. No zoning districts will be modified.

(3) The proposed amendment is consistent with the intent of this Zoning Ordinance; and

Per §122-100, the intent of the ordinance is to promote the public health, safety, and welfare.

In particular, to:

- create a safe, diverse, and sustainable city;
- guide the location of places of residence, recreation, industry, trade, service, and other uses of land;
- ensure that uses of the land shall be situated in appropriate locations and relationships;
- limit the inappropriate overcrowding of land and congestion of population and transportation systems and other public facilities;
 - facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility needs;"

The amendment is an update only and does not materially change the existing zoning; it is consistent with existing zoning.

(4) The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and

Staff anticipates that this amendment will enhance functionality of the City.

(5) The proposed amendment will preserve the historic nature of the surrounding area and of the City; and

Staff does not anticipate that this amendment will negatively or positively affect the historic nature of the City.

(6) The proposed amendment will enhance the natural features and environmental sustainability of the City; and

Staff does not anticipate that this amendment will negatively affect the natural features or environmental sustainability of the City.

(7) The proposed amendment will protect the health, safety, and general welfare of the public; or

Staff anticipates that this amendment will indeed do so by bringing the zoning code into closer alignment with state law and also Chapter 7 of the City Code.

(8) The proposed amendment is needed to correct an error or omission in the original text; or

This amendment does not correct an error.

(9) The proposed amendment will address a community need in physical or economic conditions or development practices; and

Staff does not anticipate that this change will significantly impact a community need in physical or economic conditions. This amendment aligns with the desires of the City's residents per Proposal 1 of 2018.

(10) The proposed amendment will not result in the creation of significant nonconformities in the City.

The proposed amendment will not result in nonconformities.

STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend **approval** of the proposed text amendments to Chapter 122 Articles II, IV, and V, with the following findings:

- (1) The proposed amendment is consistent with the guiding values of the Master Plan;
- (2) The rezoning is consistent with description and purpose of the proposed district;
- (3) The proposed amendment is consistent with the intent of this Zoning Ordinance;
- (4) The proposed amendment will enhance the functionality, transportation network or character of the future development in the City;
- (5) The proposed amendment will preserve the historic nature of the surrounding area and of the City;
- (6) The proposed amendment will enhance the natural features and environmental sustainability of the City;
- (7) The proposed amendment will protect the health, safety, and general welfare of the public;
- (8) The proposed amendment will address a community need in physical or economic conditions or development practices;
- (9) The proposed amendment will not result in the creation of significant nonconformities in the City;
- (10) The proposed amendment is needed to align with recent changes in State law.

Andy Aamodt
City Planner, City of Ypsilanti

c.c. File

Proposed Marijuana Buffers



For Discussion Purposes Only

Note: map display involve zoning districts, not exact parcels.

Map should not be used to conduct parcel to parcel measurements.

580 S. Mansfield and 1070 N. Huron River Drive are each pending license transfers from 576 S. Mansfield and 1090 N. Huron River, respectively.

Data from Washtenaw County GIS and Ypsilanti Planning and Development
November 9, 2020



(TRACK CHANGES VERSION)

Substantive changes or additions are highlighted in yellow.

Ordinance No. _____

An Ordinance Entitled “Medical and Recreational Marihuana Facility Zoning Modifications”

Definitions (Article II, Sec. 122-203)

Eliminates *medical marijuana growing and/or processing facility* and *recreational marihuana growing and/or processing facility* definitions and replaces with the following:

Marihuana growing and/or processing facility means a facility for the cultivation and/or processing of medical or recreational marihuana into a usable form. Also a “grower” or “processor” as defined by the Medical Marihuana Facilities Licensing Act, PA 281 of 2016, as amended, or a “marihuana grower” or “marihuana processor” as defined by the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018.

Eliminates *recreational* from the following definitions: *recreational marihuana microbusiness*, *recreational marihuana retailer*, and *recreational marihuana safety compliance facility*.

Eliminates *medical marihuana* from the *medical marihuana provisioning center* definition.

Permissible Uses Charts (Article IV, Divisions 2 and 3)

Correctly match the text of uses to the modified definition names where applicable in PMD, C, NC, GC, HHS.

Specific Standards for Certain Uses (Article V, Division 1)

Eliminates section 122-537 Medical Marijuana Provisioning Centers and 122-538 Medical Marijuana growing and/or processing facilities, amending relevant text into section 122-550 and 122-548, respectively.

That Section 122-522 be amended as follows:

Designated consumption establishment.

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for a ~~recreational marihuana~~-designated consumption establishment apply:
 1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the designated consumption establishment is located to the outermost boundaries of the lot or parcel on which the school is located;
 3. The ~~recreational marihuana~~-designated consumption establishment site shall not be located within five hundred (500) feet of a lawfully existing ~~recreational marihuana~~-designated consumption establishment as measured from the outermost boundaries of the lot or parcel on which the proposed ~~recreational marihuana~~-designated consumption establishment is located to the outermost boundaries of the lot or parcel on which the lawfully existing ~~recreational marihuana~~-designated consumption establishment is located;
 4. All activity related to the designated consumption establishment shall be done indoors;
 5. The premises shall be open for inspection upon request by the Building Official, the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
 - ~~6. If the recreational marihuana-designated consumption establishment ceases operation for a length of time of one hundred twenty (120) days or greater, any Special Use permit shall expire;~~
 - ~~7.6.~~ All ~~recreational~~-marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan

Department of Community Health, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein,

~~8.7.~~ All ~~recreational marihuana~~ designated consumption establishment licenses must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;

~~8.~~ The dispensing of marihuana shall be prohibited.

~~9. The designated consumption establishment and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.~~

That Section 122-525 be amended as follows:

Excess Marihuana Grower

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for an excess marihuana grower apply:
 1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 2. The excess marihuana grower site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the excess marihuana grower facility is located to the outermost boundaries of the lot or parcel on which the school is located;
 3. Use of marihuana is prohibited on the premises unless otherwise noted;
 4. All activity related to the excess marihuana grower facility shall be done indoors;
 5. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable

laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

~~6. If the excess marihuana grower facility ceases operation for a length of time of one hundred twenty (120) days or greater, any Special Use permit shall expire;~~

~~7.6.~~ Drive-through and walk-up or similar facilities shall be prohibited;

~~8.7.~~ All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein

~~9.8.~~ That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ypsilanti Fire Department to ensure compliance with the Michigan Fire Protection Code;

~~10.9.~~ All excess marihuana grower facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;

~~11.10.~~ The dispensing of marihuana shall be prohibited.

~~11.~~ There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

~~12. The excess marihuana grower facility and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.~~

That Section 122-536 be amended as follows:

Marihuana secure transporter.

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for a ~~Recreational~~ marihuana secure transporter facility apply:

1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the secure transporter facility is located to the outermost boundaries of the lot or parcel on which the school is located;
3. The marihuana secure transporter facility site shall not be located within five hundred (500) feet of a lawfully existing marihuana secure transporter facility as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana secure transporter facility is located to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana secure transporter facility is located;
4. Use of marihuana is prohibited on the premises unless otherwise noted;
5. All activity related to the marihuana secure transporter shall be done indoors;
6. The premises shall be open for inspection upon request by the Building Official, the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
- ~~7. If the marihuana secure transporter facility ceases operation for a length of time of one hundred twenty (120) days or greater, any Special Use permit shall expire;~~
- ~~8.7.~~ All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;
- ~~9.8.~~ All marihuana secure transporter facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
- ~~10.9.~~ The dispensing of marihuana shall be prohibited.
- ~~10.~~ There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

11. The marihuana secure transporter site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.

That Section 122-548 be amended as follows:

~~Recreational~~ Marihuana Growing and/or Processing Facilities.

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for ~~recreational~~ marihuana growing and/or processing facilities apply:
 1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 2. The marihuana growing and/or processing facility site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the marihuana growing and/or processing facility is located to the outermost boundaries of the lot or parcel on which the school is located;
 3. The marihuana growing and/or processing facility site shall not be located within five hundred (500) feet of a lawfully existing marihuana growing and/or processing facility as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana growing and/or processing facility is located to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana growing and/or processing facility is located. This requirement is waived in PMD zoning districts;
 4. Use of marihuana is prohibited on the premises unless otherwise noted;
 5. All activity related to the marihuana growing and/or processing facility shall be done indoors;

6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

~~7. If the marihuana growing and/or processing facility ceases operation for a length of time of one hundred twenty (120) days or greater, any Special Use permit shall expire;~~

~~8.~~7. Drive-through and walk-up or similar facilities shall be prohibited;

~~9.~~8. All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;

~~10.~~9. That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ypsilanti Fire Department to ensure compliance with the Michigan Fire Protection Code;

~~11.~~10. All marihuana growing and/or processing facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;

~~12.~~11. The dispensing of marihuana shall be prohibited.

12. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

13. The marihuana growing and/or processing facility and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.

That Section 122-549 be amended as follows:

~~Recreational~~ Marihuana Microbusiness

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any

other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

b) The following standards for ~~Recreational~~ Marihuana Microbusiness apply:

1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the ~~recreational~~ marihuana microbusiness is located to the outermost boundaries of the lot or parcel on which the school is located;
3. The ~~recreational~~ marihuana microbusiness facility site shall not be located within one thousand (500) feet of a lawfully existing ~~recreational~~ marihuana microbusiness, as measured from the outermost boundaries of the lot or parcel on which the proposed ~~recreational~~ marihuana microbusiness is located to the outermost boundaries of the lot or parcel on which the lawfully existing ~~recreational~~ marihuana microbusiness is located;
4. Use of marihuana is prohibited on the premises unless otherwise noted;
5. All activity related to the safety and compliance shall be done indoors;
6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
- ~~7. If the recreational marihuana microbusiness ceases operation for a length of time of one hundred twenty (120) days or greater, any Special Use permit shall expire;~~
- ~~8.7.~~ Drive-through and walk-up or similar facilities shall be prohibited
- ~~9.8.~~ All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein
- ~~10.9.~~ That portion of the structure where the storage of any chemicals shall be subject to inspection and approval by the Ypsilanti Fire Department to ensure compliance with the Michigan Fire Protection Code;

11.10. All ~~recreational~~ marihuana microbusiness facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;

12.11. Growing, cultivation, processing, testing and sales of ~~recreational~~ marihuana in the microbusiness is allowed so long as it is done within the facility and has a maximum of 150 plants as allowed by the MRTMA and the State department of Licensing and Regulatory Affairs;

13.12. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

14.13. The marihuana microbusiness and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.

That Section 122-550 be amended as follows:

~~Recreational~~ Marihuana Retailers and/or ~~Medical Marihuana~~ Provisioning Centers.

(a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

(b) The following standards for recreational marihuana retailers and/or medical marihuana provisioning centers apply:

(1) The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;

(2) A marihuana retailer and a provisioning center may be co-located in the same facility so long as it complies with Chapter 7 of the City Code of Ordinances, the MMFLA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;

(2)(3) The ~~recreational~~ marihuana retailer and/or ~~medical marihuana~~ provisioning center shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the ~~recreational~~ marihuana retailer and/or ~~medical marihuana~~ provisioning center is located to the outermost boundaries of the lot or parcel on which the school is located;

(3)(4) The ~~recreational~~ marihuana retailer and/or ~~medical marihuana~~ provisioning center shall not be located within five hundred (500) feet of a lawfully existing ~~recreational~~ marihuana retailer and/or ~~medical marihuana~~ provisioning center as measured from the outermost boundaries of the lot or parcel on which the proposed ~~recreational~~ marihuana retailer and/or ~~medical marihuana~~ provisioning center is located to the outermost boundaries of the lot or parcel on which the lawfully existing ~~recreational~~ marihuana retailer and/or ~~medical marihuana~~ provisioning center is located;

(4)(5) Use of marihuana is prohibited on the premises;

(5)(6) All activity related to the ~~recreational~~ marihuana retailer and/or ~~medical marihuana~~ provisioning center shall be done indoors;

(6)(7) The premises shall be open for inspection upon request by the Building Official, the Fire Department, and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

(7)(8) Drive-through and walk-up or similar facilities shall be prohibited;

(8)(9) All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;

(9)(10) All ~~recreational~~ marihuana retailers and/or ~~medical marihuana~~ provisioning centers must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;

(11) Growing, cultivation, or processing of ~~recreational~~ marihuana in a ~~recreational~~ marihuana retailer and/or ~~medical marihuana~~ provisioning center is prohibited;

~~(10) — If the marihuana retailer and/or provisioning center ceases operation for a length of time of one-hundred-twenty (120) days or greater, any Special Use permit shall expire;~~

~~(11)~~(12) If a special land use, the existing marihuana retailer and/or provisioning center facility and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.

That Section 122-551 be amended as follows:

~~Recreational/Medical~~ Marihuana Safety Compliance Facilities

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for Marihuana Safety Compliance Facilities apply:
 1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 2. The marihuana safety compliance facility site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the marihuana safety compliance facility is located to the outermost boundaries of the lot or parcel on which the school is located;
 3. The marihuana safety compliance facility site shall not be located within five hundred (500) feet of a lawfully existing marihuana safety compliance facility as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana safety compliance facility is located to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana safety compliance facility is located;
 4. Use of marihuana is prohibited on the premises unless otherwise noted;
 5. All activity related to the marihuana safety compliance facility shall be done indoors;
 6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all

applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

~~7. If the marihuana safety compliance facility ceases operation for a length of time of one hundred twenty (120) days or greater, any Special Use permit shall expire;~~

~~8.7.~~ All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;

~~9.8.~~ That portion of the structure where the storage of any chemicals shall be subject to inspection and approval by the Ypsilanti Fire Department to ensure compliance with the Michigan Fire Protection Code;

~~10.9.~~ All marihuana safety compliance facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;

~~11.10.~~ The dispensing of marihuana shall be prohibited.

~~11.~~ There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

~~12. The marihuana safety compliance facility and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.~~

To further amend Article V, Use Restrictions, Division 1: Specific Standards for Certain Uses, to ensure that the sections are located in alphabetical order; sections in said Division are re-numbered, and that references to those sections are updated throughout the Chapter.

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

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 _____, _____.

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 _____, _____.

Andrew Hellenga, City Clerk

Notice Published:

First Reading:

Second Reading:

Published:

Effective Date:



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Joe Meyers
DATE: November 17, 2020
SUBJECT: Revision of Marihuana Ordinance

DESCRIPTION:

Revision of Marihuana Ordinance

SUMMARY:

The City of Ypsilanti Code Chapter 7 deals with Medical Marihuana and Chapter 8 deals with Adult use marihuana. There have been a number of changes on the state level concerning permitting and licensing of marihuana establishments. In order to harmonize the code sections and avoid confusion staff has reviewed the code sections and revised them into one chapter.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-248
November 17, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

The certain ordinance entitled: An ordinance to merge Chapter 7 and 8 of the City Code into a single Chapter, Chapter 7, be adopted 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 17 day of November 2020

#Resolution No. 2020-248



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1371**

1. **THE CITY OF YPSILANTI HEREBY ORDAINS** That the Ypsilanti City Code is hereby amended to remove chapter 7 and 8 and replace it with a new Chapter 7 –MARIJUANA, Which Chapter reads as follows:

Chapter 7 - Marihuana

Sec. 7-1. - Purpose.

The purpose of this ordinance is to combine the adult use marihuana and the medical establish standards and procedures for the review and input of the City of Ypsilanti on the participation in the adult-use and medical marihuana industry in accordance with the Michigan Regulation and Taxation of the Marihuana Act, *Initiated Law 1 of 2018*, MCL 333.27951et sec., Medical Marihuana Facilities Act (MMFLA), Michigan Medical Marihuana Act (MMMA) and Marihuana Tracking Act (MTA) and in accordance with the act:

- a) establish standards and procedures for the review and input of the City of Ypsilanti on the issuance, renewal and/or revocation of permits for marihuana establishments within the boundaries of the City,
- b) place limits on the number of marihuana establishments within the City,
- c) regulate the time place and manner of operation of marihuana establishments within the City,
- d) regulate the production, manufacture, sale or display of marihuana accessories,
- e) authorize the sale of marihuana for consumption in designated areas that are not accessible to persons under 21 years of age, or special events in limited areas and for a limited time,
- f) designate for a civil infraction for a violation of the ordinance by a marihuana establishment and provide a penalty of civil fine not more than \$500,
- g) require a City permit for a marihuana establishment within the city and impose qualifications for such permit that do not conflict with state law,
- h) charge an annual fee for marihuana establishments of not more than \$5,000 to help to defray application, administrative and enforcement costs associated with the operation of the marihuana establishment, all in order to:

1. Serve and protect the health, safety, and welfare of the general public;
2. Establish a set of rules and regulations which are fair and equitable for those interested in establishing marihuana facilities; and
3. To provide reasonable regulation pursuant to the city's general police power granted to cities by the Michigan Constitution of 1963 and the Home Rule City Act, MCL Section 117.1 et seq., as amended, and to comply with state law, especially the MRTMA, MMFLA, MMMA, MTA.

Nothing in this chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from civil or criminal prosecution with any federal law or regulation, or from having property seized by federal authorities under federal law.

Sec. 7-2. - Definitions.

All of the words, terms and phrases defined by the MRTMA, as amended, are adopted herein by reference. As used in this chapter, they have the same meaning as provided in the MRTMA. The following words, terms, and phrases when used in this chapter shall have the meaning ascribed to them in this section, except when the context clearly indicates a different meaning:

- a) "Cultivate" means to propagate, breed, grow, harvest, dry, cure, or separate parts of the marihuana plant by manual or mechanical means.
- (b) "Department" means the department of licensing and regulatory affairs.
- (c) "Marihuana" means all parts of the plant of the genus cannabis, growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including marihuana concentrate and marihuana-infused products. For purposes of this act, marihuana does not include:
 - (1) the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination;
 - (2) industrial hemp; or
 - (3) any other ingredient combined with marihuana to prepare topical or oral administrations, food, drink, or other products.
- (d) "Marihuana establishment" means a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer,

marihuana secure transporter, or any other type of marihuana-related business licensed by the department.

(h) "Marihuana grower" means a person licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

(i) "Marihuana-infused product" means a topical formulation, tincture, beverage, edible substance, or similar product containing marihuana and other ingredients and that is intended for human consumption.

(j) "Marihuana microbusiness" means a person licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.

(k) "Marihuana processor" means a person licensed to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.

(l) "Marihuana retailer" means a person licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.

(m) "Marihuana secure transporter" means a person licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.

(n) "Marihuana safety compliance facility" means a person licensed to test marihuana, including certification for potency and the presence of contaminants.

(o) "Process" or "Processing" means to separate or otherwise prepare parts of the marihuana plant and to compound, blend, extract, infuse, or otherwise make or prepare marihuana concentrate or marihuana-infused products.

(p) "State license" means a license issued by the department that allows a person to operate a marihuana establishment.

(q) "MRTMA" means the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27051 et seq.

(r) "Marijuana" has the same meaning as "marihuana" under the MRTMA.

Sec. 7-4. Requirements and procedures for marihuana establishments.

A Marihuana Establishment in the City of Ypsilanti must acquire a City permit before operation or doing any business.

Sec. 7-4.1. - Permit requirements

- (a) No person shall own or operate a marihuana establishment in the City without first applying for and receiving a permit from the city clerk's office
- (b) Licenses are transferrable upon state approval and payment of the transfer fee.
- (c) Permit shall be valid for a period of one year, from January 1 to December 31
- (d) A Permit shall be issued or renewed upon payment of the required fee and submission of a completed application in compliance with the provisions of this article, and compliance with all provisions and requirements of this article. Application to renew a permit shall be filed at least 30 days prior to the date of expiration. Such renewal shall be annual and shall be accompanied by the annual fee.
- (e) Every applicant shall pay a fee at the time of the application for an initial or renewal permit, or transfer of permit, which fee shall be set by council resolution. Said fee is non-refundable if the application is reviewed.
- (f) 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.
- (g) 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 civil or criminal liability under federal law.

Pursuant to the MRTMA, MMFLA, MMMA and MTA, the City of Ypsilanti authorizes the operation in the city of the following types and number of both medical and recreational marijuana facilities, provided they possess a state operating license issued under the MRTMA and they comply with the additional requirements of this chapter, chapter 122 of this Code, and all other applicable laws and ordinances:

Marihuana retailer/provisioning center: maximum 7 permits for Medical and Recreational Marihuana retailers/provisioning centers and 3 additional permits for State of Michigan Social equity applicants

Marihuana safety compliance facility: no maximum

Marihuana secure transporter: no maximum

Marihuana processor: no maximum

Marihuana microbusiness: no maximum

Class A marihuana grower authorizing cultivation of not more than 100 marihuana plants: no maximum

Class B marihuana grower authorizing cultivation of not more than 500 marihuana plants: no maximum

Class C marihuana grower authorizing cultivation of not more than 2,000 marihuana plants: no maximum

Excess Marihuana Grower: 1

Designated Consumption Establishment: no maximum

Sec. 7-4.2. - Application.

Every applicant for a marijuana establishment must file an application under oath with the city clerk's office upon a form provided by the city, which shall fulfill all of the requirements indicated on the form, including but not limited to:

- (a) The name, age, and address of applicant and operator
 - 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.
 - ii. Name, age and address of the operator of the facility in cases where this differs from the applicant.
 - 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.
 - iv. If the applicant is a corporation, a copy of the articles of incorporation and Current Corporation records disclosing the identity and residential addresses of all directors, officers, and shareholders. Include the address of the corporation itself, if different from the address of the Marijuana establishment and the name and address of the resident agent for the corporation.
 - v. If the applicant is a partnership, the names and residence address of each of the partners and the partnership itself, if different from the address of the Marijuana dispensary or Marijuana growing/manufacturing facility, and the name and address of the resident agent.
 - vi. Photo identification of the applicant and operator and/or driver's license
- (b) State or Federally issued photo identification
- (c) Provide proof of ownership, copy of lease or letter of intent to lease.

- (d) If premises are leased, attached written permission from owner of the premises for the use specified in this application.
- (e) Proof of insurance for fire damage in the amount of the value of the premises and liability insurance with minimum limits of \$1,000,000
- (f) Proof that all employees are over the age of 21
- (g) Describe storage facilities of all Marihuana on site, including lotions, baked goods, usable, and all other forms.
- (h) Describe storage facilities of all Marihuana on site, including lotions, baked goods, usable, and all other forms (if applicable)
- (i) Provide proof of compliance with statewide monitoring system (if in operation)
- (j) An area map, drawn to scale, indicating within a radius of one thousand feet (1,000) from the boundaries of the proposed dispensary or growing/manufacturing facility site, the proximity of the site to any school, existing dispensary, or existing growing facility 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.
- (k) A copy of state license or prequalification letter
- (l) Retailer/Microbusinesses/Designated Consumption Establishments only: Provide a description of the products and services to be provided by the establishment, including retail sales of food and/or beverages, if any, and any related accommodations or facilities
- (m) Growing/Processing/Safety Compliance Facility applications only: Provide a description of the growing and processing procedures, including volatile chemicals stored or used on the premises.
- (n) Provide copy of facility social equity plan as required by the State of Michigan.
- (o) Provide a document explaining every section in the scoring rubric and how you meet or do not meet the sections in the scoring rubric except the volunteerism plan.

- (p) Volunteerism Plan. The volunteerism section of the rubric must be sealed in a separate envelope. DO NOT INCLUDE VOLUNTEERISM ON SUBMITTED FLASH DRIVE.

Sec. 7-4.3. - Approval of application.

The City Manager or designee shall issue a permit for a marihuana establishment if inspections for safety, zoning compliance, state approval, and all other information available to the City verify that the applicant has submitted a full and complete application, paid the appropriate fee, and has made improvements to the business location consistent with the application and is prepared to operate the business with in 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.

Further, the issuance of permits is not on a first come first serve basis nor lottery. Permits will be issued on a point system to be determined by council with the aid of staff.

Sec. 7-4.4. - Violations and penalties.

Any person who is found to be in violation of this article shall be responsible for a civil infraction and shall be subject to a fine of not more than \$500.

Sec. 7-4.5. - Non-renewal or revocation.

The city manager shall choose to not renew or revoke a permit based on any of the following:

- (1) A failure to meet the conditions or maintain compliance with the standards established by this chapter in reference to applications for a new permit or the renewal of an existing permit;
- (2) One or more violations of any city ordinance on the premises;
- (3) Maintenance of a nuisance on the premises;
- (4) A demonstrated history of excessive calls for public safety (police, fire, and EMS) originating from the premises, being three or more calls in any 30-day period; or

- (5) Nonpayment of real and/or personal property taxes, fines, fees, or liens owed to the city.

Sec. 7-4.6.- Appeal process.

If an applicant or permitted marihuana facility chooses to appeal the denial of a permit or revocation of a permit, they can enter in a written appeal to the clerk's office using a city generated form including the appellant's signature, the requirement or decision from which the appeal is made, and shall state the specific grounds on which the appeal is based. The applicable fee shall be submitted with the notice of the appeal; such fee shall be nonrefundable. Appeals shall be filed within 30 days of the decision in question. City council shall consider the appeal within 30 days of receipt of the appeal.

Sec. 7-5. Social Equity.

- 1) The City Council and city staff will work to create a permit process to allow state social equity qualifiers to participate in businesses within the city limits. Permit numbers for these applicants are listed in Sec. 8.4.1.
- 2) \$1,000 from each permit fee will be used to promote social equity to negatively impacted communities by promoting advocacy around criminal justice issues related to marihuana prohibition, supporting youth who have been negatively impacted by the war on drugs as it relates to the prohibition of marihuana, and community education and outreach on adult-use marihuana in general.
- 3) Good-faith effort in employment: any person or entity receiving more than \$10,000 in contract value or benefit from the city must use good-faith efforts in hiring employees who have been negatively impacted by marihuana prohibition. Adult-use recreational marihuana businesses should use good-faith efforts in hiring 25% employees who are low income or live in the area codes 48197 or 48198.
- 4) The City of Ypsilanti will not drug-test workers who are not in safety-sensitive jobs, without reasonable documented cause; random drug-testing is prohibited.
- 5) Lowest law enforcement: This ordinance instructs and authorizes local law enforcement to de-prioritize marihuana investigations (except as conducted in

conjunction with licensing authorities) and arrests. The possession or smell of marihuana will no longer constitute probable cause for investigation or arrest.

The investigation, citation, and arrest for marihuana law violations in the City of Ypsilanti shall have the lowest law enforcement priority. This does not apply to distribution to minors.

- 6) For the purpose of law enforcement in the City of Ypsilanti, the following shall not constitute reasonable articulable suspicion of a crime in the absence of other factors:
 - a) The odor of burnt or unburnt marihuana
 - b) The possession of or suspicion of possession of marihuana that does not exceed the legal limit in Michigan
 - c) The possession of multiple containers of marihuana without evidence of excess of the legal limit in Michigan.
- 7) The City of Ypsilanti shall make all reasonable efforts to create spaces for on-site consumption as allowed under state law.
- 8) The City of Ypsilanti may add requirements that applicants enter Community Benefits Agreements, which may or may not apply to social equity applicants as well.

Sec. 7-6. Severability.

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 affect, 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 been included in this Ordinance.

Sec. 7-7 Repeal

All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

Sec. 7-8. Savings Clause

The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or previously amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Sec. 7-9. Copies to be available.

Copies to be available. 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. A complete copy of the ordinance is also available for inspection on the City's website, www.cityofypsilanti.com.

Sec 7-10. Publication and Effective Date

The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the publication of record. 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 _____, 2020.

Andrew Hellenga, City Clerk

Attest

I do hereby confirm that the above Ordinance No. ____ was published in The Ypsilanti Courier on the _____ day of _____, 2020.

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: _____



Resolution No. 2020-249
November 17, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for an ordinance entitled: An ordinance to merge Chapter 7 and 8 of the City Code into a single Chapter, Chapter 7, by 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 17 day of November 2020

#Resolution No. 2020-249



Resolution No. 2020-250
November 17, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. **Resolution No. 2020-251, approving the minutes of November 9 and 10, 2020.**
2. **Resolution No. 2020-252, approving Ordinance 1357 - An ordinance to amend Section 46-34 of the Ypsilanti City Code to provide that Ethics Complaints be filed with the City Clerk (Second Reading)**
3. **Resolution No. 2020-253, approving Ordinance - 1369, An Ordinance Entitled "2019 WINTER TRAFFIC CONTROL ORDERS" (Second 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 17 day of November 2020

#Resolution No. 2020-250



**Resolution No. 2020-251
November 17, 2020**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of November 9 & 10, 2020 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
17 day of November 2020

#Resolution No. 2020-251



MINUTES REGULAR COUNCIL Meeting

7:00 PM - Monday, November 9, 2020
Zoom Meeting

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Monday, November 9, 2020, at 7:00 PM, in the Zoom Meeting, with the following members present:

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

I. CALL TO ORDER

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

II. ROLL CALL

III. AGENDA APPROVAL

The agenda was approved as amended.

IV. DISCUSSION OF WARD 1 COUNCIL APPOINTMENT PROCESS

Moved following the agenda approval.

V. INAUGURATION CEREMONY - OATH OF OFFICE

Ward 1 – ~~Lois Allen Richardson~~ - Vacant

Ward 2 – Steve Wilcoxon

Ward 3 – Annie Somerville

VI. SEATING OF NEW COUNCIL

VII. ROLL CALL

VIII. PUBLIC COMMENT (3 MINUTES)

7 people spoke.

IX. RESOLUTIONS/MOTIONS/DISCUSSIONS

- a) Resolution No. 2020-229, adopting "ROBERT'S RULES OF ORDER 10th EDITION".

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Ypsilanti City Council adopts “ROBERT’S RULES OF ORDER, 10TH EDITION” as the official rules of order for procedures of the Ypsilanti City Council meetings.

For the purpose of Council rules, each separate meeting of City Council shall constitute a “session” as that term is used in Robert’s Rules of Order.

A motion for reconsideration of a motion may be made and considered at the same session or in the next immediate session.

A motion may be amended by a “friendly amendment” if both the member making the motion and the member supporting (seconding) the motion agree.

Council Member Anthony Morgan moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2020-229.

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Council Member Jennifer Symanns
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, Brian Jones-Chance, and Annie Somerville

- b) Resolution No. 2020-230, setting the day, time and frequency of Council meetings.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That regular Council meetings shall be held on the first and third Tuesdays of the month. When a Council meeting falls on a holiday or an Election Day, the next day after said holiday or Election Day will be the meeting day for the regular meeting, except when Council designates another day. Such a change will be given public notice.

Further, that all regular meetings of the Ypsilanti City Council shall be held at 7:00p.m. in the City Council Chambers, located at One South Huron Street, except when the Council designates another time and location. Such a change will be given public notice.

Further, that all Council meetings end by 10:00 p.m., unless Council agrees by majority vote to extend the deadline.

Council Member Anthony Morgan moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2020-230.

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Council Member Jennifer Symanns
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, Brian Jones-Chance, and Annie Somerville

- c) Resolution No. 2020-231, approving the procedure for transaction of Council business.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the procedure for transaction of business shall be that business raised by at least one Council Member, supported by a second Council Member, under Council Proposed Business be referred to the next regular meeting for transaction. This procedure may be waived by the consent of two-thirds (2/3) vote of Council.

Council Member Steven Wilcoxon moved, seconded by Council Member Nicole Brown, to approve Resolution No. 2020-231.

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxon
SECONDER:	Council Member Nicole Brown
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, Brian Jones-Chance, and Annie Somerville

- d) Resolution No. 2020-232, naming an official newspaper of record.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That *Washtenaw County Legal News* be designated as the official newspaper of the City of Ypsilanti, for placement of all required publication notices and display advertisements.

Council Member Steven Wilcoxon moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2020-232.

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxon
SECONDER:	Council Member Jennifer Symanns
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, Brian Jones-Chance, and Annie Somerville

- e) Resolution No. 2020-233, adopting the Council Protocol for City staff.

RESOLVED, by the Ypsilanti City Council that the Council Protocol for City Staff shall be as follows.

COUNCIL PROTOCOL FOR CITY STAFF

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, who analyze problems and issues, make recommendations, implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

Conduct Toward Staff

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

Channels of Communication

Questions of City staff and/or requests for additional background information should be directed only to the City Manager, Assistant City Manager, City Attorney, City Clerk, or Department Heads. The City Manager should be copied on any request to Department Heads. Council Members should not set up meetings with department staff directly, but work through Department Heads, who will attend any meetings with Council Members. When in doubt about what staff contact is appropriate, Council Members should ask the City Manager for direction.

Equal Access to Information

Materials and information supplied to a Council Member in response to a request will be made available to all members of the Council so that all have equal access to information. The City Manager should ensure that such access is provided when appropriate.

Public Criticism of Employees

Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff

performance should only be made to the City Manager through private correspondence or conversation.

Involvement in Administrative Functions

Do not get involved in administrative functions. Council Members must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.

Attendance at Staff Meetings

Do not attend staff meetings unless requested by staff. Even if the Council Member does not say anything, the Council Member's presence may imply support, show partiality, intimidate staff, or hampers staff's ability to do its job objectively. Requests for staff support.

It shall require two members of Council to request staff support through the City Manager, who is responsible for allocating City resources in order to maintain a professional, well-run City government. It is up to the City Manager to ensure that staff resources are allocated in accordance with overall Council priorities. Research or preparation of material by the City Attorney may be requested directly by the Mayor, or two Council Members.

Response to Citizen Complaints

Depend upon the staff to respond to citizen complaints and concerns. It is the role of Council Members to pass on concerns and complaints on behalf of their constituents. It is not, however, appropriate to pressure staff to solve a problem in a particular way. Refer citizen complaints to the City Manager, who will follow up with appropriate staff. The staff should respond to all approved requests for information in an agreed upon timeframe. It is appropriate for Council Members to follow up with the Manager to determine how the concerns were resolved.

Council Member Steven Wilcoxen moved, seconded by Council Member Jennifer Symanns, to amend language from "Do not" to "Council shall not."

RESULT:	DEFEATED.
MOVER:	Council Member Steven Wilcoxen
SECONDER:	Council Member Jennifer Symanns
AYES:	Jennifer Symanns and Steven Wilcoxen
NAYS:	Nicole Brown, Lois Richardson, Anthony Morgan, Brian Jones-Chance, and Annie Somerville

Council Member Steven Wilcoxen moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2020-233

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxen
SECONDER:	Council Member Jennifer Symanns
AYES:	Jennifer Symanns, Steven Wilcoxen, Nicole Brown, Lois Richardson, Anthony Morgan, Brian Jones-Chance, and Annie Somerville

- f) Resolution No. 2020-234, adopting policy for appointments to Boards and Commissions.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That City Council adopts the following City Council Boards and Commission Appointment Procedure:

NOTICE

That the City Clerk shall provide the City Council, monthly, a report consisting of all council appointees, their address and contact information, the committee or commission appointed to, and the date of the expiration of their term for all appointees who terms expire within the next sixty (60) days.

That the Mayor or any City Staff person shall notify the City Council and City Clerk of any vacancy or pending vacancy occurring in any committee or commission as soon as it becomes known.

Notice shall be posted to the City Web sites soliciting nominations for those positions mentioned above at the time of the report or notice to City Council.

PROCEDURE

That any Mayoral nomination for appointment shall be submitted to City Council under the Mayor's reports at one Council meeting and held for action until the following Council meeting. Nominations may also be brought forward by two members of Council and will follow the same procedure.

Nominations shall include a letter of interest from and resume of the nominee.

VACANCY IN OFFICE

A vacancy in office shall occur when the current appointee discontinues membership by death, resignation, or removal from office; by not seeking reappointment in writing prior to the expiration of his or her term; or by not being reappointed by the appointing authority.

TERM OF OFFICE

Members of Boards and Commissions of the City shall serve for the terms specifically stated in the charter or in the law or ordinance creating the office

With the consent of two-thirds of the Council, an appointee may continue provisionally, in office, after the expiration of their term of office, until a successor has been elected or appointed and has qualified for and assumed the duties of the office. No member of any board or commission shall be allowed to hold over for more than 60 days beyond the term of office fixed by ordinance whether or not a successor has been appointed.

QUALIFICATIONS

Appointees to City Boards and Commission shall meet the affiliation qualification requirements of the City Code, Section 2-111, below, as well as any specific qualifications required by City Ordinance or State Statute.

Sec. 2-111. Applicability of section.

(a) Except as otherwise specifically provided, members of boards and commissions shall be affiliated with the city. This requirement shall be fulfilled in the following ways:

**(1) An individual shall have been a resident of the city for a minimum of two years;
or**

(2) An individual shall demonstrate ownership/interest for a minimum of two years in a business established in the city for a minimum of two years.

(b) Exceptions to subsections (a)(1) and (2) of this section shall only be permitted if it is determined by the city council that a board or commission requires the membership of an individual with a specific position, knowledge, experience or expertise not available in another individual who may otherwise comply with the terms of subsections (a)(1) and (2) of this section.

Council Member Steven Wilcoxon moved, seconded by Council Member Nicole Brown, to approve Resolution No. 2020-234.

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxon
SECONDER:	Council Member Nicole Brown
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, Brian Jones-Chance, and Annie Somerville

g) Resolution No. 2020-235, setting meeting dates for 2021.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

The Ypsilanti City Council will hold Regular Meetings at 7:00 p.m. in the City Council Chambers, located at One South Huron Street, Ypsilanti, Michigan 48197, for the year 2021 on the following dates:

January 5	July 13 (following holiday)
January 26 (following holiday)	July 20
February 2	
February 16	August 17
March 2	September 14 (following holiday)
March 16	September 21
April 6	October 5
April 20	October 19
May 4	November 2
May 18	November 16
June 1	December 7
June 15	December 21

The City of Ypsilanti encourages persons with disabilities to participate and will provide necessary reasonable auxiliary aids and services, such as signed for the hearing impaired, Limited English Proficiency (LEP) services, and audios of printed materials being considered at the meeting to individuals with disabilities upon two (2) days notice to the City. Individuals with disabilities requiring auxiliary aids or services should contact the City by writing or calling the following:

City Clerk's Office
One South Huron Street
Ypsilanti, Michigan 48197-5420
(734) 483-1100

All persons are welcome to attend. Additional information may be obtained at the City Clerk's Office and written comments may be sent to the City Clerk's Office at the above listed address.

Council Member Nicole Brown moved, seconded by Council Member Jennifer Symanns, to remove the August 3rd meeting date.

RESULT:	CARRIED.
MOVER:	Council Member Nicole Brown
SECONDER:	Council Member Jennifer Symanns
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, Brian Jones-Chance, and Annie Somerville

Mayor Pro-Tem Nicole Brown moved, seconded by Council Member Annie Somerville, to approve Resolution No. 2020-235 as amended.

RESULT:	CARRIED.
MOVER:	Council Member Nicole Brown
SECONDER:	Council Member Annie Somerville
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, Brian Jones-Chance, and Annie Somerville

- h) Resolution No. 2020-236, appointing Council Liaisons to City Boards and Commissions.

Council Member Steven Wilcoxon moved, seconded by Council Member Nicole Brown, to approve Resolution No. 2020-236.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, members of City Council will act as liaisons to City Boards and Commissions to act as conduits of information both to City Council and to individual Boards and Commissions; and

Whereas, Council Liaisons will hold that position for two years, until the seating of the next City Council; and

Whereas, Council will determine through nomination and majority vote which Council Member will act as liaison to individual Boards and Commissions.

Whereas, it has been determined the below Boards and Commission will have a Council Liaison.

Art Commission	_____
Human Relations Commission	_____
Police Advisory Commission	_____
Parks and Recreation Commission	_____
Sustainability Commission	_____
Planning Commission	_____
Historic District Commission	_____
Zoning Board of Appeals	_____

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxon
SECONDER:	Council Member Nicole Brown
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, Brian Jones-Chance, and Annie Somerville

X. NOMINATION AND ELECTION OF MAYOR PRO-TEM

- a) Nomination and Election of Mayor Pro-Tem.

Council Member Annie Somerville moved, seconded by Council Member Brian Jones-Chance, to nominate Nicole Brown as Mayor Pro-Tem.

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Brian Jones-Chance
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, Brian Jones-Chance, and Annie Somerville

XI. REMARKS FROM THE MAYOR

XII. ADJOURNMENT

- a) Resolution No. 2020-237, adjourning the City Council Meeting.

The meeting was adjourned at 9:37 p.m.

- b) Please click [here](#) to access the City Council Contact Form. This form can be used to submit any comments/concerns you might have about this agenda.



MINUTES REGULAR COUNCIL Meeting

7:00 PM - Tuesday, November 10, 2020

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Tuesday, November 10, 2020, at 7:00 PM, with the following members present:

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

I. CALL TO ORDER

II. ROLL CALL

III. AGENDA APPROVAL

The agenda was approved as amended.

IV. STATEMENT BY COUNCIL MEMBER JONES- CHANCE (ADDED)

Council Member Jones Chance thanked Council for appointing him to Council and announced his decision to step down to facilitate a transparent appointment process.

V. PUBLIC COMMENT (3 MINUTES)

3 people spoke.

VI. ORDINANCES FIRST READING

- a) *Ordinance 1357* - An ordinance to amend Section 46-34 of the Ypsilanti City Code to provide that Ethics Complaints be filed with the City Clerk.
1. Resolution No. 2020-062, determination.
 2. Public Hearing
 3. Resolution No. 2020-063. close the public hearing

Council Member Anthony Morgan moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2020-063.

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

The public hearing for an ordinance to Amend Section 46-34 of the Ypsilanti City Code to provide that Ethics Complaints be filed with the City Clerk be officially closed.

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan

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

Mayor Pro-Tem Nicole Brown moved, seconded by Council Member Anthony Morgan, to approve Resolution No. 2020-062.

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

An ordinance to Amend Section 46-34 of the Ypsilanti City Code to provide that Ethics Complaints be filed with the City Clerk be adopted on first reading.

RESULT:	CARRIED.
MOVER:	Mayor Pro-Tem Nicole Brown
SECONDER:	Council Member Anthony Morgan
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

b) Ordinance - 1369, An Ordinance Entitled "2019 WINTER TRAFFIC CONTROL ORDERS"

1. Resolution No. 2020-238, determination.
2. Public Hearing
3. Resolution No. 2020-239. close the public hearing

Mayor Pro-Tem Nicole Brown moved, seconded by Council Member Anthony Morgan, to approve Resolution No. 2020-239.

RESULT:	CARRIED.
MOVER:	Mayor Pro-Tem Nicole Brown
SECONDER:	Council Member Anthony Morgan
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

Council Member Steven Wilcoxon moved, seconded by Mayor Pro-Tem Nicole Brown, to approve Resolution No. 2020-238.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Traffic Review Committee has reviewed several traffic control requests and made appropriate recommendations based on best practices, City ordinance, and City policy; and

WHEREAS, the City Council reviewed and approved policy direction for parking system changes in Downtown, Depot Town, and West Cross; and

WHEREAS, the Traffic Review Committee reviewed engineering recommendations for bridge weight limits; and

WHEREAS, the Traffic Review Committee reviewed and recommended a request to limit parking adjacent to the Parkridge Community Center to guests of the PCC and the Ypsilanti Housing Commission Offices; and

WHEREAS, the City Manager has seen fit to issue temporary Traffic Control Orders 2020-001 through 011 based on said recommendations; and

WHEREAS, the City Manager recommends City Council provide final approval for the Traffic Control Orders listed above.

NOW THEREFORE BE IT RESOLVED, THAT the City Council hereby approves Traffic Control Orders as listed and adopts an ordinance entitled 2019 Winter Traffic Control Orders on First Reading.

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxon
SECONDER:	Mayor Pro-Tem Nicole Brown
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

VII. RESOLUTIONS/MOTIONS/DISCUSSIONS

- a) Resolution No. 2020-240A, approving the application and application process for the Ward 1 Vacancy. (added)

Council Member Anthony Morgan moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2020-240A, approving the application and application process for the Ward 1 Vacancy.
RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, there is a vacancy for Council Member in Ward 1; and

Whereas, per Section 2.05(d)(3) of the City Charter requires that a Council Member to represent Ward 1 be appointed on or before the third Regular Council Meeting following the vacancy.

Now therefore be it resolved that the Ypsilanti City Council approve the application and application process for the Ward 1 Vacancy.

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

- b) Resolution No. 2020-240, approving the minutes from October 20, 2020.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of November 10, 2020 be approved.

Council Member Jennifer Symanns moved, seconded by Council Member Annie Somerville, to approve Resolution No. 2020-240.

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

- c) Resolution No. 2020-241, approving the purchase of Packer Truck

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the collection of trash in our downtown areas and city parks is an ongoing and important service offered to residents in the City of Ypsilanti; and,

Whereas, a small packer truck is necessary to collect recycling and trash; and,

Whereas, the City Council of the City of Ypsilanti has allocated the funds in the FY 2019-2020 budget for this purchase; and,

Whereas, the purchase price of the vehicle is less than the budgeted amount of \$95,000;

Now therefore be it resolved that that City Council authorizes the purchase of a Small Packer Truck from Frederickson Supply & Signature Ford for a purchase price of \$91,480.00 with any change orders to be approved by the City Manager.

Council Member Anthony Morgan moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2020-241.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the collection of trash in our downtown areas and city parks is an ongoing and important service offered to residents in the City of Ypsilanti; and,

Whereas, a small packer truck is necessary to collect recycling and trash; and,

Whereas, the City Council of the City of Ypsilanti has allocated the funds in the FY 2019-2020 budget for this purchase; and,

Whereas, the purchase price of the vehicle is less than the budgeted amount of \$95,000;

Now therefore be it resolved that that City Council authorizes the purchase of a Small Packer Truck from Frederickson Supply & Signature Ford for a purchase price of \$91,480.00 with any change orders to be approved by the City Manager.

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

- d) Resolution No. 2020-242, approving the proposal from OHM for design engineering services for the amount of \$34,810 for Oakwood St.

Council Member Jennifer Symanns moved, seconded by Council Member Steven Wilcoxon,

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, county road millage funds have been allocated to perform road rehabilitation work on Oakwood between Sherman and Congress; and,

Whereas, the City engineer OHM has prepared a proposal to provide design engineering services for the project; and,

Whereas, design engineering is necessary to begin the project next construction season;

Now therefore be it resolved that that the City of Ypsilanti approves the proposal from OHM for design engineering services for an amount of \$34,810.

THAT the City Clerk is authorized to sign this proposal and any change orders may be approved by the City Manager, to facilitate the completion of this work.

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns

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

- e) Resolution No. 2020-243, approving the attached updated Fee Schedule for Parking Fees and Fines and further authorize a Weekly Contractor Pass Pilot Program.

Council Member Anthony Morgan moved, seconded by Mayor Pro-Tem Nicole Brown, to approve Resolution No. 2020-243.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the fines and fees related to parking have been closely examined over the prior year; and

WHEREAS, the certain fines have been re-evaluated in light of the pandemic; and

WHEREAS, a pilot permit program for weekly Contractor passes shall be evaluated in March; and

NOW THEREFORE BE IT RESOLVED, THAT the City Council hereby approves the attached updated Fee Schedule for Parking Fees and Fines, and further authorized a Weekly Contractor Pass pilot program.

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Mayor Pro-Tem Nicole Brown
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- f) Resolution No. 2020-244 approving the Passport Parking Agreement Addendum

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City has an existing contract with Passport Parking that provides for mobile payment via the Passport app;

WHEREAS, Passport is working with several partners to allow for third-party payments in the future; and

WHEREAS, this amendment to the existing contract is required for the City to allow for third-party payments in the future;

NOW THEREFORE BE IT RESOLVED, THAT that the Ypsilanti City Council approve the attached amendment to the existing contract, and authorizes the City Manager to sign it.

Council Member Steven Wilcoxon moved, seconded by Council Member Annie Somerville, to approve Resolution No. 2020-244.

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

VIII. LIAISON REPORTS

1. SEMCOG Update - none
2. Washtenaw Area Transportation Study - meeting next week
3. Urban County
 - o County State of Emergency to continue virtual meetings
 - o Update from County Health Department
 - o Funds available for rent assistance and weatherization.
4. Ypsilanti Downtown Development Authority - lights in Riverside Park and Downtown
5. Friends of Rutherford Pool - update next week
6. ~~Housing Equity Leadership Team~~
7. ~~Youth Community Connection~~

IX. COUNCIL PROPOSED BUSINESS

Wilcoxon

- None

Brown

- Street lighting on Hamilton between Ferris and Michigan Ave is very dark.

Somerville

- Thanked staff to be proactive about outreach about Water street
- Congratulated staff about the smooth running of the election.

Morgan

- Congratulated Chief DeGuisti and staff for doing an admirable job.
- Citizens are concerned about the property maintenance near the Freighthouse.
- Expressed confidence in the new Council.

Symanns

- Thanked staff, especially fire and police.
- Update is forthcoming about the evaluation process for City Manager and City Clerk.

X. COMMUNICATIONS FROM THE MAYOR

- 411 Second Ave yard and porch need attention
- New playground equipment at Parkridge is being installed
- Asked staff to look into possibilities for a virtual all city staff gathering
- Asked Council for goals about what they want to see happen in the City

XI. COMMUNICATIONS FROM THE CITY MANAGER

- Thanked Council for the parking discussion.
- Waterstreet community engagement meetings.
- Please complete Diversity and Inclusion Training.
- TextmyGov mobile app.

XII. COMMUNICATIONS

- a) Washtenaw County Regional Resource Management Authority (WRRMA) Proposed Budget.
- b) Washtenaw County Regional Resource Management Authority (WRRMA) 2020 Summary of Activities.

XIII. ADJOURNMENT

- a) Resolution No. 2020-245, adjourning the City Council Meeting.

The meeting was adjourned at 8:49 p.m.

- b) Please click [here](#) to access the City Council Contact Form. This form can be used to submit any comments/concerns you might have about this agenda.



Resolution No. 2020-252
November 17, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

An ordinance to Amend Section 46-34 of the Ypsilanti City Code to provide that Ethics Complaints be filed with the City Clerk be adopted on Second and Final 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 17 day of November 2020

#Resolution No. 2020-252



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1357**

An ordinance to Amend Section 46-34 of the Ypsilanti City Code to provide that Ethics Complaints be filed with the City Clerk

1. **THE CITY OF YPSILANTI HEREBY ORDAINS** That Sec. 46-34 of the Ypsilanti City Code is amended to provide for filing an ethics complaint with the city clerk and a copy to be forwarded to the city attorney and board of ethics and that section 46-34 of the Ypsilanti City Code is hereby amended to read as follows:

Sec. 46-34. - Hearings.

(a)

Filing of complaint. Any person may file a written, sworn, and signed complaint with the city **clerk attorney** alleging a violation of ethics by any officer or employee of the city. **The city clerk shall forward a copy of the complaint to the board of ethics and the city attorney.** The city attorney shall review the complaint as to proper form, determine whether the complaint falls under the scope of the board of ethics as defined throughout this article, determine whether the complaint alleges a prima facie case, and make a nonbinding recommendation to the board of ethics for action (e.g. order a hearing, forward to another agency for investigation, dismiss the case, etc.).

2. **Severability.** 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.

3. **Repeal.** All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

4. **Savings Clause.** The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or previously amended, shall remain in full force and effect.

The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

5. Copies to be available. 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. A complete copy of the ordinance is also available for inspection on the City's website, www.cityofypsilanti.com.

6. Publication and Effective Date. The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the publication of record. 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 _____, 2020.

Andrew Hellenga , City Clerk

Attest

I do hereby confirm that the above Ordinance No. ____ was published in The Washtenaw County Legal News on the _____ day of _____, 2020.

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 _____, 2020.

Andrew Hellenga, City Clerk

Notice Published: _____

First Reading: _____

Second Reading: _____

Published: _____

Effective Date: _____

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

S:\Clerk's Office\CITY COUNCIL MEETINGS\CITY COUNCIL MEETINGS\2020 City Council Meetings\3-17-
2020\1-Ethics\Ord amend Ethics Ord file City Clerk 030520.doc



**Resolution No. 2020-253
November 17, 2020**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Traffic Review Committee has reviewed several traffic control requests and made appropriate recommendations based on best practices, City ordinance, and City policy; and

WHEREAS, the City Council reviewed and approved policy direction for parking system changes in Downtown, Depot Town, and West Cross; and

WHEREAS, the Traffic Review Committee reviewed engineering recommendations for bridge weight limits; and

WHEREAS, the Traffic Review Committee reviewed and recommended a request to limit parking adjacent to the Parkridge Community Center to guests of the PCC and the Ypsilanti Housing Commission Offices; and

WHEREAS, the City Manager has seen fit to issue temporary Traffic Control Orders 2020-001 through 011 based on said recommendations; and

WHEREAS, the City Manager recommends City Council provide final approval for the Traffic Control Orders listed above.

NOW THEREFORE BE IT RESOLVED, THAT the City Council hereby approves Traffic Control Orders as listed and adopts an ordinance entitled 2019 Winter Traffic Control Orders on Second and Final 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 17 day of November 2020

#Resolution No. 2020-253



Ordinance No. 1369

An Ordinance Entitled "2019 WINTER TRAFFIC CONTROL ORDERS"

THE CITY OF YPSILANTI ORDAINS:

That the following Traffic Control Orders be made permanent:

- 2020-001, restrictions to parking for the Parkridge Community Center
- 2020-002, remove on-street meters on 200 and 300 block of W Cross
- 2020-003, add time limitations to the loading zone signage on S Washington
- 2020-004, convert motorcycle parking in South Huron lot to handicap placard (parallel)
- 2020-005, bridge weight limits
- 2020-006, add handicap placard parking on N Normal adjacent to W Cross
- 2020-007, add handicap placard parking in the Freighthouse Lot adjacent to E Cross
- 2020-008, institute time limitations in the Maple St Lot pursuant to agreement with DDA
- 2020-009, institute time limitations in the 300 and 400 blocks of N River and the 100 block of E Cross
- 2020-010, sign "no parking here to corner" on N River 300 bl adjacent to railroad in compliance with State law
- 2020-011, enact paid parking in Depot Town

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS _____ DAY OF _____, 2020

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 _____, 2020.

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 _____, 2020.

Andrew Hellenga, City Clerk

Notice Published: _____
First Reading: _____
Second Reading: _____
Published: _____
Effective Date: _____



CITY OF YPSILANTI TRAFFIC CONTROL ORDER

DATE: June 3, 2020

ORDER NO: 2020-01

LOCATION: Parkridge Community Center: Armstrong Drive & Armstrong Court

ORDER: Add
"Parkridge Community Center and Ypsilanti Housing Commission
Administrative Offices Parking Only
No Parking 9pm to 8am"
And a tow-away placard to new posts at parking spaces along
Armstrong Court.

Add "Parkridge Community Center Parking Only
No Parking 9pm to 8am"
And a tow-away placard to new posts at parking spaces along
Armstrong Drive (Harriet to Hilyard Robinson Way)

See attached map for approximate locations.

REASON: Visitors to Parkridge Homes & Parkridge Park occupying all available
spaces during programming hours; illicit activity overnight.

Approved by: _____
Frances McMullan, City Manager

Prepared by: Bonnie Wessler

Date Completed: _____ By: _____

cc: Ron Akers, DPS
Andrew Hellenga, Clerk/Treasurer
Tony DeGuisti, YPD
Ken Hobbs, YFD
Bonnie Wessler, DPS
Chris Jacobs, YDDA





**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: August 20, 2020

ORDER NO: 2020-002

LOCATION: West Cross Business District: Meter removal on-street

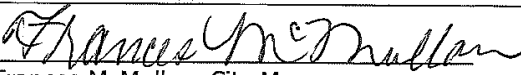
ORDER: Remove meters and posts from 200 and 300 block of West Cross.

"two hour parking 6am – 2am" signage to remain

Install "two hour parking, 10a-2a" and "loading zone only, here to corner, 6a-10a" at the easternmost space in front of 301 W Cross

REASON: See Council Resolution 2019-240 & accompanying documentation
Underperforming meters; maintenance liability. Encourage additional
on-street parking to aid traffic calming.

Approved by:


Frances McMullan, City Manager

Prepared by: Bonnie Wessler

Date Completed: _____

By: _____

cc: Ron Akers, DPS
Andrew Hellenga, Clerk
Tony DeGuisti, YPD
Ken Hobbs, YFD
Bonnie Wessler, DPS
Chris Jacobs, YDDA



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: August 20, 2020

ORDER NO: 2020-003

LOCATION: Downtown Business District: Loading Zone

ORDER: Add placard stating "8a-5p, Mon-Fri" to existing "Loading Zone" sign in front of 14 S Washington

REASON: See Council Resolution 2019-240 & accompanying documentation
Enables use of this space for parking during peak dining hours

Approved by:

Frances McMullan
Frances McMullan, City Manager

Prepared by: Bonnie Wessler

Date Completed: _____

By: _____

cc: Ron Akers, DPS
Andrew Hellenga, Clerk
Tony DeGuisti, YPD
Ken Hobbs, YFD
Bonnie Wessler, DPS
Chris Jacobs, YDDA



CITY OF YPSILANTI TRAFFIC CONTROL ORDER

DATE: August 20, 2020

ORDER NO: 2020-004

LOCATION: Downtown Business District: South Huron Lot

ORDER: Remove motorcycle striping and associated "motorcycle parking only" signage
Replace with one parallel handicap parking space and associated signage (see attached map for location)

Remove one-way sign from south side of S Huron entrance; relocate to north side of S Huron entrance

Place "do not enter" and regulatory "no exit" signage on existing post formerly used by "one way" sign (see attached examples)

REASON: Lack of use of motorcycle spaces; identified need for additional HC spaces in Downtown
Clarify circulation patterns

Approved by: Frances McMullan
Frances McMullan, City Manager

Prepared by: Bonnie Wessler

Date Completed: _____

By: _____

cc: Ron Akers, DPS
Andrew Hellenga, Clerk
Tony DeGuisti, YPD
Ken Hobbs, YFD
Bonnie Wessler, DPS
Chris Jacobs, YDDA



CITY OF YPSILANTI TRAFFIC CONTROL ORDER

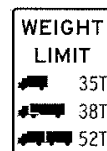
DATE: August 20, 2020

ORDER NO: 2020-005

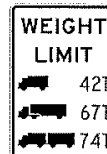
LOCATION: Prospect Railroad Bridge
Cross Street River Bridge
LeForge River Bridge

ORDER: Install new weight limit signage (R12-5) in advance of three bridges from both travel directions.

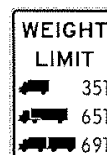
Prospect Rd Bridge, just north of Michigan Ave (WEIGHT LIMIT 35T, 38T, 52T)



Cross Street Bridge, over the Huron River, between Huron St and River St (WEIGHT LIMIT 42T, 67T, 74T)



Leforge Street Bridge, just north of Huron River Drive and the railroad (WEIGHT LIMIT 35T, 65T, 69T)



REASON: Recent bridge inspections warrant weight limits.

Approved by:

Frances McMullan, City Manager

Prepared by: Bonnie Wessler

Date Completed: _____

By: _____



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: August 20, 2020

ORDER NO: 2020-006

LOCATION: West Cross Business District: Normal Street

ORDER: Sign the 2 northernmost on-street perpendicular handicap spaces on the west side of North Normal, for handicap placard spaces

REASON: See Council Resolution 2019-240 & accompanying documentation
Identified lack of handicap placard spaces in West Cross business district

Approved by: _____

Frances McMullan
Frances McMullan, City Manager

Prepared by: Bonnie Wessler

Date Completed: _____

By: _____

cc: Ron Akers, DPS
Andrew Hellenga, Clerk/Treasurer
Tony DeGuisti, YPD
Ken Hobbs, YFD
Bonnie Wessler, DPS
Chris Jacobs, YDDA



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: August 20, 2020

ORDER NO: 2020-007

LOCATION: Depot Town: Freighthouse Parking Lot Handicap Spaces

ORDER: Sign and stripe the two southernmost parking spaces on the west side of the Freighthouse Lot to be handicap placard only

REASON: See Council Resolution 2019-240 & accompanying documentation
Identified lack of handicap placard parking in Depot Town area

Approved by: Frances McMullan
Frances McMullan, City Manager

Prepared by: _____
Bonnie Wessler

Date Completed: _____ By: _____

cc: Ron Akers, DPS
Andrew Hellenga, Clerk/Treasurer
Tony DeGuisti, YPD
Ken Hobbs, YFD
Bonnie Wessler, DPS
Chris Jacobs, YDDA



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: September 10, 2020

ORDER NO: 2020-011

LOCATION: Depot Town Business District: Freighthouse Lot, Maple Street Lot, 300 and 400 blocks of North River, and 10-100 blocks of East Cross

ORDER: Institute paid parking, with rates as set by City Council, consistent with posted time limits.

REASON: See Council Resolution 2019-240 & accompanying documentation

Approved by: Frances McMullan
Frances McMullan, City Manager

Prepared by: Bonnie Wessler

Date Completed: _____

By: _____

cc: Ron Akers, DPS
Andrew Hellenga, Clerk/Treasurer
Tony DeGuisti, YPD
Ken Hobbs, YFD
Bonnie Wessler, DPS
Chris Jacobs, YDDA



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: August 20, 2020

ORDER NO: 2020-004

LOCATION: Downtown Business District: South Huron Lot

ORDER: Remove motorcycle striping and associated "motorcycle parking only" signage
Replace with one parallel handicap parking space and associated signage (see attached map for location)

Remove one-way sign from south side of S Huron entrance; relocate to north side of S Huron entrance

Place "do not enter" and regulatory "no exit" signage on existing post formerly used by "one way" sign (see attached examples)

REASON: Lack of use of motorcycle spaces; identified need for additional HC spaces in Downtown
Clarify circulation patterns

Approved by: Frances McMullan
Frances McMullan, City Manager

Prepared by: Bonnie Wessler

Date Completed: _____

By: _____

cc: Ron Akers, DPS
Andrew Hellenga, Clerk
Tony DeGuisti, YPD
Ken Hobbs, YFD
Bonnie Wessler, DPS
Chris Jacobs, YDDA



CITY OF YPSILANTI TRAFFIC CONTROL ORDER

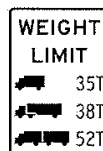
DATE: August 20, 2020

ORDER NO: 2020-005

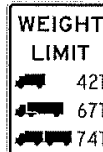
LOCATION: Prospect Railroad Bridge
Cross Street River Bridge
LeForge River Bridge

ORDER: Install new weight limit signage (R12-5) in advance of three bridges from both travel directions.

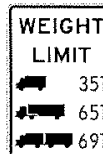
Prospect Rd Bridge, just north of Michigan Ave (WEIGHT LIMIT 35T, 38T, 52T)



Cross Street Bridge, over the Huron River, between Huron St and River St (WEIGHT LIMIT 42T, 67T, 74T)



Leforge Street Bridge, just north of Huron River Drive and the railroad (WEIGHT LIMIT 35T, 65T, 69T)



REASON: Recent bridge inspections warrant weight limits.

Approved by:

Frances McMullan
Frances McMullan, City Manager

Prepared by: Bonnie Wessler

Date Completed: _____

By: _____



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: August 20, 2020

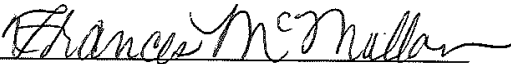
ORDER NO: 2020-008

LOCATION: Depot Town: Maple Street Lot

ORDER: Install 4-hour parking, 10a-7p, Mon-Saturday signage at the entrance to the lot, as well as at regular intervals within the parking lot, no fewer than 9 signs.

REASON: See Council Resolution 2019-240 & accompanying documentation.
Per agreement with DDA for management of Maple lot.

Approved by:


Frances McMullan, City Manager

Prepared by: Bonnie Wessler

Date Completed: _____

By: _____

cc: Ron Akers, DPS
Andrew Hellenga, Clerk/Treasurer
Tony DeGuisti, YPD
Ken Hobbs, YFD
Bonnie Wessler, DPS
Chris Jacobs, YDDA



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: August 20, 2020

ORDER NO: 2020-009

LOCATION: Depot Town: E Cross 100 Block, N River 400 block

ORDER: Sign the three parking areas (west side of 400 block N River in front of Thompson Block, east side of 400 block N River in front of former rail station, south side of 100 block E Cross in front of Auto Museum) for 2-hour parking, 10a-7p, Mon-Sat

REASON: See Council Resolution 2019-240 & accompanying documentation
Time-limiting parking areas anticipated to be in high demand upon opening of Thompson Block/reopening of economy.

Approved by:


Frances McMullan, City Manager

Prepared by: Bonnie Wessler

Date Completed: _____

By: _____

cc: Ron Akers, DPS
Andrew Hellenga, Clerk/Treasurer
Tony DeGuisti, YPD
Ken Hobbs, YFD
Bonnie Wessler, DPS
Chris Jacobs, YDDA



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: August 20, 2020

ORDER NO: 2020-010

LOCATION: Depot Town: west side 300 block N River adjacent to railroad

ORDER: Place "no parking here to railroad" (or equivalent MUTCD signage) at the beginning of the red-curb area, north of signed parking space

REASON: See Council Resolution 2019-240 & accompanying documentation
Red curb area is within 50' of railroad and on a curve. Red curb area is difficult to read in low light conditions or poor weather.

Approved by: Frances McMullan
Frances McMullan, City Manager

Prepared by: _____
Bonnie Wessler

Date Completed: _____ By: _____

cc: Ron Akers, DPS
Andrew Hellenga, Clerk/Treasurer
Tony DeGuisti, YPD
Ken Hobbs, YFD
Bonnie Wessler, DPS
Chris Jacobs, YDDA



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: September 10, 2020

ORDER NO: 2020-011

LOCATION: Depot Town Business District: Freighthouse Lot, Maple Street Lot, 300 and 400 blocks of North River, and 10-100 blocks of East Cross

ORDER: Institute paid parking, with rates as set by City Council, consistent with posted time limits.

REASON: See Council Resolution 2019-240 & accompanying documentation

Approved by: Frances McMullan
Frances McMullan, City Manager

Prepared by: Bonnie Wessler

Date Completed: _____

By: _____

cc: Ron Akers, DPS
Andrew Hellenga, Clerk/Treasurer
Tony DeGuisti, YPD
Ken Hobbs, YFD
Bonnie Wessler, DPS
Chris Jacobs, YDDA



Resolution No. 2020-254
November 17, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, it is necessary to acquire and construct certain improvements to the wastewater treatment plant, consisting of upgrades to the aeration blower system and replacement of the primary switchgear for the electrical supply to the plant, together with all necessary appurtenances and attachments thereto (the “Project”), to serve the City and the Charter Township of Ypsilanti (the “Township”); and

WHEREAS, a contract (the “Contract”) has been prepared among the City, the Township and the Ypsilanti Community Utilities Authority (the “Authority”) whereby the Authority will issue its bonds (the “Bonds”) on behalf of the City and the Township to provide for the financing of costs of the Project; and

WHEREAS, this Governing Body has carefully reviewed the Contract and finds that it provides the best means for accomplishing the Project and for providing the needed services.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. *Washtenaw Legal News*, a newspaper of general circulation within the City, which manner of publication is deemed by the Governing Body to be the most effective manner of informing the taxpayers and electors of the City of the details of the proposed Contract and the rights of referendum thereunder.
2. The City Clerk is directed to publish the attached notice in the newspaper above designated as soon as possible after the adoption hereof.
3. All resolutions and parts of resolutions in conflict with this resolution be, and the same hereby are repealed.

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 17 day of November 2020

#Resolution No. 2020-254

Founded in 1852
by Sidney Davy Miller

MILLER CANFIELD

THOMAS D. COLIS
TEL (313) 496-7677
FAX (313) 496-8450
E-MAIL colis@millercanfield.com

Miller, Canfield, Paddock and Stone, P.L.C.
150 West Jefferson, Suite 2500
Detroit, Michigan 48226
TEL (313) 963-6420
FAX (313) 496-7500
www.millercanfield.com

MICHIGAN: Ann Arbor
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Kalamazoo • Lansing • Troy

FLORIDA: Tampa

ILLINOIS: Chicago

NEW YORK: New York

OHIO: Cincinnati • Cleveland

CANADA: Windsor

CHINA: Shanghai

MEXICO: Monterrey

POLAND: Gdynia

Warsaw • Wrocław

November 6, 2020

Via E-mail

To the Attached Distribution List

Re: Proposed Ypsilanti Community Utilities Authority Wastewater System Bonds
(2021 2nd Quarter SRF –Project No. 5678-01)

Dear Working Group:

I have attached the following documentation for your review and consideration by the various governing bodies:

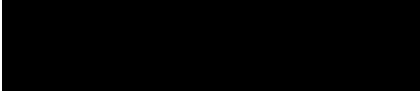
1. Resolution Approving Contract and Authorizing Notice – City of Ypsilanti
2. Resolution Approving Contract and Authorizing Notice – Charter Township of Ypsilanti
3. Resolution Approving Contract – Ypsilanti Community Utilities Authority
4. SRF Contract

The documents are substantially similar to the ones adopted in connection with the 2019 financing. Should you have any questions or comments concerning the attached, please feel free to give me a call.

I will be in attendance at the Township Board study session on November 17 and at the City Council meeting on November 17 to describe the Resolution and Contract and to answer any questions. I will also be in attendance at the YCUA Board meeting on November 18.

Sincerely,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By: 

Thomas D. Colis

Attachments

36813273.1\099369-00045



Dedicated to Providing Top Quality, Cost Effective, and
Environmentally Safe Water and Wastewater Services to Our Customers

YPSILANTI COMMUNITY UTILITIES AUTHORITY

2777 STATE ROAD
YPSILANTI, MICHIGAN 48198-9112
TELEPHONE: 734-484-4600
WEBSITE: www.ycua.org

October 21, 2020

VIA EMAIL and USPS

CITY OF YPSILANTI
City Council
One South Huron Street
Ypsilanti, Michigan 48197-5400

CHARTER TOWNSHIP of YPSILANTI
Board of Trustees
7200 South Huron Street
Ypsilanti, Michigan 48198

Re: **YCUA Wastewater Treatment Plant (WWTP) Improvements SRF Bond Sale**

Dear City Council Members and Township Trustees:

This document is to provide background for two upcoming capital improvements projects at the WWTP. Both projects are eligible for funding through the State Revolving Fund (SRF) loan program administered by the Michigan Department of Environment, Great Lakes and Energy (EGLE). The SRF program is a subsidized low-interest loan with interest rates typically 1.5% to 2% below corresponding open-market interest rates. The loan is used to purchase bonds issued by YCUA for the benefit of the communities.

One of the projects will consist of upgrades to the aeration blower system that provides low pressure air to numerous treatment processes at the WWTP. Even though they have been modified and maintained, the aeration blowers were part of the original WWTP construction completed during 1982 and have exceeded the design life. In addition, the amount of air needed to properly operate the WWTP is significantly less than the original design and the replacement blowers will be smaller, more energy efficient equipment. Enclosed with this letter is a more detailed description of the proposed work that was included in the SRF project plan submitted to EGLE during 2018 as the initial step in attempting to secure loan funding.

The second project will replace the primary switchgear for the electrical supply to the entire WWTP. The primary switchgear, which was also part of the original WWTP construction completed during 1982, has exceeded the design life and has numerous components that show

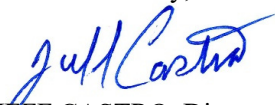
CITY OF YPSILANTI
City Council
CHARTER TOWNSHIP of YPSILANTI
Board of Trustees
October 21, 2020
Page 2

signs of deterioration. A more detailed description of the proposed primary switchgear improvements, as included in the 2018 SRF project plan, is enclosed.

The total combined cost for the two improvements is estimated at \$4,910,000. For these two projects combined, the current SRF interest rate of 1.875% will save approximately \$3,600 per year on bond payments or \$72,000 over the 20-year duration of the loan compared to a similar bond issue on the open market with an interest rate of 2.0%.

If you have any questions please contact me.

Sincerely,



JEFF CASTRO, Director
Ypsilanti Community Utilities Authority

JC/kks
Enclosures
cc w/encl.:

YCUA Board of Commissioners
Ms. Brenda L. Stumbo
Ms. Karen Lovejoy Roe
Mr. Larry J. Doe
Ms. Tammie Keen
Ms. Lisa Stanfield
Ms. Frances McMullan
Mr. Rheagan Basabica
Mr. Andrew Hellenga
Mr. Paul Stauder
Mr. Tom Colis
Ms. Sylvia Dimov
Mr. Thomas E. Daniels
Mr. Dwayne Harrigan
Ms. Gail Thomas
Mr. Scott D. Westover

WWTP Aeration Blowers Replacement

The Blower Building was constructed as part of the original wastewater treatment plant (WWTP) project. There are 4 existing blowers, each of which were also installed as part of the original WWTP construction. Each blower originally had a design output of 30,000 standard cubic feet per minute (SCFM). During 2010, one of the 4 blowers was modified to reduce the output to 16,000 SCFM.

1. Relevant Design Parameters

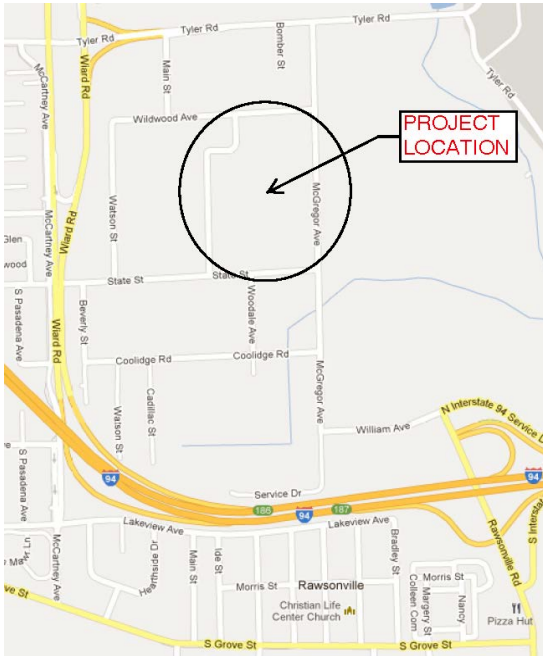
- a. Even though they have been modified and maintained, the blowers are original equipment and are near or possibly past the end of their design lives.
- b. The amount of air needed to properly operate the WWTP during the original design is far greater than actually required. The 30,000 SCFM blowers are rarely operated and the modified 16,000 SCFM blower is throttled down to minimum output and still provides too much air for the WWTP.
- c. A revised basis of design for properly sized blowers will also result in installation of smaller, more energy efficient equipment.
- d. Construction is scheduled in accordance with a 2nd quarter SRF loan during the 2019-2020 fiscal year.

2. Controlling Factors

- a. The blowers are necessary primarily to supply air to the anaerobic/oxic (A/O) process in the aeration basins. The A/O process allows for biological phosphorous removal, which is preferable to use of chemicals to achieve phosphorous removal.
- b. Replacement of the existing blowers with smaller, properly sized units will also allow for replacement of the existing motor control centers in the Blower Building, each of which are also near or possibly past the end of their design lives.
- c. Replacement of the blowers can be accomplished sequentially to allow for uninterrupted operation of the WWTP.

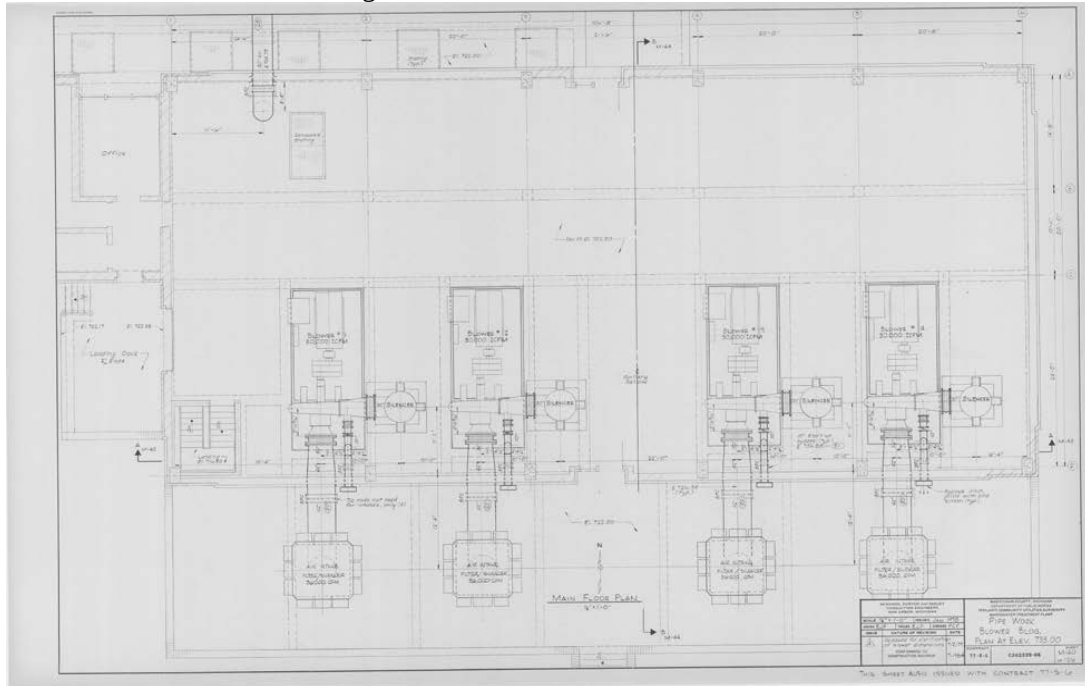
3. Maps and Sketches

a. Project Location

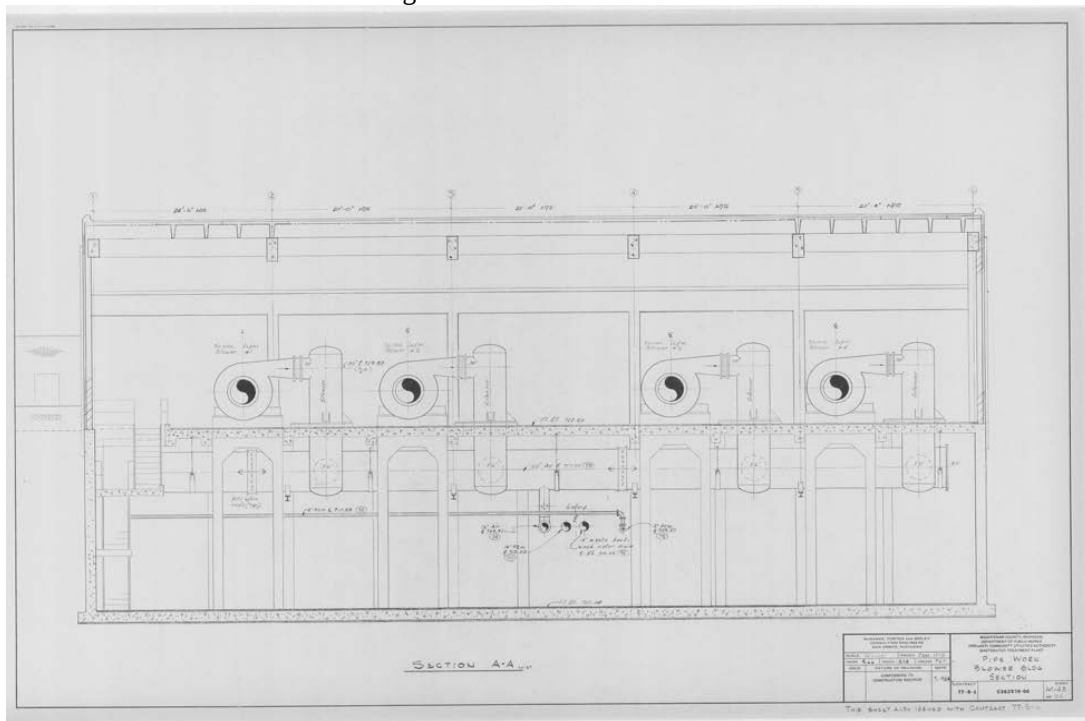


b. Site Map, Plan, Section

1. Plan view of Blower Building



2. Section view of Blower Building



4. Sensitive Features

No environmentally-sensitive features will be affected by the proposed work.

5. Mitigation of Environmental Impacts

The contract documents will include the necessary details and language to control dust, noise, and soil erosion and sedimentation. Mitigative measures for impacts other than those related to construction operations are not anticipated to be necessary.

6. Schedule for Design and Construction

<u>Milestone</u>	<u>Approximate Date</u>
Initiate Design Engineering Phase	August 29, 2019
Draft Plans and Specifications Complete	September 27, 2019
Final Plans and Specifications Complete	November 15, 2019
Submit Permit Applications to Agencies	November 1, 2019
Issuance of Construction Permits	December 20, 2019
Publication of Bid Advertisement	January 7, 2020
Opening of Bids	February 5, 2020
Notice to Proceed	April 15, 2020
Construction Start	April 22, 2020
Construction Complete	April 22, 2021

7. Preliminary Opinion of Probable Project Cost

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Cost</u>
Mobilization	1	l.sum	\$50,000.00	\$50,000.00
Remove and Replace Blower	4	each	\$500,000.00	\$2,000,000.00
Electrical and Instrumentation	1	l.sum	\$25,000.00	\$25,000.00
Restoration	1	l.sum	\$518,750.00	\$518,750.00
Construction Total				\$2,593,750.00
25% Engineering, Inspection, Administration and Contingencies				\$648,437.50
Total				\$3,242,187.50

Notes:

Based on the existing surface features in the area, the estimated restoration costs are assumed to be 25% of the estimated installation costs of the pumps, piping and appurtenances. The extent and cost of the restoration required may change during the detailed engineering design.

G:\YCUAproj\2018 - SRF Project Plan\Subprojects\WWTP Aeration Blowers Replace.docx

WWTP Primary Switchgear Replacement

The primary switchgear is located west of the Maintenance Building and was installed as part of the original wastewater treatment plant (WWTP) construction completed during 1982. The primary switchgear is located between two independent power supplies from the Authority's electric utility provider.

1. Relevant Design Parameters

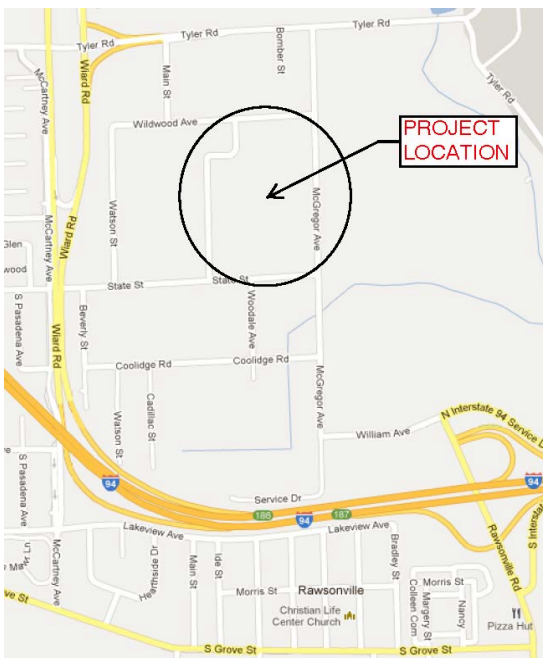
- a. The switchgear and transformers have exceeded their design life and are in need of replacement.
- b. Several components of the system are showing signs of deterioration.
- c. Construction is scheduled in accordance with a 2nd quarter SRF loan during the 2019-2020 fiscal year.

2. Controlling Factors

- a. Space is available for construction of a new primary switchgear and associated equipment immediately adjacent to the existing primary switchgear.
- b. Construction of a new primary switchgear adjacent to the existing equipment allows for WWTP operation to continue with minimal interruption to the electrical supply.

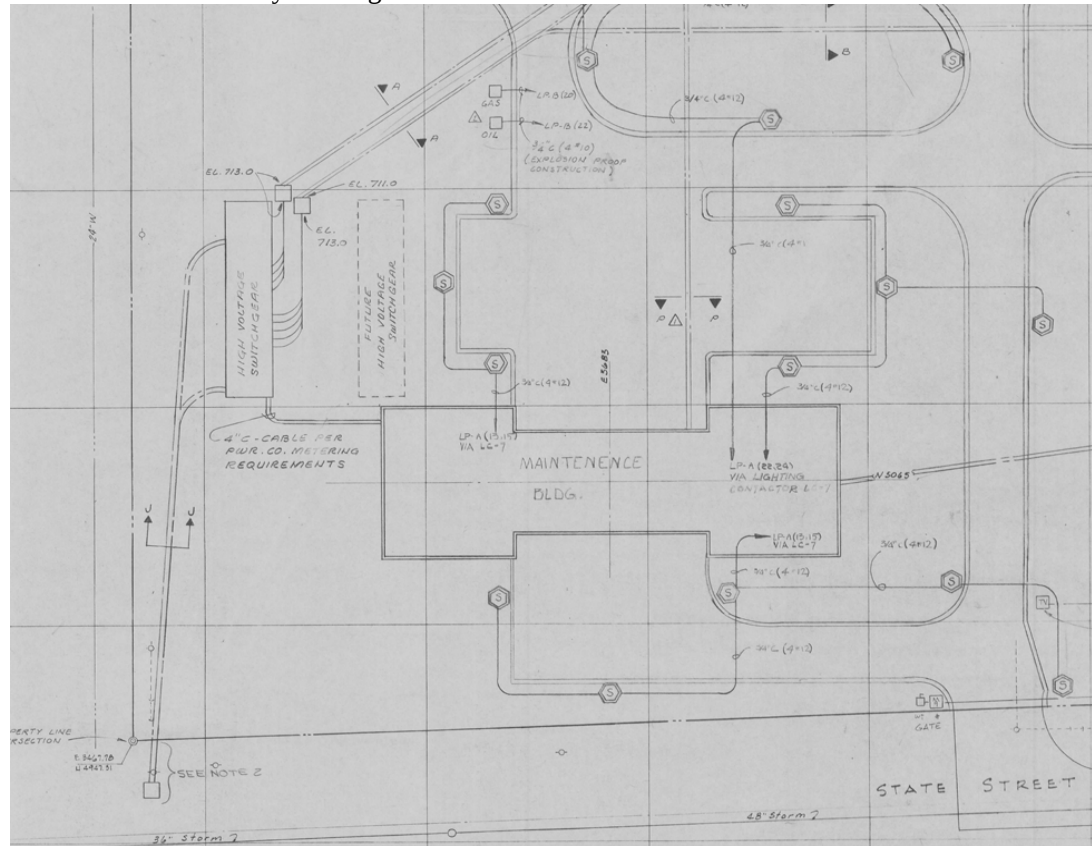
3. Maps and Sketches

a. Project Location



b. Site Map, Plan, Section

1. Plan view of Primary Switchgear



4. Sensitive Features

No environmentally-sensitive features will be affected by the proposed work.

5. Mitigation of Environmental Impacts

The contract documents will include the necessary details and language to control dust, noise, and soil erosion and sedimentation. Mitigative measures for impacts other than those related to construction operations are not anticipated to be necessary.

6. Schedule for Design and Construction

<u>Milestone</u>	<u>Approximate Date</u>
Initiate Design Engineering Phase	August 29, 2019
Draft Plans and Specifications Complete	September 27, 2019
Final Plans and Specifications Complete	November 15, 2019
Submit Permit Applications to Agencies	November 1, 2019
Issuance of Construction Permits	December 20, 2019
Publication of Bid Advertisement	January 7, 2020

Opening of Bids	February 5, 2020
Notice to Proceed	April 15, 2020
Construction Start	April 22, 2020
Construction Complete	April 22, 2021

7. Preliminary Opinion of Probable Project Cost

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Cost</u>
Mobilization	1	l.sum	\$70,000.00	\$70,000.00
Electrical and Instrumentation	1	l.sum	\$750,000.00	\$750,000.00
Restoration	1	l.sum	\$205,000.00	\$205,000.00
			Construction Total	\$1,025,000.00
			25% Engineering, Inspection, Administration and Contingencies	\$358,750.00
			Total	\$1,383,750.00

Notes:

Based on the existing surface features in the area, the estimated restoration costs are assumed to be 25% of the estimated installation costs of the pumps, piping and appurtenances. The extent and cost of the restoration required may change during the detailed engineering design.

G:\YCUAproj\2018 - SRF Project Plan\Subprojects\WWTP Prim Switchgear.docx

SRF CONTRACT

THIS SRF CONTRACT, dated as of November 18, 2020, by and among the YPSILANTI COMMUNITY UTILITIES AUTHORITY, a municipal authority and public body corporate of the State of Michigan (hereinafter referred to as the “Authority”), the CHARTER TOWNSHIP OF YPSILANTI (the “Township”) and the CITY OF YPSILANTI (the “City,” together with the Township referred to as the “Local Units”) both located in the County of Washtenaw, Michigan,

WITNESSETH:

WHEREAS, the Authority has been incorporated under the provisions of Act No. 233, Public Acts of Michigan, 1955, as amended (hereinafter referred to as “Act 233”), for the purposes set forth in Act 233 and the Local Units being constituent members of the Authority; and

WHEREAS, it is immediately necessary and imperative for the public health and welfare of the present and future residents of the Local Units to acquire and construct certain improvements to the wastewater treatment plant, consisting of upgrades to the aeration blower system and replacement of the primary switchgear for the electrical supply to the plant, together with all necessary appurtenances and attachments thereto be acquired and constructed to service the Local Units (the “Project”); and

WHEREAS, plans and an estimate of cost of said improvements have been prepared by the Authority’s consulting engineers (the “Consulting Engineers”), which said estimate of cost totals not to exceed \$6,000,000; and

WHEREAS, each of the Local Units is desirous of having the Authority arrange for the acquisition of said improvements, in order to furnish the residents of each of the Local Units with improved wastewater system services and facilities; and

WHEREAS, the parties hereto have determined that said improvements are essential to the general health, safety and welfare of each of the Local Units; and

WHEREAS, the Authority and the Local Units are each agreeable to the execution of this Contract, by and between themselves, to provide, among other things, for the financing of the cost of the Project; and

WHEREAS, each of the Local Units has approved and authorized the execution of this Contract by resolution of its governing body; and

WHEREAS, this Contract will become effective for each of the Local Units upon expiration of a period of forty-five days following publication by each of the Local Units of its respective notice of intention without filing of a petition for referendum on the question of its entering into this Contract, or if such referendum election be required, then upon approval by the qualified electors of the respective Local Unit;

NOW, THEREFORE, in consideration of the premises and the covenants made herein,

THE PARTIES HERETO AGREE AS FOLLOWS:

SECTION 1. The Authority and the Local Units each have previously approved and again approve the establishment of wastewater system improvements in the Local Units under the provisions of Act 233, together with all necessary appurtenances, attachments and rights in land adequate and sufficient to furnish such service to the area of each of the Local Units, as set forth in the plans prepared by the Consulting Engineers.

SECTION 2. The system referred to in Section 1 above is designated as YPSILANTI COMMUNITY UTILITIES AUTHORITY WASTEWATER SYSTEM (City of Ypsilanti and Charter Township of Ypsilanti) (hereinafter sometimes referred to in this Contract as the "System").

SECTION 3. Each of the Local Units hereby consents to the use by the Authority and any parties contracting with the Authority of the public streets, alleys, lands and rights-of-way in each Local Unit for the purpose of performing the Project.

SECTION 4. The System is designed to serve areas in each of the Local Units as described in the plans prepared by the Consulting Engineers and is immediately necessary to protect and preserve the public health; and each Local Unit does, by these presents, consent to the furnishing of such service through the System pursuant to Section 8 hereof, to the individual users in each Local Unit.

SECTION 5. The Authority and each of the Local Units hereby approve and confirm the plans for the System prepared by the Consulting Engineers and the total estimated cost thereof of not to exceed the sum of \$6,000,000 and the Local Units' combined share thereof (100%) of \$6,000,000. Said cost estimate includes all surveys, plans, specifications, acquisition of property for rights-of-way, physical construction necessary to acquire and construct the System, the acquisition of all materials, machinery and necessary equipment, and all engineering, engineering supervision, administrative, legal and financing expenses necessary in connection with the acquisition and construction of the System and the financing thereof.

SECTION 6. The Authority will take bids for the construction of the Project and the Authority shall in no event agree to any contract price or prices as will cause the actual cost thereof to exceed the estimated cost as approved in Section 5 of this Contract unless each of the Local Units, by resolution of its legislative body, (a) approves said increased total cost, and (b) agrees to pay such prorated excess over the estimated cost, either in cash or by specifically authorizing the maximum principal amount of bonds to be issued, as provided in Sections 10 and 16 of this Contract, to be increased to an amount which will provide sufficient funds to meet said increased cost, and approves a similar increase in the installment obligations of each Local Unit, if any, pledged under the terms of this Contract to the payment of such bonds.

SECTION 7. The Project shall be constructed by the Authority substantially in accordance with the plans and specifications therefor approved by this Contract. All matters relating to engineering plans and specifications, together with the making and letting of final construction contracts, the approval of work and materials thereunder, and construction supervision, shall be in the control of the Authority. All acquisition of sites and rights-of-way

shall be done by the Authority. Each Local Unit's share of the costs of such acquisition shall be paid from bond proceeds and, in addition, any costs incurred by any Local Units in connection with the acquisition or construction of the System, including engineering expenses, shall be promptly reimbursed to the Local Unit by the Authority from the proceeds of Authority Bonds.

SECTION 8. The System shall be retained, maintained and operated by the Authority. The parties hereto agree that the System shall be improved upon, operated, administered and maintained for the sole use and benefit of the Local Units and their respective users, including contract customers.

SECTION 9. To provide for the construction and financing of the Project in accordance with the provisions of Act 233, the Authority shall take the following steps:

(a) Immediately after execution hereof, the Authority will promptly take steps to adopt a resolution providing for the issuance of its bonds, in one or more series, in the aggregate principal amount of not to exceed \$6,000,000 (except as otherwise authorized pursuant to Section 16 of this Contract) to finance each of the Local Units' share of the cost of the System. Said bonds shall mature serially, as authorized by law, and shall be secured by the contractual obligations of each Local Unit in this Contract. After due adoption of the resolution, the Authority will take all necessary legal procedures and steps necessary to effectuate the sale and delivery of said bonds to the Michigan Finance Authority.

(b) The Authority shall take all steps necessary to take bids for and enter into and execute final acquisition and construction contracts for the construction of the Project as specified and approved hereinbefore in this Contract, in accordance with the plans and specifications therefor based on the plans as approved by this Contract. Said contracts shall specify a completion date agreeable to each Local Unit and the Authority.

(c) The Authority will require and procure from the contractor or contractors undertaking the actual construction of the Project necessary and proper bonds to guarantee the performance of the contract or contracts and such labor and material bonds as may be required by law.

(d) The Authority, upon receipt of the proceeds of sale of the bonds, will comply with all provisions and requirements provided for in the resolution authorizing the issuance of the bonds and this Contract relative to the disposition and use of the proceeds of sale of the bonds.

(e) The Authority may temporarily invest any bond proceeds or other funds held by it for the benefit of each Local Unit as permitted by law and investment income shall accrue to and follow the fund producing such income. The Authority shall not, however, invest, reinvest or accumulate any moneys deemed to be proceeds of the bonds pursuant to §148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder (the "Code"), in such a manner as to cause the bonds to be "arbitrage bonds" within the meaning of Code § 103(b)(2) and §148.

SECTION 10. The cost of the System shall be charged to and paid by each Local Unit to the Authority in the manner and at the times herein set forth.

The cost of the Project to be financed with the issuance of one or more series of bonds of the Authority (\$6,000,000) shall be paid by the Local Units to the Authority in annual installments (corresponding to principal payments on each series of the bonds on the next April 1st of each year) on March 15 of each year, as follows:

2022	\$250,000
2023	255,000
2024	260,000
2025	265,000
2026	270,000
2027	275,000
2028	280,000
2029	285,000
2030	290,000
2031	295,000
2032	300,000
2033	305,000
2034	310,000
2035	320,000
2036	325,000
2037	330,000
2038	335,000
2039	345,000
2040	350,000
2041	355,000

Each Local Unit shall pay its Local Unit Share (as hereinafter defined) of each payment required to be made by the Local Units to the Authority pursuant to this Section 10 of the Contract. "Local Unit Share" means initially for each Local Unit, the percentage of each payment as follows:

Charter Township of Ypsilanti	75.77%
City of Ypsilanti	24.23%

The Local Unit Share is subject to adjustment on an annual basis based upon existing agreements between the Local Units.

It is understood and agreed that the bonds of the Authority hereinbefore referred to will be issued in anticipation of the above contractual obligation, with principal installments on April 1 of each year, commencing with the year 2022, corresponding to the principal amount of the above installments, and each Local Unit shall also pay to the Authority in addition to said principal installments, on March 15 and September 15 of each year, commencing on March 15, 2021 as accrued interest on the principal amount remaining unpaid, an amount sufficient to pay

all interest, not to exceed two percent (2.0%) per annum, due on the next succeeding interest payment date (April 1 and October 1, respectively), on the installment portions of said bonds of the Authority from time to time outstanding. From time to time as other costs and expenses accrue to the Authority from handling of the payments made by each Local Unit, or from other actions taken in connection with the System, the Authority shall notify each Local Unit of the amount of such fees and other costs and expenses, and each Local Unit shall, within thirty (30) days from such notification, remit to the Authority sufficient funds to meet such fees and other costs and expenses. The principal payment date may be adjusted to October 1 at the time the bonds are sold to the Michigan Finance Authority but shall be payable in not more than twenty annual installments.

Should cash payment be required from each Local Unit in addition to the amounts specified in the preceding paragraph to meet additional costs of constructing the System, each Local Unit shall, upon written request by the Authority, furnish to the Authority written evidence of their agreement and ability to make such additional cash payments, and the Authority may elect not to proceed with the acquisition or financing of the System until such written evidence, satisfactory to the Authority, has been received by it. Each Local Unit shall pay to the Authority such additional cash payments within thirty (30) days after written request for such payment has been delivered by the Authority to such Local Unit.

The Authority shall, within thirty (30) days after the delivery of the bonds of the Authority hereinbefore referred to, furnish each Local Unit with a complete schedule of installments of principal and interest thereon, and the Authority shall also (a) at least sixty (60) days prior to January 1 of each year, commencing in 2022, advise each Local Unit, in writing, of the exact amount of interest installment due on the Authority bonds on the next succeeding April 1, and payable by each Local Unit on March 15, as hereinbefore provided, and the exact amount of principal and interest installments due on the bonds of the Authority on the next succeeding October 1, and payable by each Local Unit on September 15, as hereinbefore provided.

If any principal installment or interest installment is not paid when due, the amount not so paid shall be subject to a penalty, in addition to interest, of one percent (1%) thereof for each month or fraction thereof that the same remains unpaid after the due date.

SECTION 11. Each Local Unit, pursuant to the authorization contained in Act 233, hereby irrevocably pledges its limited tax full faith and credit for the prompt and timely payment of its respective obligations pledged for bond payments as expressed in this Contract, and shall each year, commencing with the fiscal year commencing January 1, 2021 for the Township and July 1, 2020 for the City set aside sufficient general fund moneys to make the payments, and, if necessary, levy an ad valorem tax on all the taxable property in the Local Unit, subject to applicable constitutional, statutory and charter tax rate limitations, in an amount which, taking into consideration estimated delinquencies in tax collections, will be sufficient to pay such obligations under this Contract becoming due before the time of the following year's tax collections. Nothing herein contained shall be construed to prevent the Local Unit from using any, or any combination of, means and methods provided in Section 7 of Act 233, as now or hereafter amended, including revenues derived from user charges or special assessments, for the purpose of providing funds to meet its obligations under this Contract, and if at the time of making the annual tax levy there shall be other funds on hand earmarked and set aside for the

payment of the contractual obligations due prior to the next tax collection period, then such annual tax levy may be reduced by such amount.

SECTION 12. Each Local Unit may pay in advance any of the payments required to be made by this Contract, in which event the Authority shall credit the respective Local Unit with such advance payment on future due payments to the extent of such advance payment.

SECTION 13. Each Local Unit may pay additional moneys over and above any of the payments specified in this Contract, with the written request that such additional funds be used to prepay installments, in which event the Authority shall be obligated to apply and use said moneys for such purpose to the fullest extent possible. Such moneys shall not then be credited as advance payments under the provisions of Section 12 of this Contract.

SECTION 14. In the event a Local Unit shall fail for any reason to pay to the Authority at the times specified the amounts required to be paid by the provisions of this Contract, the Authority shall immediately give notice of such default and the amount thereof, in writing, to the Treasurer of such Local Unit, the Treasurer of the County of Washtenaw, the Treasurer of the State of Michigan, and such other officials charged with disbursement to such Local Unit of funds returned by the State and now or hereafter under Act 233 available for pledge, as provided in this paragraph and in Section 12a of Act 233, and if such default is not corrected within ten (10) days after such notification, the State Treasurer, or other appropriate official charged with disbursement to such Local Unit of the aforesaid funds, is, by these presents, specifically authorized by the Local Unit, to the extent permitted by law, to withhold from the aforesaid funds the maximum amount necessary to cure said deficit and to pay said sums so withheld to the Authority, to apply on the obligations of such Local Unit as herein set forth. Any such moneys so withheld and paid shall be considered to have been paid to the Local Unit within the meaning of the Michigan Constitution and statutes, the purpose of this provision being voluntarily to pledge and authorize the use of said funds owing to such Local Unit to meet any past-due obligations of such Local Unit due under the provisions of this Contract. In addition to the foregoing, the Authority shall have all other rights and remedies provided by law to enforce the obligations of each Local Unit to make its respective payments in the manner and at the times required by this Contract, including the right of the Authority to direct each Local Unit to make a tax levy to reimburse the Authority for any funds advanced.

SECTION 15. It is specifically recognized by each Local Unit that the debt service payments required to be made by each pursuant to the terms of Section 10 of this Contract are to be pledged for and used to pay the principal installments of and interest on with respect to the bonds to be issued by the Authority as provided by this Contract and authorized by law, and each Local Unit covenants and agrees that it will make all required payments to the Authority promptly and at the times herein specified without regard to whether the System is actually completed or placed in operation.

SECTION 16. If the proceeds of the sale of the bonds to be issued by the Authority are for any reason insufficient to complete each Local Unit's share of the cost of the System, the Authority shall automatically be authorized to issue additional bonds in an aggregate principal amount sufficient to pay the respective Local Unit's share of completing the System and to increase the annual payments required to be made by each Local Unit in an amount so that the

total payments required to be made as increased will be sufficient to meet the annual principal and interest requirements on the bonds herein authorized plus the additional bonds to be issued. It is expressly agreed between the parties hereto that the Authority shall issue bonds pursuant to this Contract and each Local Unit shall be committed to retire such amount of bonds as may be necessary to pay each Local Unit's share of the costs of the System whether or not in excess of those presently estimated herein. Any such additional bonds shall comply with the requirements of Act 233 and any increase in the annual payments shall be made in the manner and at the times specified in this Contract. In lieu of such additional bonds, each Local Unit may pay over to the Authority, in cash, sufficient moneys to complete each Local Unit's share of the System.

SECTION 17. After completion of the System and payment of all costs thereof, any surplus remaining from the proceeds of sale of bonds shall be used by the Authority for either of the following purposes, at the sole option of and upon request made by resolution of any Local Unit, to wit: (a) for additional improvements to the System or for other projects of the Authority undertaken on behalf of said Local Units; subject to approval of the Authority; or (b) credited by the Authority toward the next payments due the Authority by said Local Units hereunder.

SECTION 18. The obligations and undertakings of each of the parties to this Contract shall be conditioned on the successful issuance and sale of the bonds pursuant to Act 233, and if for any reason whatsoever said bonds are not issued and sold within two (2) years from the date of this Contract, this Contract, except for payment of preliminary expenses and ownership of engineering data, shall be considered void and of no force and effect.

SECTION 19. The Authority and Local Units each recognize that the owners of the bonds issued by the Authority under the provisions of Act 233 to finance the cost of the System will have contractual rights in this Contract, and it is, therefore, covenanted and agreed by the Authority and each Local Unit that so long as any of said bonds shall remain outstanding and unpaid, the provisions of this Contract shall not be subject to any alteration or revision which would in any manner materially affect either the security of the bonds or the prompt payment of principal or interest thereon. The Local Units and the Authority each further covenant and agree that each will comply with its respective duties and obligations under the terms of this Contract promptly at the times and in the manner herein set forth, and will not suffer to be done any act which would in any way impair the said bonds, the security therefor, or the prompt payment of principal and interest thereon. It is hereby declared that the terms of this Contract insofar as they pertain to the security of any such bonds shall be deemed to be for the benefit of the owners of said bonds.

SECTION 20. This Contract shall remain in full force and effect from the effective date hereof (as provided in Section 23) until the bonds issued by the Authority are paid in full, but in any event not to exceed a period of thirty (30) years. At such time within said 30-year term as all of said bonds are paid, this Contract shall be terminated. In any event, the obligation of each Local Unit to make payments required by this Contract shall be terminated at such time as all of said bonds are paid in full, together with any deficiency or penalty thereon.

SECTION 21. The parties hereto hereby expressly agree that the Authority shall not be liable for and each Local Unit shall, to the extent legally available, pay, indemnify and save the Authority harmless of, from and against all liability of any nature whatever regardless of the

nature in which such liability may arise, for any and all claims, actions, demands, expenses, damages and losses of every conceivable kind whatsoever (including, but not limited to, liability for injuries to or death of persons and damages to or loss of property) asserted by or on behalf of any person, firm, corporation or governmental authority arising out of, resulting from, or in any way connected with the Project; the ownership, acquisition, construction, operation, maintenance and repair of the System; this Contract; or the issuance, sale and delivery of the bonds herein described. It is the intent of the parties that the Authority be held harmless by each Local Unit from liability for such claims, actions, demands, expenses, damages and losses, however caused or however arising, including, but not limited to, to the extent not prohibited by law, such claims, actions, demands, expenses, damages and losses even though caused, occasioned or contributed to by the negligence, sole or concurrent, of the Authority or by negligence for which the Authority may be held liable. In any action or proceeding brought about by reason of any such claim or demand, each Local Unit, to the extent legally available, will also pay, indemnify and save the Authority harmless from and against all costs, reasonable attorneys' fees and disbursements of any kind or nature incidental to or incurred in said defense, and will likewise pay all sums required to be paid by reason of said claims, demands, or any of them, in the event it is determined that there is any liability on the part of the Authority. Upon the entry of any final judgment by a court of competent jurisdiction or a final award by an arbitration panel against the Authority on any claim, action, demand, expense, damage or loss contemplated by this Section and notwithstanding that the Authority has not paid the same, each Local Unit shall be obligated to pay to the Authority, upon written demand therefor, the amount thereof not more than sixty (60) days after such demand is made. In the event that any action or proceeding is brought against the Authority by reason of any such claims or demands, whether said claims or demands are groundless or not, each Local Unit shall, upon written notice and demand from the Authority, but not without written consent of the Authority, settle any such action in the proceeding. Notwithstanding the foregoing, nothing contained in this Section shall be construed to indemnify or release the Authority against or from any liability which it would otherwise have arising from the wrongful or negligent actions or failure to act on the part of the Authority's employees, agents or representatives with respect to matters not related to the ownership, acquisition, construction, operation, maintenance or repair of the System, this Contract or the issuance, sale or delivery of the bonds herein described.

SECTION 22. This Contract shall inure to the benefit of and be binding upon the respective parties hereto, their successors and assigns.

SECTION 23. This Contract shall become effective upon (i) approval by each legislative body of the Local Unit, (ii) approval by the Board of the Authority, (iii) expiration of the forty-five day period following publication by each Local Unit of its notice of intention without filing of a petition for referendum on the question of its entering into this Contract, or if such referendum election be required, then upon approval by the qualified electors of such Local Unit, and (iv) due execution by the Supervisor and Township Clerk of the Township, the Mayor and City Clerk of the City and by the Chair and Secretary of the Authority.

SECTION 24. In the event construction bids are received by the Authority pursuant to Section 9 hereof and such bids are below the Consulting Engineers' estimates thus necessitating a smaller amount of Bonds for each Local Unit's share to be issued than \$6,000,000, the Authority shall be automatically authorized to reduce the amount of Bonds sold and the annual

principal installments specified in Section 10 of this Contract shall be automatically revised according to the new debt service schedule for the Bonds, without the necessity of publication of notice of such revision.

SECTION 25. This Contract may be executed in several counterparts.

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

In the presence of:

YPSILANTI COMMUNITY UTILITIES
AUTHORITY

By: _____
Chair

By: _____
Secretary

In the presence of:

CHARTER TOWNSHIP OF
YPSILANTI

By: _____
Supervisor

By: _____
Township Clerk

In the presence of:

CITY OF YPSILANTI

By: _____
Mayor

By: _____
City Clerk

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NOTICE OF INTENT TO EXECUTE
TAX-SUPPORTED CONTRACT AND OF RIGHT TO
PETITION FOR REFERENDUM THEREON

TO THE TAXPAYERS AND ELECTORS OF
THE CITY OF YPSILANTI,
WASHTENAW COUNTY, MICHIGAN:

PLEASE TAKE NOTICE, the City of Ypsilanti (the "City") has approved by resolution the execution of a contract (the "Contract") with the Ypsilanti Community Utilities Authority (the "Authority") and the Charter Township of Ypsilanti (the "Township") pursuant to Act No. 233, Public Acts of Michigan, 1955, as amended, which Contract provides, among other things, that the Authority will acquire, construct and install certain improvements to the wastewater treatment plant, consisting of upgrades to the aeration blower system and replacement of the primary switchgear for the electrical supply to the plant, together with all necessary appurtenances and attachments thereto to service the City and the Township and will issue its bonds in the principal amount not to exceed \$6,000,000 to finance the cost of the acquisition and construction of such wastewater improvements for the City and the Township AND THE CITY WILL PAY TO THE AUTHORITY PURSUANT TO THE CONTRACT THE SUMS NECESSARY TO RETIRE ITS PERCENTAGE SHARE OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

CITY'S CONTRACT OBLIGATIONS

It is presently contemplated that the bonds will be in the principal amount of not to exceed \$6,000,000, of which the City's "Local Unit Share" (as that term is defined in the Contract and is based on the City's annual usage of the wastewater system) is initially 24.23%, subject to adjustment annually, will mature serially over a period of not to exceed twenty-five (25) years, and will bear interest at the rate or rates to be determined at the time of sale to the Michigan Finance Authority but in no event to exceed two percent (2.0%) per annum on the balance of the bonds from time to time remaining unpaid. The Contract includes the City's pledge of its limited tax full faith and credit for the prompt and timely payment of the City's obligations as expressed in the Contract. THE CITY WILL BE REQUIRED TO LEVY AD VALOREM TAXES WITHIN APPLICABLE CONSTITUTIONAL, STATUTORY AND CHARTER TAX LIMITATIONS ON ALL TAXABLE PROPERTY WITHIN THE CITY TO THE EXTENT NECESSARY TO MAKE THE PAYMENTS REQUIRED TO PAY ITS SHARE OF THE PRINCIPAL OF AND INTEREST ON THE BONDS IF OTHER FUNDS FOR THAT PURPOSE ARE NOT AVAILABLE. IT IS THE PRESENT INTENT OF THE CITY TO USE THE REVENUES FROM THE CITY DIVISION OF THE AUTHORITY'S SYSTEM TO MAKE THE PAYMENTS REQUIRED TO PAY PRINCIPAL OF AND INTEREST ON THE BONDS.

RIGHT OF REFERENDUM

The Contract will become effective and binding upon the City without vote of the electors as permitted by law unless a petition requesting an election on the question of the City entering into the Contract, signed by not less than 10% of the registered electors of the City, is filed with the City Clerk within forty-five (45) days after publication of this notice. If such petition is filed, the Contract cannot become effective without an approving vote of a majority of electors of the City qualified to vote and voting on the question. The Contract is on file at the office of the City Clerk.

This notice is given pursuant to the requirements of Section 8 of Act No. 233, Public Acts of Michigan, 1955, as amended. Further information concerning the details of the Contract and the matters set out in this notice may be secured from the City Clerk's office.

Andrew Hellenga
Clerk, City of Ypsilanti



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Rheagan Basabica
DATE: November 17, 2020
SUBJECT: Winter 2020 Special Assessment

DESCRIPTION:

Winter 2020 Special Assessment

SUMMARY:

Bi-annually, all bills that remained unpaid for at least 30 days after the billing date, are to be added to the July or December tax roll as special assessments. These unpaid bills include board ups, trash removal, weed removal, rental inspections, dangerous building escrow, dangerous building inspection, graffiti removal snow removal, drains, water, AHB and other miscellaneous bills.

Once these items are added to the tax roll, they become a lien on the property in accordance with the City Charter, Special Assessments, and Section 8.01 Article VIII.

Further, at tax settlement, in March the County pays the City for any unpaid items. Washtenaw County Treasurer's Office serves as the collection agent for the City.

Attachments: Summary and detail list of winter 2020 Special Assessments

Recommended Action: City Council authorizes the City Treasurer to levy and assess the Winter 2020 Special Assessments.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-255
November 17, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That, the City Treasurer be authorized to levy and assess on the December 2020 tax roll the attached listing of unpaid bills totaling \$121,122.96

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 17 day of November 2020

#Resolution No. 2020-255



November 11, 2020

Frances McMullan
City Manager
1 South Huron
Ypsilanti, MI 48197

RE: Special Assessments

In accordance with the City Charter Chapter, Special Assessments, Chapter 8.01. Article VIII. I hereby certify that the attached is a true copy of all installments on Special Assessment Rolls, which are due and have remained unpaid as of September 30, 2020.

The City Council, at their next meeting, can authorize me to levy these unpaid bills on the December 2020 Tax Roll.

Sincerely,

Rheagan Basabica, CPA, CGFM
Finance Director/Treasurer

CITY OF YPSILANTI
2020 Winter Special Assessment

Code	Type	Address	Amount
109	Trash		
	11-11-03-371-011	703 E CROSS ST	215.00
	Trash Total		215.00
109 Total			215.00
110	Weeds		
	11-11-04-360-001	2 W FOREST AVE	130.00
	11-11-06-409-003	1820 WASHTENAW AVE	235.00
	11-11-09-131-007	315 N RIVER ST	175.00
	11-11-09-131-027	223 N RIVER ST	275.00
	11-11-09-190-005	324 E MICHIGAN AVE	90.00
	11-11-09-496-010	308 S PROSPECT ST	130.00
	11-11-10-262-005	601 E MICHIGAN AVE	310.00
	11-11-10-267-005	92 ECORSE RD	220.00
	11-11-10-267-010	62 ECORSE RD	130.00
	11-11-10-335-010	203 ARNET ST	390.00
	11-11-37-127-003	534 MONROE ST	220.00
	11-11-37-129-008	960 MONROE ST	180.00
	11-11-37-131-010	875 MONROE ST	260.00
	11-11-37-153-003	925 MADISON ST	130.00
	11-11-37-155-005	843 JEFFERSON ST	130.00
	11-11-37-204-011	1042 WATLING BLVD	440.00
	11-11-39-125-011	703 W MICHIGAN AVE	130.00
	11-11-39-130-018	100 W AINSWORTH BLVD	260.00
	11-11-39-130-033	312 W AINSWORTH BLVD	175.00
	11-11-39-145-045	86 W WARNER AVE	1,350.00
	11-11-39-160-027	396 FIRST AVE	130.00
	11-11-39-168-001	829 HILL ST	130.00
	11-11-39-175-004	509 FERRIS ST	175.00
	11-11-39-412-007	316 S WASHINGTON ST	130.00
	11-11-39-415-031	426 S ADAMS ST	90.00
	11-11-39-416-018	324 S HAMILTON ST	130.00
	11-11-39-416-026	454 AINSWORTH CIR	130.00
	11-11-39-426-006	429 BURTON CT	130.00
	11-11-39-440-020	483 FIRST AVE	700.00
	11-11-39-440-021	856 HARRIET ST	90.00
	11-11-39-440-022	846 HARRIET ST	390.00
	11-11-39-465-007	491 SECOND AVE	90.00
	11-11-39-465-011	525 SECOND AVE	180.00
	11-11-39-465-024	540 FIRST AVE	350.00
	11-11-39-465-025	536 FIRST AVE	550.00
	11-11-39-480-023	430 S WASHINGTON ST	390.00
	11-11-40-138-002	911 SHERIDAN ST	210.00

Code	Type	Address	Amount
110	11-11-40-183-003	511 W CROSS ST	415.00
	11-11-40-184-013	305 N HAMILTON ST	305.00
	11-11-40-205-024	308 N WALLACE BLVD	275.00
	11-11-40-430-015	708 PEARL ST	130.00
	11-11-40-433-007	8 OAKWOOD AVE	130.00
	11-11-40-463-010	701 N CONGRESS ST	390.00
	11-11-40-482-006	317 WASHTENAW AVE	335.00
	Weeds Total		11,335.00
110 Total			11,335.00
112	Rental Inspection		
	11-11-04-361-013	202 W FOREST AVE	298.00
	11-11-04-426-003	726 NORRIS ST	357.00
	11-11-05-352-012	1636 WASHTENAW AVE	370.00
	11-11-06-450-008	2246 TOUCHDOWN CT 8	559.00
	11-11-06-450-042	2396 QUARTERBACK CT 2	220.00
	11-11-06-450-062	2448 QUARTERBACK CT 6	572.00
	11-11-09-130-012	202 N RIVER ST	155.00
	11-11-10-335-002	782 FORD ST	869.00
	11-11-10-335-017	749 MILDRED ST	185.00
	11-11-10-355-033	703 MAUS AVE	368.00
	11-11-37-131-013	897 MONROE ST	517.00
	11-11-37-155-004	835 JEFFERSON ST	434.00
	11-11-37-155-005	843 JEFFERSON ST	789.00
	11-11-39-166-009	832 FRANKLIN ST	1,166.00
	11-11-39-168-023	122 HAWKINS ST	789.00
	11-11-39-174-027	202 MIDDLE DR	523.00
	11-11-39-180-001	100 S WASHINGTON ST	430.00
	11-11-39-181-010	114 S HURON ST	1,102.00
	11-11-39-285-010	444 SECOND AVE	155.00
	11-11-39-440-011	909 FREDERICK ST	270.00
	11-11-39-440-028	804 HARRIET ST	385.00
	11-11-39-465-029	502 FIRST AVE	606.00
	11-11-40-109-005	422 N HAMILTON ST	1,145.00
	11-11-40-113-007	412 PERRIN ST	332.00
	11-11-40-206-004	1213 WESTMOORLAND RD	517.00
	11-11-40-412-006	207 N WASHINGTON ST	836.00
	11-11-40-416-012	517 WASHTENAW AVE	993.00
	11-11-40-430-009	122 N NORMAL ST	111.00
	Rental Inspection Total		15,053.00
112 Total			15,053.00

Code	Type	Address	Amount
124	Dangerous-Escrow		
	11-11-04-360-001	2 W FOREST AVE	2,100.00
	11-11-09-106-009	302 E CROSS ST	2,100.00
	11-11-37-130-002	919 MONROE ST	2,100.00
	11-11-37-130-003	925 MONROE ST	300.00
	11-11-39-160-023	436 FIRST AVE	2,100.00
	11-11-40-480-010	410 W MICHIGAN AVE	2,100.00
	11-11-40-482-005	315 WASHTENAW AVE	2,100.00
	Dangerous-Escrow Total		12,900.00
124 Total			12,900.00
125	Dangerous-Insp.		
	11-11-04-360-001	2 W FOREST AVE	1,050.00
	11-11-09-106-009	302 E CROSS ST	1,050.00
	11-11-09-496-010	308 S PROSPECT ST	600.00
	11-11-37-130-002	919 MONROE ST	1,050.00
	11-11-39-160-023	436 FIRST AVE	1,050.00
	11-11-40-163-024	203 N SUMMIT ST	150.00
	11-11-40-480-010	410 W MICHIGAN AVE	1,050.00
	11-11-40-482-005	315 WASHTENAW AVE	1,050.00
	Dangerous-Insp. Total		7,050.00
125 Total			7,050.00
126	Leaf Removal		
	11-11-37-154-007	943 JEFFERSON ST	175.00
	11-11-39-160-049	967 W MICHIGAN AVE	350.00
	11-11-39-175-020	309 S WASHINGTON ST	295.00
	11-11-39-416-008	309 E AINSWORTH BLVD	275.00
	11-11-39-440-023	838 HARRIET ST	175.00
	Leaf Removal Total		1,270.00
126 Total			1,270.00
230	AHB		
	11-11-37-126-015	466 MADISON ST	375.00
	11-11-03-371-011	703 E CROSS ST	2,215.00
	11-11-04-403-016	807 HEMPHILL ST	375.00
	11-11-04-413-010	401 E FOREST AVE	3,385.00
	11-11-05-310-007	1315 KINGWOOD ST	375.00
	11-11-05-351-010	1645 WHITTIER RD	375.00
	11-11-05-382-010	1486 WASHTENAW AVE	335.00
	11-11-05-466-001	1021 WASHTENAW AVE D	3,640.00
	11-11-05-466-004	1021 WASHTENAW AVE A	410.00
	11-11-09-112-017	219 N PROSPECT ST	750.00
	11-11-09-170-022	106 S GROVE ST	920.00
	11-11-09-182-007	301 E MICHIGAN AVE	410.00
	11-11-09-190-005	324 E MICHIGAN AVE	460.00
	11-11-09-496-004	319 S GROVE ST	410.00
	11-11-10-234-005	208 N PROSPECT ST	410.00
	11-11-10-262-005	601 E MICHIGAN AVE	460.00

Code	Type	Address	Amount
230	11-11-10-262-007	501 E MICHIGAN AVE	1,280.00
	11-11-10-335-010	203 ARNET ST	1,645.00
	11-11-10-355-013	598 DAVIS ST	375.00
	11-11-10-355-018	540 DAVIS ST	410.00
	11-11-10-360-020	525 TYLER RD	460.00
	11-11-37-105-003	15 KRAMER ST	1,790.00
	11-11-37-126-020	565 MONROE ST	375.00
	11-11-37-128-001	802 MONROE ST	1,160.00
	11-11-37-130-008	955 MONROE ST	375.00
	11-11-37-131-009	869 MONROE ST	820.00
	11-11-37-131-010	875 MONROE ST	1,160.00
	11-11-37-131-016	880 MADISON ST	2,215.00
	11-11-37-151-003	485 MADISON ST	375.00
	11-11-37-151-005	507 MADISON ST	375.00
	11-11-37-151-007	525 MADISON ST	375.00
	11-11-37-151-015	534 JEFFERSON ST	375.00
	11-11-37-151-020	484 JEFFERSON ST	750.00
	11-11-37-153-010	975 MADISON ST	375.00
	11-11-37-153-016	966 JEFFERSON ST	375.00
	11-11-37-154-001	909 JEFFERSON ST	375.00
	11-11-37-154-013	979 JEFFERSON ST	375.00
	11-11-37-154-016	978 WATLING BLVD	375.00
	11-11-37-154-028	904 WATLING BLVD	375.00
	11-11-37-156-005	505 JEFFERSON ST	375.00
	11-11-37-204-001	1005 JEFFERSON ST	785.00
	11-11-37-204-011	1042 WATLING BLVD	785.00
	11-11-39-125-014	7 W AINSWORTH BLVD	820.00
	11-11-39-130-022	200 W AINSWORTH BLVD	1,430.00
	11-11-39-145-018	937 PLEASANT DR	410.00
	11-11-39-145-036	902 W MICHIGAN AVE	410.00
	11-11-39-145-048	128 W WARNER AVE	410.00
	11-11-39-160-012	383 SECOND AVE	410.00
	11-11-39-160-013	389 SECOND AVE	1,605.00
	11-11-39-160-027	396 FIRST AVE	785.00
	11-11-39-160-038	312 FIRST AVE	375.00
	11-11-39-165-001	915 W MICHIGAN AVE	375.00
	11-11-39-168-005	335 WORDEN ST	375.00
	11-11-39-168-023	122 HAWKINS ST	2,130.00
	11-11-39-175-020	309 S WASHINGTON ST	750.00
	11-11-39-175-024	302 E AINSWORTH BLVD	835.00
	11-11-39-177-023	111 E AINSWORTH BLVD	410.00
	11-11-39-178-015	222 S ADAMS ST	375.00
	11-11-39-285-011	450 SECOND AVE	1,655.00
	11-11-39-301-001	507 HART PL	375.00
	11-11-39-301-010	1116 SMALL PL	375.00
	11-11-39-412-005	309 S WASHINGTON ST	820.00

Code	Type	Address	Amount
230	11-11-39-413-003	311 S ADAMS ST	485.00
	11-11-39-426-006	429 BURTON CT	375.00
	11-11-39-426-037	414 AINSWORTH CIR	375.00
	11-11-39-427-010	634 HARRIET ST	375.00
	11-11-39-431-009	850 FREDERICK ST	460.00
	11-11-39-440-020	483 FIRST AVE	1,570.00
	11-11-39-440-024	832 HARRIET ST	460.00
	11-11-39-440-031	782 HARRIET ST	385.00
	11-11-39-465-011	525 SECOND AVE	375.00
	11-11-39-480-011	429 S ADAMS ST	375.00
	11-11-39-480-023	430 S WASHINGTON ST	785.00
	11-11-39-480-024	426 S WASHINGTON ST	750.00
	11-11-39-481-012	430 S HURON ST	375.00
	11-11-40-111-016	423 N HAMILTON ST	510.00
	11-11-40-164-008	222 N SUMMIT ST	410.00
	11-11-40-164-013	202 N SUMMIT ST	1,370.00
	11-11-40-164-016	120 N SUMMIT ST	375.00
	11-11-40-164-029	125 N NORMAL ST	410.00
	11-11-40-164-034	213 N NORMAL ST	385.00
	11-11-40-415-022	110 BALLARD ST	410.00
	11-11-40-430-009	122 N NORMAL ST	2,675.00
	11-11-40-462-014	43 S SUMMIT ST	2,490.00
	11-11-40-464-006	513 PEARL ST	410.00
	11-11-40-464-034	602 N CONGRESS ST	410.00
	11-11-40-480-005	7 N HAMILTON ST	870.00
	11-11-40-480-007	402 W MICHIGAN AVE	1,740.00
	11-11-40-480-011	418 W MICHIGAN AVE	375.00
	11-11-40-480-012	424 W MICHIGAN AVE	4,055.00
AHB Total			72,985.00
230 Total			72,985.00
8260	Recreation Park		
	11-11-39-145-018	937 PLEASANT DR	25.15
	11-11-39-145-019	W WARNER AVE	13.61
	11-11-39-145-020	146 W WARNER AVE	17.89
	11-11-39-145-043	12 W WARNER AVE	20.93
	11-11-39-145-044	18 W WARNER AVE	21.29
	11-11-39-145-045	86 W WARNER AVE	13.38
	11-11-39-145-046	100 W WARNER AVE	13.47
	11-11-39-145-047	114 W WARNER AVE	13.47
	11-11-39-145-048	128 W WARNER AVE	13.52
	11-11-39-214-005	1010 W MICHIGAN AVE	14.25
	11-11-39-214-006	1010 W MICHIGAN AVE	15.65
	11-11-40-357-004	15 W WARNER AVE	19.01
	11-11-40-357-005	31 W WARNER AVE	17.34
	11-11-40-357-006	45 W WARNER AVE	18.77
	11-11-40-357-007	211 W WARNER AVE	20.15

Code	Type	Address	Amount
8260	11-11-40-357-009	105 W WARNER AVE	14.27
	11-11-40-357-010	135 W WARNER AVE	14.27
	11-11-40-357-011	165 W WARNER AVE	14.27
	11-11-40-357-012	195 W WARNER AVE	14.27
Recreation Park Total			314.96
8260 Total			314.96
Grand Total			121,122.96



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Bonnie Wessler
DATE: November 17, 2020
SUBJECT: Parking Tickets: Late Fine Amnesty

DESCRIPTION:

Parking Tickets: Late Fine Amnesty

SUMMARY:

Due to COVID-19, the parking system has faced some interesting challenges. Meter revenue was collected through mid-March, resumed for three weeks in July, then collections were ceased again. Original budgeted revenue for FY2020-2021 was \$145,000, and we are likely going to miss that mark by a significant amount as revenue to date is approximately \$14,000.

Conversely, we have a significant unpaid parking ticket balance, shown below. Many other jurisdictions have sought to simultaneously provide relief to their constituents, and boost challenged revenue streams, by providing a late fine amnesty for parking tickets when paid within a certain time period. Locally, the 14A-2 Court, which processes our appealed tickets, is offering such an amnesty for traffic tickets issued before December 31, 2018. Were we to mirror that amnesty, with a 50% uptake rate, we could potentially receive over \$300,000 in ticket revenue. As the City has not performed a similar amnesty before, and these are not usual times for many, it is challenging to project the uptake rate; the precise number could be much higher or much lower.

	Number of tickets	Amount due (base, no late fines)
2015	67	\$2045
2016	5108	\$184,395
2017	5004	\$258,439
2018	3268	\$186,014.60
2019	2612	\$89,990.14

To serve the goals of providing relief to our constituents and replacing lost revenue, staff is proposing that Council institute a parking ticket late fine amnesty for tickets issued through Dec 31, 2018, to mirror the amnesty provided by the 14A-2 Court.

RECOMMENDED ACTION: Approval

ATTACHMENTS: None

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



**Resolution No. 2020-256
November 17, 2020**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City has seen a significant reduction in parking meter revenue due to the effects of the COVID-19 pandemic; and

WHEREAS, there is a significant balance of unpaid parking tickets; and

WHEREAS, the City recognizes that many people are also facing challenging financial circumstances; and

NOW THEREFORE BE IT RESOLVED, THAT the City Council hereby grants a late fine amnesty on all parking tickets issued on or before December 31, 2018, to extend through January 31, 2021.

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 17 day of November 2020

#Resolution No. 2020-256



Resolution No. 2020-257
November 17, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas the City Council adopts the following Boards and Commission Procedure:

Applications

Council Members will be informed automatically of online submissions. Paper applications will be forwarded to Council when received. Council shall consult the Submitted Board and Commission Applications Spreadsheet to check residency status.

Council should consult with staff liaisons, if applicable, when appointing members to commissions which have specific requirements or skill sets, especially the Historic District Commission, Planning Commission, and Zoning Board of Appeals. Further qualifications shall be reviewed by members of Council seeking to nominate the applicant. Applicants should be encouraged to attend the applicable board or commission meeting prior to nomination.

The nomination, appointment, and notification process shall follow the procedure established at the Council Organizational meeting. The applicable Board or Commission chair will be informed of any nominations.

Candidates should be encouraged to introduce themselves to Council during the meeting with their nomination. If Council Members have further questions for candidates after nomination, they should reach out to said candidate individually prior to appointment.

Nominations of Multiple Candidates for a Single Seat

#Resolution No. 2020-257

During the "Boards and Commissions – Nominations" Section of the Agenda, Council will indicate by vote which candidate will receive the nomination for appointment.

Appointment

Each applicant will be provided the Board and Commission Welcome Packet upon taking the Oath of Office as approved in Resolution No. 2019-258.

Vacancies and Expirations

The staff liaison or Clerk staff shall inform board and commission members of their upcoming term expiration at least one month prior to expiration to allow adequate time for reappointment or replacement. Liaisons will ask members of their intention to seek reappointment and inform the Clerk Office who will then provide the update to Council.

Now therefore be it resolved that this application and maintenance procedure for board and commission membership 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 17 day of November 2020

#Resolution No. 2020-257



CITY OF YPSILANTI PUBLIC NOTICE

YPSILANTI CITY HALL WILL BE CLOSED ON THE FOLLOWING DATES FOR
OBSERVED HOLIDAYS 2021

January 1, 2021	New Year's Day
January 18, 2021	MLK Jr. Birthday
April 2, 2021	Good Friday
May 31, 2021	Memorial Day
July 5, 2021	Independence Day Observed
September 6, 2021	Labor Day
November 25, 2021	Thanksgiving Day
November 26, 2021	Day after Thanksgiving
December 23, 2021	Christmas Eve Observed
December 24, 2021	Christmas Day Observed
December 27, 28, 29, 2021	City Hall and Admin Offices Closed
December 30, 2021	New Year's Eve Observed
December 31, 2021	New Year's Day Observed



Resolution No. 2020-258
November 17, 2020

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
17 day of November 2020

#Resolution No. 2020-258