



**CITY OF YPSILANTI
CITY COUNCIL MEETING
OCTOBER 5, 2021 @ 7:00 PM
[ZOOM MEETING](#)
One South Huron, Ypsilanti, MI 48197**

Page

I. CALL TO ORDER

II. ROLL CALL

III. AGENDA APPROVAL

IV. PUBLIC COMMENT (3 MINUTES)

V. CONSENT AGENDA

- 4** A. Resolution No. 2021-209, approving the Consent Agenda.
[2021-209 - Pdf](#)
- 5 - 13** B. Resolution No. 2021-210, approving the minutes of September 21, 2021.
[2021-210 - Pdf](#)
- 14 - 22** C. Resolution No. 2021-211, approving Ordinance 1383, an ordinance to amend Chapter 78, Parks and Public Property of the Ypsilanti City Code of Ordinances.
(Second Reading)
[2021-211 - Pdf](#)

VI. RESOLUTIONS/MOTIONS/DISCUSSIONS

- 23 - 24** A. Resolution No. 2021-212, supporting the passage of SB 0358 of 2021, a bill to repeal the act preempting local regulation.
[2021-212 - Pdf](#)
- 25 - 40** B. Resolution No. 2021-213, approving the request to waive park rental fees for the 2021 YpsiGlow event in the amount of \$2,420.
[2021-213 - Pdf](#)
- 41 - 56** C. Resolution No. 2021-214, approving the request to be a sponsor of the 2021 Christmas Celebration in the amount of \$10,443.74.
[2021-214 - Pdf](#)
- 57 - 64** D. Resolution No. 2021-215, approving an options agreement with Renovare Development, LLC to develop 220 N. Park.
[2021-215 - Pdf](#)

VII. BOARD AND COMMISSION - COMMUNICATIONS

- A. Ypsilanti Police Advisory Commission
- A resolution urging City Council to:
 - Urge the proper Washtenaw County authorities to develop a policy for free calls from individuals in Washtenaw County.
 - To establish a city policy to aid and assist individuals with their criminal record expungements
 - To develop a city policy concerning open records for the hiring of prospective police officers for the city of Ypsilanti.
 - A resolution requesting the removal of Commissioner Precious Turman from the Police Advisory Commission.

[Res. No. 2021-1 and 2](#)

VIII. BOARD AND COMMISSION - LIAISON REPORTS

1. Police Advisory Commission.
2. Human Relations Commission.
3. Arts Commission.
4. Parks and Recreation Commission.
5. Sustainability Commission.
6. Historic District Commission.
7. Planning Commission.
8. Zoning Board of Appeals

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

- A. October 19, 2021 City Council Meeting - 6:00 pm Work session with AAATA

XIV. ADJOURNMENT

- A. Resolution No. 2021-216, adjourning the City Council Meeting.
[2021-216 - 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.



Resolution No. 2021-209
October 5, 2021

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. **Resolution No. 2021-210, approving the minutes of September 14, 2021.**
2. **Resolution No. 2021-211, approving Ordinance 1383, an ordinance to amend Chapter 78, Parks and Public Property of the Ypsilanti City Code of Ordinances. (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
5 day of October 2021

#Resolution No. 2021-209



Resolution No. 2021-210
October 5, 2021

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of September 21, 2021 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
5 day of October 2021

#Resolution No. 2021-210



MINUTES REGULAR COUNCIL Meeting

7:00 PM - Tuesday, September 21, 2021
Council Chambers

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Tuesday, September 21, 2021, at 7:00 PM, in the Council Chambers, with the following members present:

PRESENT: Council Member Jennifer Symanns (Washtenaw County, City of Ypsilanti) 6:55 PM, Council Member Steven Wilcoxon (Washtenaw County, City of Ypsilanti), Mayor Pro-Tem Nicole Brown (Washtenaw County, City of Ypsilanti), Council Member Anthony Morgan (Fort Wayne, Indiana), Council Member Annie Somerville (Washtenaw County, City of Ypsilanti), and Mr. Brian Jones-Chance (Washtenaw County, City of Ypsilanti)

ABSENT: Mayor Lois Richardson

I. CALL TO ORDER

The meeting was called to order at 7:01 PM

II. ROLL CALL

Council Member Steve Wilcoxon moved, seconded by Mr. Brian Jones-Chance to excuse Mayor Lois Richardson. On a voice vote the motion carried.

III. AGENDA APPROVAL

Council Member Steve Wilcoxon moved, seconded by Mr. Brian Jones-Chance to approve the agenda as submitted. On a voice vote, the motion carried.

IV. PUBLIC COMMENT (3 MINUTES)

1 member from the public spoke.

V. PRESENTATIONS

A. Proclamation in honor of the John Lawrence Jazz Series

VI. ORDINANCES FIRST READING

- A. Ordinance 1383, an ordinance to amend Chapter 78, Parks and Public Property of the Ypsilanti City Code of Ordinance.
1. Resolution No. 2021-197 determination
 2. Public Hearing
 3. Resolution No. 2021-198 closing the public hearing

Council Member Steven Wilcoxon moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2021-197

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

WHEREAS, the City has an adopted Non-Discrimination Ordinance that reflects the policy goals of the City; and

WHEREAS, the Parks and Recreation Commission has recommended the City Council adopt the proposed ordinance changes;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the ordinance entitled Chapter 78 Administrative Update 2021 on First Reading.

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

Council Member Steven Wilcoxon moved, seconded by Council Member Anthony Morgan, to approve Resolution No. 2021-198

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for an ordinance entitled Chapter 78 Administrative Update 2021 be officially closed.

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

VII. CONSENT AGENDA

- A. Resolution No. 2021-199, approving the Consent Agenda.

Council Member Brian Jones-Chance moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2021-199

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2021-200, approving the minutes of September 14, 2021.
2. Resolution No. 2021-201, approving appointments to boards and commissions.
3. Resolution No. 2021-202, approving the tying of purple ribbons throughout the city for Domestic Violence Awareness Month.
4. Resolution No. 2021-203, approving Ordinance 1380, an ordinance to amend the Chapter 106, Article V, Section 106-454(a) of the Code of Ordinances to adjust sewage disposal rates (Second Reading).
5. Resolution No. 2021-204, approving Ordinance 1381, an ordinance to amend the Chapter 106, Article V, Section 106-454(b) of the Code of Ordinances to adjust sewage disposal rates (Second Reading).
6. Resolution No. 2021-205, approving Ordinance 1382, an ordinance entitled Zoning Ordinance Text Amendment: Permissible uses and dimensional modification for residential zones (Second Reading).

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

- B. Resolution No. 2021-200, approving the minutes of September 14, 2021.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of September 14, 2021 be approved.

- C. Resolution No. 2021-201, approving appointments to boards and commissions.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

<u>NAME</u>	<u>BOARD</u>	<u>EXPIRATION</u>
<u>Michael Simmons</u>	<u>Housing Commission</u>	<u>12/18/2023</u>
<u>432 Jefferson</u>		
<u>Ypsilanti, MI 48197</u>		

<u>Edward Robinson</u>	<u>Human Relations Commission</u>	<u>7/1/2024</u>
<u>843 Madison</u>		
<u>Ypsilanti, MI 48197</u>		

- D. Resolution No. 2021-202, approving the tying of purple ribbons throughout the city for Domestic Violence Awareness Month.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, *Turn the Town* purple is a campaign to create awareness of domestic violence;

WHEREAS, domestic violence is prevalent in every community, and affects all people regardless of age, socio-economic status, sexual orientation, gender, race, religion, or nationality; and

WHEREAS, physical violence is often accompanied by emotionally abusive and controlling behavior as part of a much larger, systemic pattern of dominance and control; and

Whereas, the ENOUGH Initiative and Women and Men Working for Change are requesting a "*Turn the Town Purple*", a campaign to create awareness of Domestic Violence; and

Whereas, this event is held in conjunction with Domestic Violence Awareness Month, from October 1 to October 31; and

Whereas, the ENOUGH Initiative and Women and Men Working for a Change would like to tie purple ribbons throughout the city, post awareness posters and stickers at establishments; and

THEREFORE BE IT RESOLVED THAT the Mayor and City Council supports this campaign and approves of purple ribbons being tied throughout the city from October 1st - October 31st, 2021, along with signs, awareness posters and stickers being provided for establishments that are interested.

- E. Resolution No. 2021-203, approving Ordinance 1380, an ordinance entitled "An ordinance to amend Chapter 106, Article V, Section 106-454(a) of the Code of Ordinance to adjust sewage rates" **(Second Reading)**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an Ordinance to amend Chapter 106, Article V, Section 106-454(a) of the Code of Ordinances, City of Ypsilanti, to adjust sewage disposal rates approved on Second and Final Reading.

- F. Resolution No. 2021-204, approving Ordinance 1381, an ordinance entitled "An ordinance to amend Chapter 106, Article V, Section 106-454(b) of the Code of Ordinance to adjust Water rates" **(Second Reading)**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an Ordinance to amend Chapter 106, Article V, Section 106-454(b) of the Code of Ordinances to increase water rates within the City of Ypsilanti be approved on Second and Final Reading.

- G. Resolution No. 2021-205, approving Ordinance 1382, an ordinance entitled "Zoning Text Amendment: Permissible uses and dimensional modification for residential zones" **(Second Reading)**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

WHEREAS, the City has an adopted Master Plan that reflects the policy goals of the City; and

WHEREAS, the Planning Commission from time to time reviews the zoning ordinance performance with relation to these goals and general functionality; and

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

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the ordinance entitled Residential Modifications Zoning Update on Second and Final Reading.

VIII. RESOLUTIONS/MOTIONS/DISCUSSIONS

- A. Resolution No. 2021-206, approving the METRO Act Ramp program award.

Council Member Steven Wilcoxon moved, seconded by Council Member Brian Jones-Chance, to approve Resolution No. 2021-206

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, funding has been programmed for the retrofitting of existing sidewalk ramps in the City of Ypsilanti; and,

Whereas, the City of Ypsilanti has solicited sealed bids for the project; and,

Whereas, Great Lakes Contracting Solutions, LLC is the lowest qualified bidder and is being recommended by the City's engineering consultant for this project.

Now therefore be it resolved that that the City of Ypsilanti awards the 2021 METRO Ramps contract to Great Lakes Contracting Solutions, LLC, for the bid amount of \$58,469.25; and

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

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

- B.** Resolution No. 2021-207, terminating the retainer agreement with the Law Office of Scott Bergthold.

Council Member Brian Jones-Chance moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2021-207

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

Having given notice of his withdrawal from City cases, the attorney retainer agreement with the Law Office of Scott D. Bergthold, P.L.L.C. dated May 25, 2021 is terminated and pursuant to said agreement, fees and expenses earned to this date be paid.

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

- C.** Discussion regarding the Black Lives Matter Mural in Riverside Park.(added 9-20-2021)

IX. BOARD AND COMMISSION - COMMUNICATIONS

- A.** Sustainability Commission Resolution to Support Bag Ban Repeal.

Council Member Annie Somerville moved, seconded by Council Member Steve Wilcoxon to put the Resolution on the October 5th agenda.

X. BOARD AND COMMISSION - LIAISON REPORTS

1. Police Advisory Commission. **None**
2. Human Relations Commission. **None**
3. Arts Commission. **None**
4. Parks and Recreation Commission. **None**
5. Sustainability Commission. **None**
6. Historic District Commission. **None**
7. Planning Commission. **None**
8. Zoning Board of Appeals **None**

XI. LIAISON REPORTS

1. SEMCOG Update **None**
2. Washtenaw Area Transportation Study **None**
3. Urban County **None**
4. Ypsilanti Downtown Development Authority **Meeting last week. Talked about Michigan Main Street**
5. Friends of Rutherford Pool **None**

XII. COUNCIL PROPOSED BUSINESS

Wilcoxon

- **Stated he would be attending the Michigan Municipal League Convention.**

Symanns

- **None**

Somerville

- **Stated that she was disappointed in the defacement of the Black Lives Matter Mural in Riverside Park.**

Jones-Chance

- **Echoed Council Member Somerville's disappointed in what happened to the BLM Mural.**
 - **Glad to see the city has people who are upset and willing to work to fix it.**
 - **Thanked community members for all the good they do, and said the city is lucky to have them.**

Morgan

- **Echoed all the sentiments that was shared by Council.**
- **Stated on October 1st, during football game, the City Manager will be presenting a check by City Manager to provide the Superintendent of Ypsilanti Community Schools.**

Brown

- **Echoed the sentiments of what happened at Riverside Park. Expressed pain in seeing the vandalism of the Mural**
- **Stated she was pleased to see FEMA going through the community and appreciated the help they were doing for the destruction caused by the flooding this past June.**

XIII. COMMUNICATIONS FROM THE MAYOR

XIV. COMMUNICATIONS FROM THE CITY MANAGER

XV. ADJOURNMENT

- A. Resolution No. 2021-208, adjourning the City Council Meeting.

Mr. Brian Jones-Chance moved, seconded by Council Member Wilcoxen to adjourn the meeting at 8:35 PM. On a voice vote, the motion carried.

- 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. 2021-211
October 5, 2021

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

WHEREAS, the City has an adopted Non-Discrimination Ordinance that reflects the policy goals of the City; and

WHEREAS, the Parks and Recreation Commission has recommended the City Council adopt the proposed ordinance changes;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the ordinance entitled Chapter 78 Administrative Update 2021 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 5 day of October 2021

#Resolution No. 2021-211

Chapter 78 - PARKS AND PUBLIC PROPERTY

ARTICLE I. - IN GENERAL

Secs. 78-1—78-30. - Reserved.

ARTICLE II. - ADMINISTRATION

DIVISION 1. - GENERALLY

Secs. 78-31—78-45. - Reserved.

DIVISION 2. - PARKS AND RECREATION COMMISSION

Sec. 78-46. - Composition; appointment.

The parks and recreation commission shall consist of at least nine but not more than 11 members appointed by the mayor, subject to confirmation by a majority of city council.

Sec. 78-46.01. - Youth members.

Three members may be youth members, under the age of 18 years of age. Youth members shall have all powers of a member, including the power to vote and hold office in the parks and recreation commission.

Sec. 78-47. - Term.

The term of the members of the parks and recreation commission shall be three years, except that of the members first appointed. Terms shall be staggered so that as far as practicable at least three member's terms expire each year.

Sec. 78-48. - Residency.

Members of the parks and recreation commission shall be residents of the city. At least three members shall be appointed from each of the three wards of the city.

Sec. 78-49. - Powers and duties.

The parks and recreation commission shall be an advisory board and shall have the following powers:

- (1) Make recommendations to the city manager, recreation director, and city council concerning the recreation and city parks needs of the city, including how park improvement funds are used.
- (2) Update the City of Ypsilanti parks and recreation master plan.
- (3) Review and approve "Adopt-A-Park" applications.
- (4) Expand park and recreational opportunities through commission sponsored events when appropriate.
- (5) Set its own rules and regulations.
- (6) Report, at least annually, to city council.

Sec. 78-50. - Secretary and administrative help.

The city manager shall, within budgetary appropriations, provide for secretarial and administrative help for the commission.

Sec. 78-51. - Vacancy in office.

Vacancies shall be filled in the same manner that members are appointed. The office of any member shall be ~~deemed vacant~~ shall be requested vacated by resolution to City Council, if that member has three or more unexcused absences from meetings of the commission. Absences may be excused by simple majority of a quorum.

Secs. 78-52—78-65. - Reserved.

DIVISION 3. - RECREATION DEPARTMENT

Sec. 78-66. - Intent.

The purpose of this division is to provide for a city recreation department.

Sec. 78-67. - Department created.

A city recreation department is hereby created, pursuant to section 4.05 of the city Charter.

Sec. 78-68. - Duties.

The recreation department shall:

- (1) Recommend and implement recreation programs within the city;
- (2) Study, search and apply for grants: state, federal, local or otherwise;
- (3) Perform such other duties as may be prescribed by resolution of the city council or by direction of the city manager.

Sec. 78-69. - Director.

- (a) Subject to funding, the city manager shall appoint a parks and recreation director.
- (b) The parks and recreation director shall be an administrative officer of the city.
- (c) The salary of the parks and recreation director shall be set by the city manager, in accordance with budgetary appropriations.
- (d) The parks and recreation director shall perform such duties as may be prescribed by ordinance or by direction of the city manager.

Secs. 78-70—78-90. - Reserved.

ARTICLE III. - USE REGULATIONS

Sec. 78-91. - Function of park system and open areas.

The function of the park system, city owned property and open areas is to:

- (1) Provide the citizens of the city with the opportunity to peacefully enjoy natural and scenic areas;
- (2) Provide recreational opportunities; and
- (3) Preserve natural habitats for wildlife and to permit athletic competition in designated areas.

Sec. 78-92. - Definitions.

The following words, terms and phrases when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City park, city owned property and open areas mean all parks, playgrounds, golf courses, cemeteries, swimming pools, ice rinks, nature areas and open areas, whether developed or undeveloped which are owned or otherwise controlled by the city, together with public bodies of water within or adjacent to such lands and buildings, and lands, parking areas, bicycle paths and other facilities serving such property.

Fountain means any stream of water made to rise or spout upward artificially, so as to provide water for drinking or to serve as an ornament.

Manager means the city manager of the city.

Sec. 78-93. - Appeals.

A decision of the city manager or **his their** designee to refuse to issue a permit or to bar a person from a park, city owned property or open area in excess of seven days may be appealed to the city council within 20 days of the manager's decision. The city council shall hear the appeal within 20 days and make a decision within ten days after hearing. Hearings may be adjourned by consent from time to time. Failure to make a decision within the time specified shall be deemed a denial.

Sec. 78-94. - Persons excluded from parks.

Any person who, while in the park, city owned property or open area, violates these regulations or other ordinances or laws may be barred from a park or parks by the city manager or **his their** designee or any police officer. A person so barred shall be informed of the time period during which that person is excluded from the park. An order excluding a person for more than 24 hours must be approved by the city manager or **his their** designee. No person shall enter or remain in a park during the time when that person is barred from the park.

Sec. 78-95. - Park closings.

- (a) All parks are closed between 10:00 p.m., and 6:00 a.m., unless written permission has been received in advance from the city manager or **his their** designee to conduct an activity beyond 10:00 p.m. on a certain date. Property with an unlighted activity area will be closed from dark to 6:00 a.m. Specific portions may be closed at dates and times as ordered by the city manager or **his their** designee, who has the authority to close a park up to seven days without city council approval.
- (b) No person shall enter or remain on the premises of a pool, skating rink, or park building when it is closed, except with specific authorization of the city manager or **his their** designee.

Sec. 78-96. - Damaging park and city property.

While in a city park, city owned property or open area, no person shall:

- (1) Damage, deface, disfigure, injure, tamper with, displace, remove or attach to, any building, bridges, deck, dock, tables, benches, fencing, fountains, paving or paving material, water lines, or other public utilities, or parts of appurtenances thereof, any signs, notices, placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, or other structures or equipment, facilities, either real or personal.
- (2) Attach any rope, wire or any other object to any light post, tree or planter or to use any tree, light post or planter as an anchor.
- (3) Climb any tree, or walk, stand or sit upon monuments, fountains, railings, fences or upon other property not designated or customarily used for such purposes.
- (4) Build, light, kindle or maintain any open or outdoor fire, except in areas or facilities specifically built and designated for that purpose, or by special permission and permit granted by the city manager or **his their** designee.
- (5) Meddle either directly or indirectly with any fountain, fixtures or appurtenance belonging to the city or with pipes or appurtenances to turn water off or on in fountains unless duly authorized by the city.

Sec. 78-97. - Vehicles—Operation in parks.

- (a) While in a city park, city owned property or open area, no person shall:
- (1) Operate, drive, or park any automobile, bicycle, motorcycle, truck, **trailer**, motor scooter, or RTVs except on paths and parking areas designated for the public, and only at such times as the use of vehicles has been authorized by the city manager. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area and walkway reserved for pedestrian use.
 - a. All motor vehicles, bicycles and trailers shall at all times be operated with reasonable regard for the safety of others. In no event shall the maximum speed of any such conveyance exceed 15 miles per hour except those emergency vehicles, both city and private, which are en route to the scene of an accident or fire, or when leaving the scene of an accident or fire or the situation is one that necessitates speed.
 - b. All such vehicles, except maintenance or utility vehicles, when left unattended shall be parked in an area and manner designated.
 - c. No such vehicle shall be left unattended in any place or position where other persons may trip over or be injured by them.
 - d. At no time shall washing, polishing, greasing or maintenance of a motor vehicle take place, except for those repairs necessitated by an emergency.
 - (2) Drive, park, camp, or fail to remove a vehicle or trailer between 10:00 p.m. and 6:00 a.m. Any such vehicle will be deemed to be unlawfully parked or left standing and such vehicle may be ordered towed away. However, this subsection shall not apply to spectators and participants at events specifically authorized by the city manager or **his their** designee if their vehicles are removed promptly after the termination of the event.
- (b) Violation of this section will be deemed a civil infraction.

Sec. 78-98. - Deposit of waste and garbage; distribution of handbills.

While in a city park, city owned property or open area, no person shall:

- (1) Dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or any other trash except in public receptacles and in such manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park, city owned property, open area, **waterway**, or fountain. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided in this Code.
- (2) Distribute, circulate, give away, fasten to, throw or deposit in or on any city property any handbills, circulars, pamphlets, papers or advertisements or post such material to any tree, fence or structure, except by permit issued by the city manager or **his their** designee. Provided, that it shall not be unlawful in any park, city owned property or open area within the city for any person to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill to any person willing to accept it.
- (3) Pollute, deposit, or cause to be deposited any foreign materials such as glass, metal, paper, garbage or rubbish in any water owned, managed, controlled or operated by the city.

Sec. 78-99. - Animals.

While in a city park, city owned property or open area, no person shall:

- (1) Permit in or upon land or water, dogs, cats, horses, or other animals except at a place, time and in a manner as designated. At such time, the animal must be under the full and proper control of the person responsible by either a leash or halter and in a manner specified in chapter 14 of this Code, except by permission granted by special permit of the city manager or **his their** designee.
- (2) Ride a horse, pony or other animal of any description other than upon roads, trails and areas and at times designated for horseback riding, except by permission granted by special permit of the city manager or **his their** designee.

- (3) Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw objects at any animal, reptile, or bird except for normal protective action against dangerous animals and poisonous reptiles, or pick, harm or destroy the natural plants, flowers, shrubs or wildlife.

Sec. 78-100. - Other prohibited activities.

While in a city park, city owned property or open area, no person shall:

- (1) Use any device transmitting electronically amplified sound, including, but not limited to radios, tape recorders, automobile radios or music amplifiers at a volume so that the sound may be heard by persons of normal sensitivity at a distance of more than 50 feet, except by special permission and permit granted by the chief of police.
- (2) Enter the premises of any swimming pool facility or use any other park facility for which payment is required without making the required payments and being duly admitted to the use of the facility.
- (3) Loiter in or about any restroom/washroom, or use such facilities for purposes other than those intended. ~~In addition, male persons shall not resort to any restroom/washroom facilities set apart for women, and female persons shall not resort to any restroom/washroom facilities set apart for men, provided that this shall not apply to children accompanied by an adult.~~
- (4) Carry, possess, sell, use or discharge any weapon, explosives or fireworks without legal authority. The following persons have such legal authority:
 - a. Duly authorized law enforcement officers or officials.
 - b. Members of the United States armed services, army reserve, and national guard while on active duty or reserve or special duty.
 - c. Holders of a valid license to carry concealed weapons while within the restrictions imposed by the license.
 - d. Holders of a special fireworks or explosive permit issued by the city council.
- (5) Make or excite any disturbance so that the peace and good order of other persons using the park, city owned property or open area or persons in the neighborhood of such property are disturbed.
- (6) Interfere with any baseball, football, or hockey game or other authorized event.
- (7) Gamble or maintain a gaming table or pool tickets, used for gaming or knowingly suffer a gaming table or pool tickets to be kept, maintained, played, or sold on any park, city owned property or open area except under special event permit.
- (8) Operate powered, line attached model crafts or remote controlled crafts of any kind or description, including but not limited to airplanes, boats and automobiles except in areas set aside for those specific activities.
- (9) Operate any portable electric generator, alternator or other machinery, except by permission and permit granted by the city manager. All departments of the city and all franchise utility companies operating within the city are exempt from this provision.
- (10) Wear footgear that will damage, injure or create need for excessive maintenance on any field, court, deck, floor, turf or specialized surface prepared for particular games or activities. In areas posted with a sign specifying footgear authorized or approved it shall be unlawful for any person to participate in any sports activities in any such area other than with the footgear so designated.
- (11) Enter any body of water for the purpose of swimming, diving, wading, bathing, when such activities are prohibited by signs conspicuously posted.
- (12) Sell, offer to sell, show, hawk, display, or distribute any goods, wares, merchandise or refreshments, or conduct business of any kind, without a peddler's license or special events permit.

- (13) Smoke, light, or carry a lighted pipe, cigar, cigarette, or other smoking devise of any kind in any of the City's tot-lot playgrounds. This prohibition includes the use of any e-cigarette, e-cigar, e-pipe, and any personal vaporizer or electronic nicotine delivery system of any kind.

ARTICLE IV. - RENTAL OF PUBLIC BUILDINGS AND STRUCTURES

Sec. 78-121. - General policy

When recreation buildings are not in use for activities sponsored by the recreation department, the buildings may be used by other groups and individuals for social, cultural or recreational activities in accordance with the following rules:

- (1) *Use of buildings.* Use of buildings shall not be granted when for any reason, as determined by the supervisor of recreation, such use may not be in the best interest of the city and/or department. This decision may be appealed in writing to the city manager's office within seven days of the denied application.
- (2) *Indemnification.* The applicant agrees on behalf of the organization to indemnify the city, its agents, employees and officials from any suit, claim, demand, or cause of action that might arise on account of the use of the premises by the applicant or his their agent. The city recreational supervisor or his designate their designee reserves the right to require proof of insurance approved by the city attorney's office and upon approval it shall be submitted to the city clerk's office. This request may be appealed in writing to the city manager's office within seven days.
- (3) The individual or organization granted use of the facilities shall be held responsible for reimbursing the department for any loss, damage, or special required cleanup caused to city property at the actual cleanup, replacement, or repair cost.
- (4) Permission for use of the facilities will be granted upon the conditions that all rules governing the use of such facilities will be in accordance with all applicable state and federal statutes, city ordinances, and facility use policies. Permission may be revoked at any time for failure to do so. Rules and rates are subject to change by the recreation department with approval of the city council.
- (5) Reservations may be cancelled by the recreation department upon ten days' notice to the group. Other accommodation will be provided if possible.
- (6) The applicant shall not discriminate against any person on the basis of race, sex, color, national origin, religion, handicap status, age, height, weight, marital status, or sexual orientation in the use of the premises per the definition of "discrimination" in Chapter 58 of this Code of Ordinances.
- (7) No agency or person owing money to the city will be allowed use of the facility.
- (8) There shall be fee waiver for:
 - a. Celebrants of golden wedding anniversaries or 90+ birthdays (if those individuals have been residents of the city for at least ten years);
 - b. Facility use during regularly scheduled programs.
- (9) The security deposit will be forfeited in the event of permit (i.e., application) variance. The deposit will be returned to the applicant within 30 days. The premises shall be returned in good "broom clean" condition. The city may deduct from the damage deposit an amount necessary to repair any damage to the premises or cleanup necessitated by the use of the premises by the applicant.

Sec. 78-122. - Application procedure.

- (a) Individuals or groups should call or visit the department office at One South Huron Street, fourth floor, city hall; phone (734) 483-7272 to ascertain if they are eligible to use the facilities as specified in section 78-121 and if the date is available.
- An application for an event or park reservation shall be made to the events coordinator along with a fee as required by the city council. The events coordinator shall determine if the date and place are available and if the applicant is eligible to make such a reservation under the terms of §78-121.

- (b) ~~If eligibility and date are satisfactory, The applicant shall complete and submit an application form for use of the facilities should be completed and filed with the department at least 30 days prior to the date being requested.~~
- (c) A written permit application is required ~~by all groups reserving a recreation department facility.~~ The completeness and validity of the application will not be recognized until such permit application is signed by the applicant or their representative and the application fee is paid to the city treasurer. ~~Permits must be signed by the applicant and fees must be paid to the city treasurer.~~ A person who violates any provision of this section is responsible for a municipal civil infraction, subject to payment of a civil fine as set forth in section 70-38. Repeat offenses under this section shall be subject to increased fines as set forth in section 70-38.
- (d) Reservations will not be held for more than seven days in fairness to others desiring to use the facility. Reservations will be confirmed by a deposit of 25 percent of the rental rate. The balance is due ten days before the reserved date.
- (e) Any group finding it necessary to cancel its reservation must do so at least ten days prior to the date reserved. No refund of fees will be made if the cancellation is requested within less than ten days of the reserved date.
- (f) Previous use records of the group and/or applicant may be used to determine the application approval.

Sec. 78-123. - Facility rules; user policy.

- (a) The facility is open for use only on a scheduled basis. The building will be available for reservations at times scheduled. No activities can start before or end after the agreed times.
- (b) The person who obtains the building permit shall be responsible for the general conduct of the activity covered by such permit and the enforcement of the rules and regulations governing the use of the building. Permits are nontransferable. All laws and ordinances of the city, state and federal governments must be strictly adhered to and reservation holders assume the responsibility to see that such is done.
- (c) Department assigned staff has authority for building supervision and the authority to disperse any group for failure to comply with all rules. If such occurs, the group forfeits fees or deposits paid. If there has been a fee waiver, the fee waiver will be revoked and the amount waived shall become due and payable within five working days. The applicant further understands and agrees that if any nuisance or disturbance is caused by the use of the premises by the applicant, the use may be terminated with notice at the discretion of the chief of police or his designate their designee. Any applicant and all other persons on the premises at that time may thereupon be put off the premises and the use permit will be void.
- (d) The holder of the permit should arrive prior to the arrival of the other users. Users must plan to enter and leave the facility at the time specified on the permit. The organization or individual obtaining the permit shall accomplish the following within the time specified on the permit:
 - (1) Putting up and taking down all decorations.
 - (2) Any other preparations and cleanup associated with the activity being conducted.
 - (3) The facility must be left in a condition equal to that condition when the facility was first occupied.
- (e) When the facilities are used by minors (under 18 years of age) the group must at all times be under the direction of its own adult leadership while on the premises.
- (f) Smoking will be permitted only in areas where proper receptacles are provided. No smoking will be allowed at any time in any area so posted.
- (g) The use of alcoholic beverages and/or drugs on premises is strictly forbidden.
- (h) Should the use of department equipment, such as tables and chairs, be desired, such request shall be submitted with the application for use of facilities.
- (i) Plans for decorations must be approved by the supervisor or the designated representative in advance of the reservation.
 - (1) Cellophane adhesives, nails, screws, staples, etc., in walls or on woodwork are prohibited.

- (2) All decoration materials must be fireproof or of fire retardant materials.
- (3) At no time shall exit signs or exit door be covered or obstructed.
- (j) No advertising shall be exhibited and no solicitations or sales made in the building or on the grounds without prior written permission from the supervisor which may require additional fees and permits subject to city ordinances.
- (k) Fundraising shall only be allowed by city area resident nonprofit groups. A charter and a list of officers may be required.

Sec. 78-124. - Fees for rental of senior citizen's center, Parkridge Community Center and Jesse Rutherford Pool.

The hourly rental charge for the city senior citizen's center, the Parkridge Community Center and the Jesse Rutherford Pool shall be set by resolution of the city council.

Sec. 78-125. - Fees for use of city parks and Freighthouse.

The reservation fees for use of city parks and the Freighthouse shall be set by resolution of the city council.

ARTICLE V. - CITY MARKET

Sec. 78-151. - Designation of place for market.

- (a) The council shall, by resolution, from time to time designate such places for the city market as it may deem proper. All vehicles and stands upon the market shall be parked or placed in such a manner as the market manager shall designate. The market manager may make such other regulations not inconsistent herewith as may be necessary for the proper conduct of the market.
- ~~(b) Fees for the use of the Farmer's Market Freight House shall be set by resolution of the city council.~~



Resolution No. 2021-212
October 5, 2021

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Ypsilanti Sustainability Commission passed a resolution urging City Council to use its resources, such as the city's lobbyist, to advocate for Senate Bill 0358 of 2021; and

WHEREAS, Senate Bill 0358 would repeal Act 389 of 2016 that prohibited the restriction and regulation of auxiliary containers by local governments; and

WHEREAS, plastics bags and other containers have a seriously negative impact on the environment and natural resources, effecting rivers, oceans, forests, lakes, and wildlife; and

WHEREAS, microplastics collect in huge ocean garbage patches, the largest of which is referred to as the Great Pacific Garbage patch, which at one time was the size of Texas; and

WHEREAS, as plastics enter the food chain, they can be threatening to human health; and

WHEREAS, in single stream recycling systems plastic bags may become entangled in the machinery, often leading to breakdowns; and

WHEREAS, plastics have the potential to clog sewer systems, further propagating the potential for flooding; and

WHEREAS, as plastics enter landfills, they are either burned or buried, costing local jurisdictions thousands of dollars a year.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Ypsilanti implores the Michigan State Senate and House to pass SB 0358, and for the Governor to sign the Bill into Law and allow local governments to create ordinances to prohibit their use.

#Resolution No. 2021-212

BE IT FURTHER RESOLVED that the City Council direct the City Clerk to forward this resolution to Governor Whitmer, the Michigan State House, The Michigan Senate, the Washtenaw County Board of Commissioners, and the City's Lobbyist Kirk Profit.

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 5 day of October 2021

#Resolution No. 2021-212



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Wendy Estey
DATE: October 5, 2021
SUBJECT: Application for Co-Sponsorship for ypsiGLOW October 29, 2021

DESCRIPTION:

Application for Co-Sponsorship for ypsiGLOW October 29, 2021

SUMMARY:

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

ypsiGLOW is an annual event in its 6th year, which will be held this year on October 29th at various locations throughout the City and will feature a John E. Lawrence jazz performance to be held at Riverside Park. The event is a community-created public art celebration engaging local artists, community members of all ages and abilities, and local businesses that builds community through the power of the arts and creativity. ypsiGLOW is produced by WonderFool Productions (WFP), a non-profit arts organization based in Ypsilanti and best known for its community created events – ypsiGLOW and FoolMoon and FestiFools in Ann Arbor. The ypsiGLOW event is free and invites everyone to participate, as WFP works to maximize engagement of underserved youth and families. GLOW artmaking workshops and activities engage youth and community members in making luminaries, costumes, and creations that contribute to the wonder and light-filled magic of ypsiGLOW. Numerous community partners like the Ypsilanti Community Schools, Ypsilanti District Library, EMU Bright Futures, Ozone House, Corner Health Center, Parkridge Community Center and more engage youth in GLOWmaking activities and as artist creators for ypsiGLOW, providing creative learning opportunities and empowering youth to be heard. WFP commissions local artists to activate windows and public spaces, to perform with music, dance, theater, film or spoken word, or to create video content for virtual ypsiGLOW on Facebook, helping local artists thrive as they build Ypsilanti's creative vibrancy. A GLOW Stroll + Roll invites everyone to dress

up, mask up, and come to town to see amazing art and lights as they also support local businesses and restaurants along the way. This collective and collaborative creative experience is truly created by the Ypsilanti community, and it uplifts the power of our community's creativity, light and diversity. It is needed this year more than ever as the pandemic has isolated and disconnected us and has challenged all of us navigating uncertainty, fears, economic hardships, racial inequities, online school, and virtual everything. More than ever, ypsiGLOW 2021 will bring us back together in a spirit of light and hope through our collective creativity. A free event open to all, ypsiGLOW is produced by a non-profit and supported entirely through grants, sponsorships, and individual contributions.

WFP is a small but nimble 501c3 non-profit corporation with a mission of inviting and empowering communities to connect through the illuminating, inclusive, and transforming power of creativity. The community-created public art events that it produces like ypsiGLOW are funded 100% by grants, sponsorships, and individual contributions. Sponsorship outreach continues with \$25,000 yet to raise to meet event budget goals, increased this year to support additional art and lighting installations. The opportunity to feature John E. Lawrence with a jazz performance in Riverside Park, and to engage the Ypsilanti Community High School Choir, was an unexpected but amazing addition to the program plans. This increased the event costs to support artist fees (\$1,500), staging and sound (\$5,000), while also upgrading the special event classification for sponsorship to support costs of the John E. Lawrence concert and lighting installations for the park pedestrian areas. With all of this in mind, the event organizer asks that the City not only consider waiving all park rental fees but also to consider a donation in the amount of \$1,500 to assist in covering these additional expenses.

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

RECOMMENDED ACTION: Approval

ATTACHMENTS: Proposed Resolution

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2021-213
October 5, 2021

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

WHEREAS, this year ypsiGLOW will take place Friday, October 29th in Riverside Park and various additional locations throughout the City; and

WHEREAS, ypsiGLOW's event organizer is requesting that the City waive fees for the 2021 event and consider a donation; and

WHEREAS, City Council agrees that waiving the fees for the 2021 ypsiGLOW event would be in the general interest of the public and advance the City's public image;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves the request to waive park rental fees for the 2021 ypsiGLOW event in the amount of \$2,420 and to donate \$1,500 to assist in covering the event's expenses.

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 5 day of October 2021

#Resolution No. 2021-213



SPECIAL EVENT APPLICATION

Contact Information

**Applicant/ Organization's
Name**

Street Address

City

State

Zip Code

Phone

Fax

Organization Website

Form of Ownership

Applicant Organization is

Located or resident of the City
Nonresident

**Brief Description of
Organization or Applicant**
(350 characters or less)

(City of Ypsilanti Special Events Policy, Section 2.1)

**Person(s) Principally
Responsible for Event**

Title

Contact Number

E-mail

Best method to receive written notices

E-mail
First Class Mail

Mailing address to receive written notices

Event Details

(City of Ypsilanti Special Events Policy, Section 2)

Event Title

Event Date(s)
If consecutive days, list all

Will it be a recurring event weekly, biweekly, monthly, etc?

Yes
No

If recurring, how often?

Proposed Location

Event set up time

Event start time

Additional days required for set up

Event end time

Event break down time

Additional days required for clean up

Has this event occurred in Ypsilanti before?

Yes
No

Is this an annual event expected to occur next year?

Yes
No

Would you like to reserve an event date for next year?

Yes
No

Proposed event date for next year

Note: If an event will run recurrently, the City may issue one permit per month so long as the event will run for 30 days or longer (for weekly events), 60 days or longer (for biweekly events), or 90 days or longer (for monthly events).

Type of Event
(check all that apply)

Parade
Athletic Event (run, walk, etc)
Co-Sponsored
For-Profit
Wedding
Other

Festival
Concert
Non-Profit
Political or Ballot Issue

Pavilion Rental: (City of Ypsilanti Special Events Policy, Section 5.2)

Pavilion Rental	Yes	Pavilion Location
	No	
Will the Pavilion be open to the public?	Yes (Class 2 Events)	
	No (Class 1 Events)	

Gazebo Rental (Riverside Park): (City of Ypsilanti Special Event Policy, Section 5.2)

Gazebo Rental	Yes	Total hours requested	Two (2) hours or less
	No		Over two (2) hours

Event Classification and Requirements

Event Category (City of Ypsilanti Special Events Policy, Section 3)

Note: All events held in Riverside or Frog Island park are automatically categorized as Class 3 or Class 4

Event Class Category
Total # of Participants Expected
Full Description & Purpose of Event (include all activities, attach additional documents if necessary)

Security Deposit (City of Ypsilanti Special Events Policy, Sections 2.5 and 3)

(check all that apply)

Select Event Class	Class 1 Event (\$100)	Class 2 Event (\$500)	
	Class 3 Event (\$1000)	Class 3a Event (\$2000)	
	Class 4 Event (\$5000)	Class 4a Event (\$6000)	
Gazebo Rental	\$100	Pavilion Rental	\$100 (Not Open to Public)
			\$500 (Open to Public)
Street Closure	\$500		

Note: Permit and utility fees may also be required up front with the security deposit.

Food (City of Ypsilanti Special Events Policy, Section 3.5)

Will any food be prepared,
distributed , or sold at event?

Yes	No
-----	----

Note: If food will be prepared on site, distributed or sold each vendor must apply for and receive a permit from the Washtenaw County Environmental Health Department, 705 Zeeb Rd, PO Box 8645, Ann Arbor, or (734) 222-3800.

Alcohol (City of Ypsilanti Special Events Policy, Section 3.6)

Will alcohol be served?

Yes	No
-----	----

If yes, please attach a copy of your Liquor Control Permit and proof of liquor liability insurance in the amount of \$1,000,000 naming the City of Ypsilanti as additionally insured is required.

Alcohol Training- The City requires that all event staff handling alcohol receive appropriate training.

Is your event staff trained to
handle alcohol?

Yes
No

If no, when will your event staff be trained?

Describe how event staff is
trained, or will be trained, to
handle alcohol

How will persons of legal
driving age be identified?

21+ only event
Wristbands
Hand stamps
Other

Parking (City of Ypsilanti Special Events Policy, Section 4.1)

Please attach a detailed description of the parking available in the area surrounding your event and how you intend to direct attendees to parking (signage is recommended).

Will your event use public lots?

Yes
No

Note: The City does not permit paid parking in any public lots without a license

Will your event use private lots?

Yes
No

Note: Written authorization from the property owner is required and must be attached if using school, church, or other private parking lots

Are you requesting unlimited
parking or capped meters?

Yes	No
-----	----

Please list why unlimited
parking is being requested, and
the specific locations

Street Closure (City of Ypsilanti Special Events Policy, Sections 3.7 and 4.1)

Temporary Apparatus (City of Ypsilanti Special Events Policy, Section 4.1)

Will your event include any of the following ? (check all that apply)

Tents

Portable lights

Grills

Portable stage(s)

Bleachers

Fencing

Portable tables

Note: Please include placement of all apparatus listed above in your attached event site plan. Bleachers, benches, picnic tables, and charcoal grills are available for rental in City parks.

Noise (City of Ypsilanti Special Events Policy, Section 3.8)

Will amplified sound be used at the event?

Yes
No

List the days and times sound will be used

What type of sound will be at the event?
(check all that apply)

P.A. System

Stereo Equipment

Other

Live Band

Disc Jockey

Note: Event coordinators are responsible for ensuring compliance with permissible noise levels. Please review the Special Events Policy to determine if a noise permit is required for your event.

Restrooms (City of Ypsilanti Special Events Policy, Section 4.1)

Does your event require restroom facilities?

Yes
No

If yes, how many portable restrooms are you supplying?

Note: No city parks have restroom facilities; Riverside park is the only city park with water service available.

Trash (City of Ypsilanti Special Events Policy, Section 4.1)

Do you intend to provide your own trash receptacles?

Yes
No

If yes, how many trash receptacles do you intend to provide?

Provide the trash disposal plan for your event

Note: Waste Management sells event trash boxes (55 gallons each, 1 box is equal to ¼ cubic yard). You can contact them at 1-800-796-9696.

Site Restoration (City of Ypsilanti Special Events Policy, Section 4.4)

Note: Site restoration and equipment removal are required by 1:00 p.m. the day following your event.

Do you agree to restore the the	Yes
location(s) to the condition in	No
which you found it?	

Insurance (City of Ypsilanti Special Events Policy, Sections 1.4 and 3)

Have you reviewed the prerequisite insurance requirements for your event and agree to submit proof of liability and/or property damage insurance with your application?

Yes
No

City Services & Equipment

Permits

Permits required for your event (check all that apply)	Electricity	Water
	Street Closure Permit	Noise Permit
	Food Permit	Right of Way Permit
	Temporary sign permit	
	Other	

City Services Requested (City of Ypsilanti Special Events Policy, Section 5.1)

Check all that apply:	Uniformed Police Officers	Volunteer Service Corps
	Event Planning Meetings	Traffic Control Plan
	Parade Route	Walk/Run Route
	Building Inspection	Fire Inspection

City Equipment Requested (City of Ypsilanti Special Events Policy, Section 5.3)

Check all that apply:

Electricity	Water Hook-Up
Street/Lot Sweeping	Fence Installation
Traffic Control Devices	Dumpsters
Generator	Bleachers
Picnic Tables	Benches

Attestation (City of Ypsilanti Special Events Policy, Attachment D)

As applicable to event, applicant understands and agrees to comply with City ordinances and rules governing events and agrees to make final payment within thirty (30) days after the scheduled event invoice is received for any additional services required. Failure to comply within thirty (30) days shall place the applicant in default status. Further, it is understood that in the event a permit holder is placed in default status, the permit holder will be denied any other event permit(s) for a period of at least eighteen (18) months from the date of final payment and/or default resolution.

I hereby agree to comply with all Federal and State Statutes and with all City of Ypsilanti Ordinances, including the curfew and noise ordinances. I understand and agree that in the event any nuisance or disturbances are caused by the individuals attending the event, the use of the location may be terminated without prior notice by the Police Chief or the City Manager or their designee. I authorize the Fire Marshal to determine the maximum number of persons who may attend this event based on available space. Further, I understand and agree to abide by any additional City requirements that may be deemed necessary to safely operate the proposed event.

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

Applicant Full Name

Date

Special Events Sponsorship & Financial Hardship Request



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

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

Event Name

Event Start Date

Event Location

Event Organizer

Event Contact Person

First name:

Last name:

Phone number:

E-mail:

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

Yes

No

How is this event of general interest to the public?

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

City Co-Sponsorship

Financial Hardship Waiver

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

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

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

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

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

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

When do you need to receive the funds?

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

Applicant Full Name

Date



Event: ypsiGLOW

Date: October 29, 2021

Location: Riverside Park

Class 3 Event

Application fee	\$	35.00
Park Rental	\$	400.00
Capital Park Improvement	\$	750.00
Street Closure permit	\$	-
Street Closure security deposit	\$	-
Security Deposit	\$	1,000.00
Utilities (Electricity)	\$	100.00
Sign permit	\$	35.00
Noise permit	\$	100.00
Non-refundable fees	\$	1,420.00
Total Upfront Fees (permit and security deposit)	\$	2,420.00

Class 3 Insurance Requirements

Insurance will be required for all Class 3 Events in the amount of \$1,000,000 per occurrence, naming the City of Ypsilanti as additionally insured.



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Wendy Estey
DATE: October 5, 2021
SUBJECT: Application for Co-Sponsorship for the 2021 Ypsilanti Christmas Celebration

DESCRIPTION:

Application for Co-Sponsorship for the 2021 Ypsilanti Christmas Celebration

SUMMARY:

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

The Christmas Celebration is a series of events to be held every Saturday December 4th through 18th at Riverside Park. It will be a nice family outing that will include an ice-skating rink, church choirs singing Christmas carols from Noon until 4:00 p.m., and a professional jazz performer doing a Christmas concert from 5:00 p.m. until 7:00 p.m. There will be heated tents for people to warm up and enjoy hot chocolate, hot apple cider and eggnog. Christmas lights are to be hung in all of the trees in Riverside Park. Also planned is a heated tent for senior citizens to enjoy the festivities.

This event is designed to bring this community, along with others in the region, together to spread goodwill while at the same time adhering to social distancing mandates.

As expenses for this event are numerous and include stage rental of \$2,650 per week; sound and lights \$2,000 per week; performers \$1,500 per week, marketing/promotional materials \$3,000; along with tent rental and heaters for the stage and tents; and miscellaneous other expenses; the event organizer asks that the City not only consider waiving all rental fees but also consider a donation toward these expenses.

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

RECOMMENDED ACTION: Approval

ATTACHMENTS: Proposed Resolution

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2021-214
October 5, 2021

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

WHEREAS, this year the Christmas Celebration will take place Saturdays December 4th through 18th in Riverside Park; and

WHEREAS, the Christmas Celebration event organizer is requesting that the City be a co-sponsor of the 2021 concert series; and

WHEREAS, City Council agrees that becoming a co-sponsor of the 2021 Christmas Celebration would be in the general interest of the public and advance the City's public image;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves the request to be a sponsor of the 2021 Christmas Celebration in the amount of \$10,443.74.

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 5 day of October 2021

#Resolution No. 2021-214

Estey, Wendy

From: noreply@civicplus.com
Sent: Tuesday, September 14, 2021 10:58 AM
To: Estey, Wendy
Subject: Online Form Submittal: Special Event Application

Special Event Application

Step 1

Contact Information

Applicant/ Organization's Name John E. Lawrence Presents

Street Address 5529 Scott Ct.

City Ypsilanti

State Michigan

Zip Code 48197

Phone 17346355446

Fax *Field not completed.*

Organization Website Frog Island Jazz Series

Form of Ownership Sole Proprietorship

Applicant Organization is Located or resident of the City

Brief Description of Organization or Applicant (350 characters or less) To provide free outdoor holiday family entertainment and activities such as Christmas concerts, Ice skating, carriage rides and create a festive atmosphere and refreshments.

Person(s) Principally Responsible for Event John E. Lawrence

Title *Field not completed.*

Contact Number 17346355446

Email johnelaw@sbcglobal.net

Event Info

Proposed date of event 12/4/2021

Will it be a recurring event
weekly, biweekly, monthly,
etc? Yes

If recurring, how often? Weekly

Proposed Location Riverside Park 5 E. Cross Street

Event set up time November 26, 2021

Event start time 12:00 Noon

Additional days required for
set up 5 or more

Event end time 7:00 P.M.

Event break down time 7:00 P.M. until 9:00 P.M.

Additional days required for
clean up 5 or more

Has this event occurred in
Ypsilanti before? No

Is this an annual event
expected to occur next
year? Yes

Proposed date for next
year... 12/3/2022

Note

If an event will run recurrently, the City may issue one permit per month so long as the event will run for 30 days or longer (for weekly events), 60 days or longer (for biweekly events), or 90 days or longer (for monthly events).

Type of Event Festival, Concert, Non-Profit

Event Classification & Requirements

Event Category

(City of Ypsilanti Special Events Policy, Section 3)

Note

All events held in Riverside or Frog Island park are automatically categorized as Class 3 or Class 4

Event Class Category Class 3 Event

Total # of Participants
Expected 1000 to 5000

Full Description & Purpose
of Event (include all
activities, attach additional
documents if necessary) *Field not completed.*

Security Deposit

(City of Ypsilanti Special Events Policy, Sections 2.5 and 3)

Select Event Class Class 3 Event (\$1,000)

Note
Permit and utility fees may also be required up front with the security deposit.

Food

(City of Ypsilanti Special Events Policy, Section 3.5)

Will any food be prepared,
distributed, or sold at
event? Yes

Note
If food will be prepared on site, distributed or sold each vendor must apply for and receive a permit from the Washtenaw County Environmental Health Department, 705 Zeeb Rd, PO Box 8645, Ann Arbor, or 734-222-3800.

Alcohol

(City of Ypsilanti Special Events Policy, Section 3.6)

Will alcohol be served? No

Attach a copy of your proof
of liquor liability insurance. *Field not completed.*

Alcohol Training
The City requires that all event staff handling alcohol receive appropriate training.

Is your event staff trained
to handle alcohol? *Field not completed.*

Describe how event staff is trained, or will be trained, to handle alcohol *Field not completed.*

How will persons of legal driving age be identified? *Field not completed.*

Parking

(City of Ypsilanti Special Events Policy, Section 4.1)

Attach a detailed description of the parking available Concert Location for Friday.docx

Will your event use public lots? Yes

Note

The City does not permit paid parking in any public lots without a license

Will your event use private lots? No

Note

Written authorization from the property owner is required and must be attached if using school, church, or other private parking lots.

Are you requesting unlimited parking or capped meters? No

Please list why unlimited parking is being requested, and the specific locations People will be parking at all city parking lots.

Street Closure

Street Closure

(City of Ypsilanti Special Events Policy, Sections 3.7 and 4.1)

Does your event require a street closure? No

Note

Major street closure permits are \$1,000/per street/per day.

Local street permits are \$200/street/day.

Note

Insurance will be required for all Street Closures in the amount of \$250,000 per occurrence, naming the City of Ypsilanti as an additional insured.

Event Map

(City of Ypsilanti Special Events Policy, Section 4.1)

Does your event require an Event Map?

Upload your event map

Event Signs

(City of Ypsilanti Special Events Policy, Section 4.2)

Are event signs required?

Security

(City of Ypsilanti Special Events Policy, Section 4.3)

Will your event have private security?

Will your event have volunteer security/crowd control services?

List the name and contact information for the private security company

Describe your plan for ejecting unruly/disorderly persons from the event

Note

The Police Department may require private bonded security for events. The City will assign police officers as necessary and charge the permit holder for these services. The need for private security and/or police officers will be determined at or before

the pre-event meeting. The numbers will be determined by the Police Department liaison.

Temporary Apparatus

(City of Ypsilanti Special Events Policy, Section 4.1)

Will your event include any of the following ? (check all that apply) Tents, Portable Lights, Portable Stage(s), Bleachers, Portable Tables

Note

Please include placement of all apparatus listed above in your attached event site plan. Bleachers, benches, picnic tables, and charcoal grills are available for rental in City parks.

Noise

(City of Ypsilanti Special Events Policy, Section 3.8)

Will amplified sound be used at the event? Yes

List the days and times sound will be used 12/04/21 through 12/18/21

What type of sound will be at the event? (check all that apply) P.A. System, Live Band, Disc Jockey

Other *Field not completed.*

Note

Event coordinators are responsible for ensuring compliance with permissible noise levels. Please review the Special Events Policy to determine if a noise permit is required for your event.

Restrooms

(City of Ypsilanti Special Events Policy, Section 4.1)

Note

No city parks have restroom facilities; Riverside park is the only city park with water service available.

Does your event require restroom facilities? Yes

If yes, how many portable
restrooms are you
supplying? Three

Trash

(City of Ypsilanti Special Events Policy, Section 4.1)

Do you intend to provide
your own trash receptacles? Yes

If yes, how many trash
receptacles do you intend
to provide? 6 to 10

Provide the trash disposal
plan for your event I will provide trash bags for the trash receptacles for easy trash
removal and will take the trash to the proper dumpster.

Note

*Waste Management sells event trash boxes (55 gallons each, 1 box is equal to 1/4
cubic yard). You can contact them at 1-800-796-9696.*

Site Restoration

(City of Ypsilanti Special Events Policy, Section 4.4)

Note

*Site restoration and equipment removal are required by 1 p.m. the day following
your event.*

Do you agree to restore the
location(s) to the condition
in which you found it? Yes

Insurance

(City of Ypsilanti Special Events Policy, Sections 1.4 and 3)

Have you reviewed the
prerequisite insurance
requirements for your
event and agree to submit
proof of liability and/or
property damage insurance
with your application? Yes

City Services & Equipment

Permits

Permits required for your event (check all that apply) Electricity, Food Permit

Other Field not completed.

City Services Requested

(City of Ypsilanti Special Events Policy, Section 5.1)

Check all that apply None of these

City Equipment Requested

(City of Ypsilanti Special Events Policy, Section 5.3)

Check all that apply Electricity

Attestation

(City of Ypsilanti Special Events Policy, Attachment D)

As applicable to event, applicant understands and agrees to comply with City ordinances and rules governing events and agrees to make final payment within thirty (30) days after the scheduled event invoice is received for any additional services required. Failure to comply within thirty (30) days shall place the applicant in default status. Further, it is understood that in the event a permit holder is placed in default status, the permit holder will be denied any other event permit(s) for a period of at least eighteen (18) months from the date of final payment and/or default resolution. I hereby agree to comply with all Federal and State Statutes and with all City of Ypsilanti Ordinances, including the curfew and noise ordinances. I understand and agree that in the event any nuisance or disturbances are caused by the individuals attending the event, the use of the location may be terminated without prior notice by the Police Chief or the City Manager or their designee. I authorize the Fire Marshal to determine the maximum number of persons who may attend this event based on available space. Further, I understand and agree to abide by any additional City requirements that may be deemed necessary to safely operate the proposed event. By typing my name below, I attest that this application represents my intent for the proposed event to the best of my knowledge. I am authorized to submit this application on behalf of the organization:

Applicant Full Name JOHN E LAWRENCE

Date 9/14/2021

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

Special Events Sponsorship & Financial Hardship Request



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

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

Event Name

John E. Lawrence Presents A Christmas Celebration

Event Start Date

12/04/2021

Event Location

Riverside Park 5 E. Cross Street

Event Organizer

John E. Lawrence

Event Contact Person

First name:

John

Last name:

Lawrence

Phone number:

734-635-5446

E-mail:

johnelaw@sbcglobal.net

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

☐ Yes

☒ No

How is this event of general interest to the public?

It will be a nice family outing with held the first three Saturday's in December. There will be an Ice-skating rink, with church choirs singing Christmas carols from 12:00 Noon until 4:00 p.m. and a Professional Jazz Performer doing a Christmas concert from 5:00 p.m. until 7:00 p.m. There will be heated tents for the poeple to warm up and enjoy hot chocolate, hot apple cider and eggnog. I would like to have Christmas lights in all of the trees in Riverside Park. We can use the event to raise money for different charities. I would also like to have a heated tent for senior citizens to enjoy the festivities.

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

- ☒ City Co-Sponsorship
☐ Financial Hardship Waiver

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

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

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

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

It is another way to bring the community together and spread goodwill while at the same time following the social distancing mandates. The city will gain notoriety from surrounding communities making this a regional event much like the John E. Lawrence Frog Island Jazz Series that was held this summer.

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

3

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

Build an Ice-skating rink with a fence with lights so people can see after the sun goes down.
Stage for the performers $\$2,650 \times 3 = \$7,950$
Sound and lights $\$2,000 \times 3 = \$6,000$
Performers $\$1,500 \times 3 = \$4,500$
Marketing and promotional Materials $\$3,000$
Tent rental?????
Heaters for the Stage and the Tents????

When do you need to receive the funds?

09/08/2021

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

Applicant Full Name

John E. Lawrence

Date

09/08/2021



Event: John E. Lawrence Presents A Christmas Celebration

Date: Saturdays, December 4, 11 and 18, 2021 from Noon-5 p.m.

Location: Riverside Park

Class 3

Application fee	\$	35.00
Park Rental (x 3 Saturdays)	\$	1,200.00
Capital Park Improvement	\$	2,250.00
Street Closure permit	\$	-
Street Closure security deposit	\$	-
Security Deposit	\$	1,000.00
Utilities (Electricity)	\$	300.00
Sign permit	\$	105.00
Noise permit	\$	300.00
Non-refundable fees	\$	4,190.00
Total Upfront Fees (permit and security deposit)	\$	5,190.00
Ice Skating Rink Charges:		
DPS		
Straight Time	\$	76.00
Overtime	\$	3,420.00
Equipment	\$	2,189.22
Total DPS	\$	5,685.22
EVENT SUBTOTAL	\$	9,875.22
Administrative Fee (10% Estimate Only)	\$	568.52
EVENT GRAND TOTAL	\$	10,443.74
Class 3 Insurance Requirements		
Insurance will be required for all Class 3 Events in the amount of \$1,000,000 per occurrence, naming the City of Ypsilanti as additionally insured.		

John E. Lawrence - A Christmas Celebration DPS Charges	
DPS Breakdown of Charges:	
1 DPS Operator at \$38/hour x 2 hours	\$ 76.00
1 DPS Operator at \$57/hour x 60 hours	\$ 3,420.00
1 Pump at \$15.09/hour x 62 hours	\$ 935.58
1 Pickup at \$10.00/hour x 62 hours	\$ 626.82
One Ton Truck at \$10.11/hour x 62 hours	\$ 626.82
Subtotal	\$ 5,685.22



REQUEST FOR LEGISLATION

TO:**FROM:** Joe Meyers**DATE:** October 5, 2021**SUBJECT:** 220 N. Park Development

DESCRIPTION:

220 N. Park Development

SUMMARY:

The city has owned the property at 220 N. Park since the 1930's. Over the past 90 years the site has contained the Boys Club, Girls Club, Boys and Girls Club and eventually being vacant land after the Boys and Girls Club was torn down in 2016. The city was approached by Renovare Development in 2020 to present a concept of the development. On July 13, 2021, council approved the concept and authorized staff to enter negotiations on control of the property.

After several meetings staff is presenting an Option Agreement. This will allow the developer to obtain site control while working through the process and allow staff and the developer to calculate an incentive to enter into a community benefits ordinance agreement.

RECOMMENDED ACTION: Staff recommends approval Options Agreement with Renovare Development.

ATTACHMENTS: Options Agreement.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2021-215
October 5, 2021

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti owns the 220 N. Park property and is in the process of working with Renovare Development redevelop the site; and

WHEREAS, Public Engagement Sessions happened on the conceptual site plan in June 2021; and

WHEREAS, the Ypsilanti City Council approved the development concept proposed by Renovare Development and directed staff to enter into negotiations with the developer in July 2021.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves the Options Agreement with Renovare Development LLC and authorizes the City Manager to sign the agreement.

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 5 day of October 2021

#Resolution No. 2021-215

Option Agreement

This Option Agreement ("Option") is granted as of October ____, 2021 ("Effective Date") by the City of Ypsilanti, having an address of 1 South Huron Street, Ypsilanti, Michigan 48197, (collectively referred to as "Optionor" or "Seller"), to Renovare Development, LLC, a Michigan limited liability company ("Optionee"), having an address of 42 Watson Suite B, Detroit, Michigan 48201.

RECITALS

- A. Optionor is the owner of real property in Washtenaw County, referred to in this Option as the Property, commonly known as 220 Park Street (Property) in Ypsilanti, Michigan, more particularly described in Exhibit A (collectively, the "Property"); and
- B. Optionee desires to acquire the exclusive right and option to purchase the Property without becoming obligated to purchase the Property until the Optionee can assess the financial feasibility of the proposed project on the site.
- C. Optionee proposes to develop the Property as a walkable missing-middle housing project with up to fifty percent of the units set aside as workforce housing (families between 40% and 120% of Area Median Income, as set by the U.S. Department of Housing and Urban Development.)

The parties to this Option therefore agree that:

- 1. **Grant of Option.** For the consideration of \$1 and other good and valuable consideration, the Optionor grants to the Optionee the exclusive right and option to purchase the Property at the price and under the terms substantially as set forth herein. (Such right, the "Option").
- 2. **Due Diligence Period.** The initial option period shall commence as of the Effective Date and continue for twelve (12) months ("Initial Option Period").
- 3. **Expiration of Option.** This Option shall expire twelve months from the Effective Date, unless extended pursuant to Paragraph 6. Time is of the essence.
- 4. **Purchase Price.** The purchase price shall be \$250,000 (Two Hundred Fifty Thousand Dollars) ("Purchase Price"), contingent on final appraisal of the land supporting such Purchase Price. If the final appraisal is less than the Purchase Price, the Optionor or Optionee shall have the right to cancel this Option. The initial appraisal shall be conducted within six months of the Effective Date. The Purchase Price includes all Property described in Exhibit A.
- 5. **Land Contract.** Optionee agrees to provide a Draft Land Contract within 60 days of the Effective Date. The Land Contract will include as an exhibit a draft Development Agreement outlining development terms. Optionor agrees to negotiate in good faith

to reach an agreed upon form of Land Contract and Development Agreement within 60 days of receipt of the Draft Land Contract.

6. **Extension of Option.** If necessary, Optionee may extend this Option for an additional six (6) months (the "First Extension Option Period"), for a nonrefundable deposit of \$5,000, subject to any failure to perform by Optionor. All deposits shall be credited against the Purchase Price.
7. **Automatic Termination.** If Optionee fails to execute this option, as may be extended, by executing a Land Contract for the Property, in accordance with the terms of this Option within the Initial Option Period, then the Option shall automatically and immediately terminate without notice.
8. **Assignability of Option.** Optionee shall have the absolute right and authority to assign this Option and all of its interest hereunder without Optionor's consent, provided any assignee agrees to abide by all the terms in the Option and no agreed upon dates will be affected by said Assignment. Optionee agrees to provide a written notice of any such Assignment to Optionor along with a copy of the Assignment executed by the Optionee and Assignee.
9. **Notices.** All notices required or sent hereunder shall be in writing and delivered electronically via facsimile or email, or in person, or by messenger or other express delivery service, or by U.S. Mail to the address of the other party as set forth herein, or to such other address as the parties may from time to time designate in writing.
10. **Rights and Duties During Option Period.** During the Option Period and any extension(s) thereof, Optionee may enter the Property for the purposes of conducting engineering or other tests as required by Optionee. Further, Optionor agrees to cooperate with Optionee in obtaining any site plan or other municipal, county, or state approvals as may be required by Optionee in the course of preparing to exercise this Option or to use the Property. Optionor may, but need not, cooperate in obtaining any variances calling for a change of use from those provided for by the current municipal zoning ordinances. Optionee shall provide reasonable notice prior to inspection. Optionee shall be responsible for any cost associated with testing, engineering or inspections including the cost to repair any damage caused by such.
11. **Entire Option.** This Option contains the entire Option between the parties relating to the Option granted by this instrument. Any oral representations or modifications concerning this Option shall be of no force and effect, excepting a subsequent modification in writing, signed by the party to be charged and supported by consideration.
12. **Attorney's Fees.** In the event of any controversy, claim, or dispute between the parties to this Option, arising out of or relating to this Option or any breach of it, each party shall be responsible for the legal fees associated with its representation.
13. **Binding Effect.** This Option shall bind and inure to the benefit of its parties, their respective heirs or successors and assigns, as expressly provided in this Option.

14. **Governing Law and Choice of Jurisdiction.** This Option shall be governed by and construed in accordance with the laws of the State of Michigan. Venue shall lie in the courts of Washtenaw County, Michigan.
15. **Sale of Property.** In consideration of this Option, Seller agrees not to enter into any other binding agreement for the sale or control of the property until this Option is exercised or terminated in accordance with this Agreement.

IN WITNESS WHEREOF, the parties have executed this Option as of the Effective Date.

City of Ypsilanti (Optionor)

By: _____

Name:

Its:

Renovare Development, LLC, a Michigan limited liability company (Optionee)

By: _____

Name: Jill Ferrari

Its: Managing Partner

EXHIBIT A

YP CITY 11E-29A-1 LOT 60 GILBERT'S ADDITION, EXC BEG AT NE COR LOT 60, TH S 00-40-00 W 175.00 FT, TH S 89-50-50 W 147.63 FT, TH N 46-18-30 W 83.72 FT, TH S 89-50-50 W 82.16 FT, TH N 00-40-00 E 117.00 FT, TH N 89-50-50 E 291.00 FT TO THE POB, ALSO BEG AT ELY ROW LN OF PARK ST AT SW COR LOT 60 GILBERT'S ADDITION TO CITY OF YPSI, TH 669.09 FT ALNG ARC OF CURV-LFT-RAD 1945.58 FT - CH S 52-50-00 E 665.80 FT, TH S 00-2-30 W 45.57 FT, TH 660.01 FT ALNG ARC OF CURV-RT-RAD 1986.74 FT - CH N 53-51-20 W 656.98 FT, TH NLY ALNG ROW 60.30 FT TO THE POB. PT OF NE 1/4 SEC 9, T3S-R7E. 0.63 AC, PT OF LOT 60 GILBERT'S ADDITION. 221 N. GROVE, COMBINED ON 07/28/2014 FROM 11-11-09-111-001, 11-11-09-111-003;



Resolution No. 2021-001
September 23, 2021

**RESOLVED BY THE POLICE ADVISORY COMMISSION OF THE CITY OF
YPSILANTI:**

That the commission urges city council by formal resolution to:

- A) Urge the proper Washtenaw County authorities to develop a policy for free calls from individuals in Washtenaw County, and**
- B) To establish a city policy to aid and assist individuals with their criminal record expungements, and**
- C) To develop a city policy concerning open records for the hiring of prospective police officers for the city of Ypsilanti.**

OFFERED BY: Commissioner Fanta

SUPPORTED BY: Commissioner Humes

YES: 3 NO: 2 (Echols, McCormick) ABSENT: 1 (Turman) VOTE: Carried



Resolution No. 2021-002
September 23, 2021

**RESOLVED BY THE POLICE ADVISORY COMMISSION OF THE CITY OF
YPSILANTI:**

**That the commission recommend city council remove Commissioner Turman
from the Ypsilanti Police Advisory Commission**

OFFERED BY: Commissioner Fanta

SUPPORTED BY: Commissioner Humes

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



Resolution No. 2021-216
October 5, 2021

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
5 day of October 2021

#Resolution No. 2021-216